

**PUBLIC RECORDS POLICY**  
**CITY OF SIDNEY, OHIO**  
**April 9, 2025**

**I. Purpose:**

The City of Sidney, Ohio (hereinafter, “the City”) acknowledges that it maintains many records that are used in the administration and operation of the City. In accordance with state law and the City Records Commission, the City has adopted Schedules of Records Retention and Disposition that identify these records. These schedules identify records that are stored on a fixed medium (paper, computer, film, etc.) that are created, received, or sent under the jurisdiction of the City and documents the organization, functions, policies, decisions, procedures, operations, or other activities of the City. (R.C. 149.011(G); R.C. 149.43 (A)(1)). The records maintained by the City and the ability to access them are a means to provide trust between the public and the City.

**II. Scope:**

- A. Each office, department or function that maintains records has designated employees who serve as custodians of all records maintained by the office, department or function.
  1. Each record custodian has a copy of the City’s public records policy. (R.C. 149.43(E)(2)).
- B. The City’s public record policy, as well as the City’s Schedules of Records Retention and Disposition are located at every location in which the public may access the City’s records.
- C. The City’s public records policy is located in the City’s policies and procedures manual.
- D. The City displays a poster which generally describes the City’s public records policy at every location in which the public may access the City’s records.

**III. Fees:**

- A. The City, in accordance with Section 149.43 of the Revised Code, has established the following fees for providing copies or reproductions of public records maintained by the City:
  1. For photocopies of either letter or legal size documents, the fees shall be 5¢

per photocopy calculated from the first photocopy. Advance payment is required before any copies are prepared.

2. For video tapes, cassette tapes or for any other type of media, the fee shall be the replacement cost or the reproduction (copying) cost. Reproduction costs may only be charged if a commercial or professional service is contracted to provide the copy.
3. For released body-worn camera, dash-mounted camera, and surveillance camera footage, the footage requested must be reviewed and potentially redacted to protect the parties captured on said footage. The city may charge \$75.00 (seventy-five dollars) per hour times 1.5 total hours of raw body-camera footage. The total cost based on this calculation will be capped at \$750.00 (seven hundred fifty dollars). Additionally, the actual cost of the physical media (if any) will be added. Advance payment is required before any videos are prepared.

If the actual cost exceeds the estimated actual cost, the Sidney Police Department may charge a requester for the difference upon fulfilling a request for video records if the requester is notified in advance that the actual cost may be up to twenty per cent (20%) higher than the estimated actual cost. The Sidney Police Department shall not charge a requester a difference that exceeds twenty per cent (20%) of the estimated actual cost.

4. Established costs/fees under this policy shall be clearly posted and visible to the public at all locations authorized to provide copies of public records.

#### **IV. Availability:**

##### **Inspection**

- A. All public records maintained by the City shall be promptly prepared and made available for inspection to any person during regular business hours as well as a copy of the City's current records retention schedule(s). (R.C. 149.43(B)(1)). (Promptness is to be determined by the facts and circumstances of each public records request). Regular business hours for the City are Monday through Friday (except holidays), from 8:00 a.m. to 4:00 p.m.
- B. For the purpose of enhancing the ability of the City to identify, provide for prompt inspection, as well as provide copies of the requested items in a reasonable period of time, the City shall provide to the requestor Form 100 for the requestor to complete.

1. Prompt inspection and copies of records within a reasonable amount of time contemplates the opportunity for legal review.
2. Although the City may ask the requestor to make the request in writing, may ask for the requestor's identity, and may inquire about the intended use of the information requested, the requestor shall be advised that:
  - a. The requests are not mandatory; and
  - b. The requestor's refusal to complete Form 100 does not impair the requestor's right to inspect and/or receive copies of the public record. (R.C. 149.43(B)(5)).
3. Any person, including corporations, individuals, and other governmental agencies, may request public records, and will be allowed prompt inspection of public records and copies within a reasonable amount of time upon request.

C. In the event a request is made to inspect and/or obtain a copy of a record maintained by the City whose release may be prohibited or exempted by either state or federal law, the request shall be forwarded to legal counsel for the City for research and/or review. The person submitting the request shall be advised that their request is being reviewed by legal counsel to ensure that protected and/or exempted information is not improperly released by the City.

D. Records, whose release is prohibited or exempted by either state or federal law, or not considered public records as defined by R.C. 149.43(A)(1), shall NOT be subject to public inspection. Attached to this Policy is Exhibit "A" which is a partial list of records, that may not be inspected or copied per R. C. 149.43(A)(1).

