

## **RITA PUBLIC RECORDS POLICY**

RITA is a public office under the Ohio Revised Code (ORC) and is subject to Ohio's Public Records Act. It is the policy of RITA to strictly adhere to Ohio's Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

**Public Records** This office, in accordance with the ORC, defines records as including any document – paper, electronic or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations or other activities of the office. All records of RITA are public unless they are specifically exempt from disclosure under the ORC. **TAX RETURNS, TAX RETURN INFORMATION, FEDERAL TAX INFORMATION, BANK AND CREDIT CARD INFORMATION AND THE LIKE ARE AMONG THE RECORDS EXEMPT FROM DISCLOSURE.**

**Requests for Records** Each request for public records received by RITA will be directed to the Executive Director and/or the Chief Legal Counsel. Each request for public records should be evaluated for a response using the following guidelines: Although no specific language is required to make a request, the requestor must at least identify the records requested with sufficient clarity to allow RITA to identify, retrieve and review the records. If it is not clear what records are being sought, the requestor must be contacted for clarification and shall be informed of the manner in which RITA keeps its records, in order to assist the requestor in revising the request. The requestor does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record, however for security purposes, it is the policy of RITA that all non-Agency personnel provide identification before being admitted to a RITA facility. This established security policy is not inconsistent with this public records policy as the identification requirement is not for the purpose of identifying public records requestors but for the purpose of identifying those persons entering secure facilities.

Copies of public records must be made available within a reasonable period of time. "Reasonable" takes into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested. Each request should be evaluated to determine an estimated length of time required to gather the records. RITA will strive to acknowledge all requests for public records within three business days following RITA's receipt of the request. At the time of acknowledgement the requestor will be advised of the following:

- An estimated number of business days it will take to satisfy the request
- An estimated cost if copies are requested
- An estimated cost of mailing, if mailing is requested
- Any items within the request that may be exempt from disclosure.

Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

**Cost for Public Records** Those seeking public records will be charged only the actual cost of making copies. There is no charge for documents e-mailed. Requesters may ask that documents be mailed to them. The cost of postage will be calculated and paid in advance of mailing.

**Failure to Respond to Public Record Request** RITA recognizes the consequences of failure to properly respond to a public records request. RITA's failure to respond to a public records request may result in a court ordering RITA to comply with the law and to pay the requester attorney's fees and damages.

The release of the public record(s) to the requestor must be approved by either the Chief Legal Counsel or Executive Director.