### **Public Records Requests**

A. Mailed Requests for Public Records:

1. Upon receiving a written request for copies of a public record made in accordance with Section 149.43 of the Ohio Revised Code via the United States Postal Service, the City shall promptly respond to the request.
2. An authorized employee of the City shall, by any means practical, contact the requestor and advise them that advance payment is required prior to providing copies of public records, and in addition, the fee shall also include

the cost of postage and the envelope. (R.C. 149.43(B)(7)).

3. When practical, the City may forward copied records by any other means reasonably acceptable to the requestor.
  - a. If a person requests a copy of a public record, the City shall permit the requestor to choose to have the public record duplicated on paper or upon the same medium upon which the City maintains the public record or upon any other medium on which the record can reasonably be duplicated as an integral part of the normal operations of the City, or the responsible City employee for the public record. (R.C. 149.43 (B)(6)(7)).
  - b. Persons seeking copies of public records are not permitted to make their own copies of the requested records by any means (R.C. 149.43(B)(6)).
4. In accordance with Section 149.43(B)(7) of the Ohio Revised Code, the City limits the number of requested public records to be transmitted through the U. S. Mail, to a maximum of ten records per month unless the requestor certifies that the records or information in them will not be used for commercial purposes.
  - a. “Commercial purposes” shall be narrowly construed and does not include reporting or gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research.
5. Authorized City employees shall comply with the following procedures upon receiving a valid public record request through the United States Postal System.
  - a. City employees shall promptly process requests.
  - b. Requestors shall be charged the postage fees and the cost of the envelope required to properly send the requested records through the mail.

B. Written or verbal requests for copies made by the public records requestor or their designee shall be processed in the same manner as mailed requests.

### **Response and Denials**

A. Requests for inspection and/or copies of public records, which are not maintained by the City shall be processed in the following manner:

1. If the City receives a request for a record that the City does not maintain or the request is for a record which is no longer maintained, the requestor shall be so notified in writing utilizing Form 101 that one of the following applies:
  - a. Their request involves records that have never been maintained by the City; or
  - b. Their request involves records that are no longer maintained or have been disposed of or transferred pursuant to applicable City Schedules of Record Retention and disposition; or
  - c. Their request involves a record that has been disposed of pursuant to an Application of the One-Time Records Disposal; or
  - d. If the record that is requested is not a record used or maintained by the City, the requestor shall be notified that in accordance with Ohio Revised Code Section 149.40, that the City is under no obligation to create records to meet public record requests.

B. Ambiguous or Overly Broad Request for Public Records.

If a requestor makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records such that the City employee responsible for the requested public record cannot reasonably identify what public records are being requested:

1. The City may deny the request.
2. However, the City shall provide the requestor with an opportunity to revise the request by informing the requestor of the manner in which records are maintained by the City in the ordinary course of business. (R.C. 149.43(13)(2)).

C. Denial of a Record Maintained by the City.

The City may deny request for a record maintained by the City if:

1. The record that is requested is prohibited from release due to applicable state or federal law.
  - a. Employees of the City shall consult legal counsel if they are unsure of whether the record requested should be withheld from disclosure.
    - I. Employees may check the appropriate box on Form 101 if they are simply applying the statutory exclusion.
    - ii. Otherwise, legal counsel will respond with the legal authority for a denial.
2. As governed by R. C. 149.43(B)(3), if a request is ultimately denied, in part or in whole, the City shall provide the requestor with an explanation, including legal authority, setting forth why the request was denied.
  - a. If the initial request was provided in writing, then the explanation shall also be provided in writing.
  - b. The explanation shall not preclude the City from relying upon additional reasons or legal authority in defending an action commenced pursuant to R.C. 149.43.

D. Redacting Exempted Records/Procedure.

1. “Redaction” means obscuring or deleting any information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a “record” in Section 149.011 of the Ohio Revised Code (R.C. 149.43(A)(1));
  - a. A redaction shall be deemed a denial of a request to inspect or copy the redacted information; except if federal or state law authorizes or requires a public office to make the redaction. (R.C. 149.43(B)(1)).
  - b. If a request is ultimately denied, in part or in whole, the City shall provide the requestor with an explanation, including legal authority setting forth why the request was denied. (R.C. 149.43(B)(3)).
2. If a public record contains certain information that is exempt from the duty to permit public inspection or to copy the public record, the City shall make available the information within the public record that is not exempt.

3. When making that public record available for public inspection or copying that public record, the City shall notify the requestor of any redaction or make the redaction plainly visible (R.C. 149.43(B)(1)).
4. The releasing employee shall then reproduce a copy of the page with the redactions; the resulting copy shall be the page that is released to the requestor.
5. The first reproduction page with the original redactions made by the employee is the work sheet. It shall be attached to the original record, and maintained in accordance with the retention period established for the original document.

### **Remedy**

#### **A. Grievances.**

1. If a person allegedly is aggrieved due to the inability to inspect a public record or due to the inability to receive a copy of the public record, the person shall be advised that they may:
  - a. Contact the City Manager's office.
  - b. If the person is not satisfied after contacting the City's senior representative, they shall be advised that Ohio Revised Code Section 149.43 provides a legal means for addressing their complaint in these disputes (R.C. 149.43(C)(1)(2)).

## **V. Training and Education**

The City continues to update and address all education, training, disclosure and policy requirements mandated by R.C. 109.43 and R.C. 149.43(E)(1)(2). The City Clerk is designated as the responsible party to attend all necessary training and is the responsible party to educate and train employees regarding the Public Records Policy mandates.

149.43(A) As used in this section:

(1) "Public record" means records kept by any public office, including, but not limited to, state, county, city, village, township, and school district units, and records pertaining to the delivery of educational services by an alternative school in this state kept by the nonprofit or for-profit entity operating the alternative school pursuant to section [3313.533](#) of the Revised Code. "Public record" **does not mean** any of the following:

- (a) Medical records;
- (b) Records pertaining to probation and parole proceedings, to proceedings related to the imposition of community control sanctions and post-release control sanctions, or to proceedings related to determinations under section [2967.271](#) of the Revised Code regarding the release or maintained incarceration of an offender to whom that section applies;
- (c) Records pertaining to actions under section [2151.85](#) and division (C) of section [2919.121](#) of the Revised Code and to appeals of actions arising under those sections;
- (d) Records pertaining to adoption proceedings, including the contents of an adoption file maintained by the department of health under sections [3705.12](#) to [3705.124](#) of the Revised Code;
- (e) Information in a record contained in the putative father registry established by section [3107.062](#) of the Revised Code, regardless of whether the information is held by the department of job and family services or, pursuant to section [3111.69](#) of the Revised Code, the office of child support in the department or a child support enforcement agency;
- (f) Records specified in division (A) of section [3107.52](#) of the Revised Code;
- (g) Trial preparation records;
- (h) Confidential law enforcement investigatory records;
- (i) Records containing information that is confidential under section [2710.03](#) or [4112.05](#) of the Revised Code;

- (j) DNA records stored in the DNA database pursuant to section [109.573](#) of the Revised Code;
- (k) Inmate records released by the department of rehabilitation and correction to the department of youth services or a court of record pursuant to division (E) of section [5120.21](#) of the Revised Code;
- (l) Records maintained by the department of youth services pertaining to children in its custody released by the department of youth services to the department of rehabilitation and correction pursuant to section [5139.05](#) of the Revised Code;
- (m) Intellectual property records;
- (n) Donor profile records;
- (o) Records maintained by the department of job and family services pursuant to section [3121.894](#) of the Revised Code;
- (p) Designated public service worker residential and familial information;
- (q) In the case of a county hospital operated pursuant to Chapter 339. of the Revised Code or a municipal hospital operated pursuant to Chapter 749. of the Revised Code, information that constitutes a trade secret, as defined in section [1333.61](#) of the Revised Code;
- (r) Information pertaining to the recreational activities of a person under the age of eighteen;
- (s) In the case of a child fatality review board acting under sections [307.621](#) to [307.629](#) of the Revised Code or a review conducted pursuant to guidelines established by the director of health under section [3701.70](#) of the Revised Code, records provided to the board or director, statements made by board members during meetings of the board or by persons participating in the director's review, and all work products of the board or director, and in the case of a child fatality review board, child fatality review data submitted by the board to the department of health or a national child death review database, other than the report prepared pursuant to division (A) of section [307.626](#) of the Revised Code;
- (t) Records provided to and statements made by the executive director of a public children services agency or a prosecuting attorney acting pursuant to section [5153.171](#) of the Revised Code other than the information released under that section;

- (u) Test materials, examinations, or evaluation tools used in an examination for licensure as a nursing home administrator that the board of executives of long-term services and supports administers under section [4751.15](#) of the Revised Code or contracts under that section with a private or government entity to administer;
- (v) Records the release of which is prohibited by state or federal law;
- (w) Proprietary information of or relating to any person that is submitted to or compiled by the Ohio venture capital authority created under section [150.01](#) of the Revised Code;
- (x) Financial statements and data any person submits for any purpose to the Ohio housing finance agency or the controlling board in connection with applying for, receiving, or accounting for financial assistance from the agency, and information that identifies any individual who benefits directly or indirectly from financial assistance from the agency;
- (y) Records listed in section [5101.29](#) of the Revised Code;
- (z) Discharges recorded with a county recorder under section [317.24](#) of the Revised Code, as specified in division (B)(2) of that section;
- (aa) Usage information including names and addresses of specific residential and commercial customers of a municipally owned or operated public utility;
- (bb) Records described in division (C) of section [187.04](#) of the Revised Code that are not designated to be made available to the public as provided in that division;
- (cc) Information and records that are made confidential, privileged, and not subject to disclosure under divisions (B) and (C) of section [2949.221](#) of the Revised Code;
- (dd) Personal information, as defined in section [149.45](#) of the Revised Code;
- (ee) The confidential name, address, and other personally identifiable information of a program participant in the address confidentiality program established under sections [111.41](#) to [111.47](#) of the Revised Code, including the contents of any application for absent voter's ballots, absent voter's ballot identification envelope statement of voter, or provisional ballot affirmation completed by a program participant who has a confidential voter registration record; records or portions of records pertaining to that program that identify the number of program participants that reside within a precinct, ward, township, municipal corporation, county, or any other geographic area smaller than the state; and any real property confidentiality notice filed under section [111.431](#)

of the Revised Code and the information described in division (C) of that section. As used in this division, "confidential address" and "program participant" have the meaning defined in section [111.41](#) of the Revised Code.

(ff) Orders for active military service of an individual serving or with previous service in the armed forces of the United States, including a reserve component, or the Ohio organized militia, except that, such order becomes a public record on the day that is fifteen years after the published date or effective date of the call to order;

(gg) The name, address, contact information, or other personal information of an individual who is less than eighteen years of age that is included in any record related to a traffic accident involving a school vehicle in which the individual was an occupant at the time of the accident;

(hh) Protected health information, as defined in 45 C.F.R. 160.103, that is in a claim for payment for a health care product, service, or procedure, as well as any other health claims data in another document that reveals the identity of an individual who is the subject of the data or could be used to reveal that individual's identity;

(ii) Any depiction by photograph, film, videotape, or printed or digital image under either of the following circumstances:

(i) The depiction is that of a victim of an offense the release of which would be, to a reasonable person of ordinary sensibilities, an offensive and objectionable intrusion into the victim's expectation of bodily privacy and integrity.

(ii) The depiction captures or depicts the victim of a sexually oriented offense, as defined in section [2950.01](#) of the Revised Code, at the actual occurrence of that offense.

(jj) Restricted portions of a body-worn camera or dashboard camera recording;

(kk) In the case of a fetal-infant mortality review board acting under sections [3707.70](#) to [3707.77](#) of the Revised Code, records, documents, reports, or other information presented to the board or a person abstracting such materials on the board's behalf, statements made by review board members during board meetings, all work products of the board, and data submitted by the board to the department of health or a national infant death review database, other than the report prepared pursuant to section [3707.77](#) of the Revised Code.

(ll) Records, documents, reports, or other information presented to the pregnancy-associated mortality review board established under section [3738.01](#) of the Revised

Code, statements made by board members during board meetings, all work products of the board, and data submitted by the board to the department of health, other than the biennial reports prepared under section [3738.08](#) of the Revised Code;

(mm) Except as otherwise provided in division (A)(1)(oo) of this section, telephone numbers for a victim, as defined in section [2930.01](#) of the Revised Code or a witness to a crime that are listed on any law enforcement record or report.

(nn) A preneed funeral contract, as defined in section [4717.01](#) of the Revised Code, and contract terms and personally identifying information of a preneed funeral contract, that is contained in a report submitted by or for a funeral home to the board of embalmers and funeral directors under division (C) of section [4717.13](#), division (J) of section [4717.31](#), or section [4717.41](#) of the Revised Code.

(oo) Telephone numbers for a party to a motor vehicle accident subject to the requirements of section [5502.11](#) of the Revised Code that are listed on any law enforcement record or report, except that the telephone numbers described in this division are not excluded from the definition of "public record" under this division on and after the thirtieth day after the occurrence of the motor vehicle accident.

(pp) Records pertaining to individuals who complete training under section [5502.703](#) of the Revised Code to be permitted by a school district board of education or governing body of a community school established under Chapter 3314. of the Revised Code, a STEM school established under Chapter 3326. of the Revised Code, or a chartered nonpublic school to convey deadly weapons or dangerous ordnance into a school safety zone;

(qq) Records, documents, reports, or other information presented to a domestic violence fatality review board established under section [307.651](#) of the Revised Code, statements made by board members during board meetings, all work products of the board, and data submitted by the board to the department of health, other than a report prepared pursuant to section [307.656](#) of the Revised Code;

(rr) Records, documents, and information the release of which is prohibited under sections [2930.04](#) and [2930.07](#) of the Revised Code;

(ss) Records of an existing qualified nonprofit corporation that creates a special improvement district under Chapter 1710. of the Revised Code that do not pertain to a purpose for which the district is created;

(tt) Educational support services data, as defined in section [3319.325](#) of the Revised Code;

(uu) Records of the past, current, and future work schedule of a designated public service worker. As used in division (A)(1)(uu) of this section, "work schedule" does not include the docket of cases of a court, judge, or magistrate;

(vv) A request form or confirmation letter submitted to a public office under section [149.45](#) of the Revised Code;

(ww) An affidavit or confirmation letter submitted under section [319.28](#) of the Revised Code;

(xx) License or certificate application or renewal responses and supporting documentation submitted to the state medical board regarding an applicant's, or a license or certificate holder's, inability to practice according to acceptable and prevailing standards of care by reason of a medical condition.

A record that is not a public record under division (A)(1) of this section and that, under law, is permanently retained becomes a public record on the day that is seventy-five years after the day on which the record was created, or in the case of a record that is not a public record under division (A)(1)(uu) of this section that is retained, three years after the day on which the record was created, except for any record protected by the attorney-client privilege, a trial preparation record as defined in this section, a statement prohibiting the release of identifying information signed under section [3107.083](#) of the Revised Code, a denial of release form filed pursuant to section [3107.46](#) of the Revised Code, or any record that is exempt from release or disclosure under section [149.433](#) of the Revised Code. If the record is a birth certificate and a biological parent's name redaction request form has been accepted under section [3107.391](#) of the Revised Code, the name of that parent shall be redacted from the birth certificate before it is released under this paragraph. If any other section of the Revised Code establishes a time period for disclosure of a record that conflicts with the time period specified in this section, the time period in the other section prevails.

(2) "Confidential law enforcement investigatory record" means any record that pertains to a law enforcement matter of a criminal, quasi-criminal, civil, or administrative nature, but only to the extent that the release of the record would create a high probability of disclosure of any of the following:

(a) The identity of a suspect who has not been charged with the offense to which the record pertains, or of an information source or witness to whom confidentiality has been reasonably promised;

(b) Information provided by an information source or witness to whom confidentiality has been reasonably promised, which information would reasonably tend to disclose the source's or witness's identity;

(c) Specific confidential investigatory techniques or procedures or specific investigatory work product;

(d) Information that would endanger the life or physical safety of law enforcement personnel, a crime victim, a witness, or a confidential information source.

(3) "Medical record" means any document or combination of documents, except births, deaths, and the fact of admission to or discharge from a hospital, that pertains to the medical history, diagnosis, prognosis, or medical condition of a patient and that is generated and maintained in the process of medical treatment.

(4) "Trial preparation record" means any record that contains information that is specifically compiled in reasonable anticipation of, or in defense of, a civil or criminal action or proceeding, including the independent thought processes and personal trial preparation of an attorney.

(5) "Intellectual property record" means a record, other than a financial or administrative record, that is produced or collected by or for faculty or staff of a state institution of higher learning in the conduct of or as a result of study or research on an educational, commercial, scientific, artistic, technical, or scholarly issue, regardless of whether the study or research was sponsored by the institution alone or in conjunction with a governmental body or private concern, and that has not been publicly released, published, or patented.

(6) "Donor profile record" means all records about donors or potential donors to a public institution of higher education except the names and reported addresses of the actual donors and the date, amount, and conditions of the actual donation.

(7) "Designated public service worker" means a peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant prosecuting attorney, correctional employee, county or multicounty corrections officer, community-based correctional facility employee, designated Ohio national guard member, protective services worker, youth services employee, firefighter, EMT, medical director or member of a cooperating physician advisory board of an emergency medical service organization, state board of pharmacy employee, investigator of the bureau of criminal identification and investigation, emergency service telecommunicator, forensic mental health provider, mental health evaluation provider, regional psychiatric hospital employee, judge, magistrate, or federal law enforcement officer.

(8) "Designated public service worker residential and familial information" means any information that discloses any of the following about a designated public service worker:

(a) The address of the actual personal residence of a designated public service worker, except for the following information:

(i) The address of the actual personal residence of a prosecuting attorney or judge; and

(ii) The state or political subdivision in which a designated public service worker resides.

(b) Information compiled from referral to or participation in an employee assistance program;

(c) The social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of, or any medical information pertaining to, a designated public service worker;

(d) The name of any beneficiary of employment benefits, including, but not limited to, life insurance benefits, provided to a designated public service worker by the designated public service worker's employer;

(e) The identity and amount of any charitable or employment benefit deduction made by the designated public service worker's employer from the designated public service worker's compensation, unless the amount of the deduction is required by state or federal law;

(f) The name, the residential address, the name of the employer, the address of the employer, the social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of the spouse, a former spouse, or any child of a designated public service worker;

(g) A photograph of a peace officer who holds a position or has an assignment that may include undercover or plain clothes positions or assignments as determined by the peace officer's appointing authority.

(9) As used in divisions (A)(7) and (15) to (17) of this section:

"Peace officer" has the meaning defined in section [109.71](#) of the Revised Code and also includes the superintendent and troopers of the state highway patrol; it does not

include the sheriff of a county or a supervisory employee who, in the absence of the sheriff, is authorized to stand in for, exercise the authority of, and perform the duties of the sheriff.

"Correctional employee" means any employee of the department of rehabilitation and correction who in the course of performing the employee's job duties has or has had contact with inmates and persons under supervision.

"County or multicounty corrections officer" means any corrections officer employed by any county or multicounty correctional facility.

"Designated Ohio national guard member" means a member of the Ohio national guard who is participating in duties related to remotely piloted aircraft, including, but not limited to, pilots, sensor operators, and mission intelligence personnel, duties related to special forces operations, or duties related to cybersecurity, and is designated by the adjutant general as a designated public service worker for those purposes.

"Protective services worker" means any employee of a county agency who is responsible for child protective services, child support services, or adult protective services.

"Youth services employee" means any employee of the department of youth services who in the course of performing the employee's job duties has or has had contact with children committed to the custody of the department of youth services.

"Firefighter" means any regular, paid or volunteer, member of a lawfully constituted fire department of a municipal corporation, township, fire district, or village.

"EMT" means EMTs-basic, EMTs-I, and paramedics that provide emergency medical services for a public emergency medical service organization. "Emergency medical service organization," "EMT-basic," "EMT-I," and "paramedic" have the meanings defined in section [4765.01](#) of the Revised Code.

"Investigator of the bureau of criminal identification and investigation" has the meaning defined in section [2903.11](#) of the Revised Code.

"Emergency service telecommunicator" means an individual employed by an emergency service provider as defined under section [128.01](#) of the Revised Code, whose primary responsibility is to be an operator for the receipt or processing of calls for emergency services made by telephone, radio, or other electronic means.

"Forensic mental health provider" means any employee of a community mental health service provider or local alcohol, drug addiction, and mental health services board who, in the course of the employee's duties, has contact with persons committed to a local alcohol, drug addiction, and mental health services board by a court order pursuant to section [2945.38](#), [2945.39](#), [2945.40](#), or [2945.402](#) of the Revised Code.

"Mental health evaluation provider" means an individual who, under Chapter 5122. of the Revised Code, examines a respondent who is alleged to be a mentally ill person subject to court order, as defined in section [5122.01](#) of the Revised Code, and reports to the probate court the respondent's mental condition.

"Regional psychiatric hospital employee" means any employee of the department of mental health and addiction services who, in the course of performing the employee's duties, has contact with patients committed to the department of mental health and addiction services by a court order pursuant to section [2945.38](#), [2945.39](#), [2945.40](#), or [2945.402](#) of the Revised Code.

"Federal law enforcement officer" has the meaning defined in section [9.88](#) of the Revised Code.

(10) "Information pertaining to the recreational activities of a person under the age of eighteen" means information that is kept in the ordinary course of business by a public office, that pertains to the recreational activities of a person under the age of eighteen years, and that discloses any of the following:

- (a) The address or telephone number of a person under the age of eighteen or the address or telephone number of that person's parent, guardian, custodian, or emergency contact person;
- (b) The social security number, birth date, or photographic image of a person under the age of eighteen;
- (c) Any medical record, history, or information pertaining to a person under the age of eighteen;
- (d) Any additional information sought or required about a person under the age of eighteen for the purpose of allowing that person to participate in any recreational activity conducted or sponsored by a public office or to use or obtain admission privileges to any recreational facility owned or operated by a public office.

(11) "Community control sanction" has the meaning defined in section [2929.01](#) of the Revised Code.

(12) "Post-release control sanction" has the meaning defined in section [2967.01](#) of the Revised Code.

(13) "Redaction" means obscuring or deleting any information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a "record" in section [149.011](#) of the Revised Code.

(14) "Designee," "elected official," and "future official" have the meanings defined in section [109.43](#) of the Revised Code.

(15) "Body-worn camera" means a visual and audio recording device worn on the person of a correctional employee, youth services employee, or peace officer while the correctional employee, youth services employee, or peace officer is engaged in the performance of official duties.

(16) "Dashboard camera" means a visual and audio recording device mounted on a peace officer's vehicle or vessel that is used while the peace officer is engaged in the performance of the peace officer's duties.

(17) "Restricted portions of a body-worn camera or dashboard camera recording" means any visual or audio portion of a body-worn camera or dashboard camera recording that shows, communicates, or discloses any of the following:

(a) The image or identity of a child or information that could lead to the identification of a child who is a primary subject of the recording when the department of rehabilitation and correction, department of youth services, or the law enforcement agency knows or has reason to know the person is a child based on the department's or law enforcement agency's records or the content of the recording;

(b) The death of a person or a deceased person's body, unless the death was caused by a correctional employee, youth services employee, or peace officer or, subject to division (H)(1) of this section, the consent of the decedent's executor or administrator has been obtained;

(c) The death of a correctional employee, youth services employee, peace officer, firefighter, paramedic, or other first responder, occurring while the decedent was engaged in the performance of official duties, unless, subject to division (H)(1) of this section, the consent of the decedent's executor or administrator has been obtained;

(d) Grievous bodily harm, unless the injury was effected by a correctional employee, youth services employee, or peace officer or, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained;

- (e) An act of severe violence against a person that results in serious physical harm to the person, unless the act and injury was effected by a correctional employee, youth services employee, or peace officer or, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained;
- (f) Grievous bodily harm to a correctional employee, youth services employee, peace officer, firefighter, paramedic, or other first responder, occurring while the injured person was engaged in the performance of official duties, unless, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained;
- (g) An act of severe violence resulting in serious physical harm against a correctional employee, youth services employee, peace officer, firefighter, paramedic, or other first responder, occurring while the injured person was engaged in the performance of official duties, unless, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained;
- (h) A person's nude body, unless, subject to division (H)(1) of this section, the person's consent has been obtained;
- (i) Protected health information, the identity of a person in a health care facility who is not the subject of a correctional, youth services, or law enforcement encounter, or any other information in a health care facility that could identify a person who is not the subject of a correctional, youth services, or law enforcement encounter;
- (j) Information that could identify the alleged victim of a sex offense, menacing by stalking, or domestic violence;
- (k) Information, that does not constitute a confidential law enforcement investigatory record, that could identify a person who provides sensitive or confidential information to the department of rehabilitation and correction, the department of youth services, or a law enforcement agency when the disclosure of the person's identity or the information provided could reasonably be expected to threaten or endanger the safety or property of the person or another person;
- (l) Personal information of a person who is not arrested, cited, charged, or issued a written warning by a peace officer;
- (m) Proprietary correctional, youth services, or police contingency plans or tactics that are intended to prevent crime and maintain public order and safety;

- (n) A personal conversation unrelated to work between correctional employees, youth services employees, or peace officers or between a correctional employee, youth services employee, or peace officer and an employee of a law enforcement agency;
- (o) A conversation between a correctional employee, youth services employee, or peace officer and a member of the public that does not concern correctional, youth services, or law enforcement activities;
- (p) The interior of a residence, unless the interior of a residence is the location of an adversarial encounter with, or a use of force by, a correctional employee, youth services employee, or peace officer;
- (q) Any portion of the interior of a private business that is not open to the public, unless an adversarial encounter with, or a use of force by, a correctional employee, youth services employee, or peace officer occurs in that location.

As used in division (A)(17) of this section:

"Grievous bodily harm" has the same meaning as in section [5924.120](#) of the Revised Code.

"Health care facility" has the same meaning as in section [1337.11](#) of the Revised Code.

"Protected health information" has the same meaning as in 45 C.F.R. 160.103.

"Law enforcement agency" means a government entity that employs peace officers to perform law enforcement duties.

"Personal information" means any government-issued identification number, date of birth, address, financial information, or criminal justice information from the law enforcement automated data system or similar databases.

"Sex offense" has the same meaning as in section [2907.10](#) of the Revised Code.

"Firefighter," "paramedic," and "first responder" have the same meanings as in section [4765.01](#) of the Revised Code.

# **CITY OF SIDNEY**

## **PUBLIC RECORDS POLICY**

**The City of Sidney acknowledges that it maintains many records that are used in the administration and operation of the City. The records maintained by the City and the ability to access them are a means to provide trust between the public and the City of Sidney. The City maintains its records in a manner which allows the City to provide the general public prompt inspection of the City's public records, and copies of these records within a reasonable amount of time during its regular business hours from 8:00 AM – 4:00 PM.**

**The City of Sidney has a public records policy and a Schedule of Records Retention (RC-2). If you cannot find either of these documents, please consult with one of our employees and they will provide you with a copy.**

## Public Records Request Form



## SIDNEY POLICE DEPARTMENT

## Records Office

234 West Court Street

Sidney, Ohio 45365

Phone Number: (937) 498-2351

Office Hours: Mon-Fri 8:00 AM-4:00 PM  
Closed Sat/Sun & Holidays

## REQUESTOR INFORMATION

The Sidney Police Department is obligated to provide the public with any records not exempted from disclosure by law. You are not required to complete a written request for a public record (ORC 149.43(B) (5)), but completing this written request enhances our ability to identify, locate and deliver the requested public record(s). The Records Office will complete your request upon the availability of the record(s). If contact information is provided, you will be notified if there are questions regarding your request and/or upon the completion of your request with total costs associated. All records are subject to redaction.

Date of Request: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: \_\_\_\_\_ Email address: \_\_\_\_\_

**PROVIDE INFORMATION IF KNOWN**

Type of Record:  Accident Report  Incident Report  Non-Criminal Report  Other: \_\_\_\_\_  
(Identify the record(s) you are requesting)

Report #:	
Suspect Name:	Victim Name:
Date and Time of Occurrence:	Location of Occurrence:

## **PUBLIC RECORD INFORMATION**

Please use the space below to type and/or legibly print a clear description and detailed information of the particular record(s) you are requesting. Be sure to include what type of incident you are requesting, (example: *child custody, criminal damaging, etc.*) the date or timeframe of the incident(s), individuals involved and the location (*address*) of incident(s) in the city limits of Sidney. If the request is unclear or is too broad, we may be unable to fulfill your request.

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## **PUBLIC RECORD FEES**

**PAYMENT IS REQUIRED PRIOR TO THE SIDNEY POLICE DEPARTMENT  
FULFILLING YOUR DIGITAL REQUEST**

Flash Drive – 8gb / 16gb \$7.00  Flash Drive – 32gb / 64gb \$11.00  Flash Drive – 128gb \$15.00  CD – \$0.50

## **RECORDS OFFICE USE ONLY:**

OCA# _____	CAD# _____
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**\* NOTES \***

Date of Request sent to Rob Jameson _____	BWC / 911 / video recordings _____
Copies of other materials (disk, thumb drive, etc.)	

**\* RECORDS NOT AVAILABLE \***

- Record has never been maintained by the Sidney Police Department
- Record is no longer maintained or has been disposed of due to records retention schedule
- Record is prohibited from release due to an applicable state or federal law \_\_\_\_\_
- \_\_\_\_\_

**\* RECORDS PROHIBITED OR EXEMPTED BY LAW \***

- Record has been forwarded to legal counsel for research / review
- Record has been reviewed and law director / prosecutor have denied release
- Record has been reviewed by law director / prosecutor and records are to be released

Name:	Date Request Completed:
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Scan and attach reports with this request in *Police Shared Folder*.



Public Records Request Form (RC100)

**CITY OF SIDNEY**



Phone Number: (937) 498-8148

City Clerk  
201 West Poplar Street  
Sidney, Ohio 45365

Office Hours: Mon-Fri 8:00 AM-4:00 PM  
Closed Sat/Sun & Holidays

## REQUESTOR INFORMATION

The Sidney, Ohio government belongs to its citizens. We conduct our government activities in the open, and are proud of our strong commitment to this important principle of democracy. While not mandatory, if you fill out this form, it will help us provide the public records you are requesting in a more timely fashion.

Date of Request:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: \_\_\_\_\_ Email address: \_\_\_\_\_

## **PUBLIC RECORD INFORMATION**

Please use the space below to type and/or legibly print a clear description and detailed information of the particular record(s) you are requesting. With as much specificity as possible, please describe what records you want to review. If the request is unclear or is too broad, we may be unable to fulfill your request.

## PUBLIC RECORD FEES

**PAYMENT IS REQUIRED PRIOR TO FULFILLING YOUR REQUEST**

- Flash Drive – 8gb / 16gb **\$7.00**  Flash Drive – 32gb / 64gb **\$11.00**  Flash Drive – 128gb **\$15.00**  CD – **\$0.50**
  
- Photocopies – **\$0.05 per page**  Mailing Costs - **(actual costs)**  Inspection/Email – **No Charge**

**RECORDS OFFICE USE ONLY (RC101):**

## \* NOTES \*

**\* RECORDS NOT AVAILABLE \***

- Record has never been maintained by the City of Sidney
- Record is no longer maintained or has been disposed of due to records retention schedule
- Record is prohibited from release due to an applicable state or federal law \_\_\_\_\_
- \_\_\_\_\_

**\* RECORDS PROHIBITED OR EXEMPTED BY LAW \***

- Record has been forwarded to legal counsel for research / review
- Record has been reviewed and law director / prosecutor have denied release
- Record has been reviewed by law director / prosecutor and records are to be released
- Record has been reviewed and non-releasable information has been redacted. Releasing employee has noted the applicable reasons for redaction.

**\* FEES \***

NUMBER OF COPIES REQUESTED \_\_\_\_\_ @ \$0.05 PER PAGE \$ \_\_\_\_\_

RECORDS PROVIDED ON TYPE OF MEDIA

MAILING COSTS **69**

RECEIPT # (IF APPLICABLE) GRAND TOTAL: \$

Name:	Date Request Completed:
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**Public Records Request**