

STARK COUNTY CORONER'S OFFICE RECORD REQUEST POLICY

MISSION STATEMENT

Transparency supports a well-informed and empowered public, leading to an accountable government and the development of a sound public policy. It is the mission and intent of the Stark County Coroner's Office to at all times fully comply with and abide by both the spirit and letter of the Ohio Public Records Act.

DEFINING PUBLIC RECORDS

A "record" is defined to include the following: A document in any format; paper, electronic, including but not limited to, business e-mail that is created, received by, or comes under the jurisdiction of the Stark County Coroner's Office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. The Stark County Coroner's Office is the custodial keeper of and all records produced by the Stark County Coroner's Office. All public records must be organized and maintained in such a way that they can be made available for inspection and copying. *See R.C.313.10.*

RESPONSE TIMEFRAME

Public records are to be available for inspection during regular business hours (Monday through Friday 8:30a-4:30p). Completed and signed public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" will be considered based off the volume of records requested, the proximity of the location where the records are stored, the necessity for any legal review or redaction, and any other facts or circumstances of the records requested. It is the goal of the Stark County Coroner's Office that all public record requests will be satisfied within six months following the office's receipt of the request. *See R.C.149.43.*

HANDLING REQUESTS

All requests for public records should be acknowledged in writing or by an online submission at <https://www.starkcountyohio.gov/government/offices/coroner>. The requester must identify the records requested with sufficient clarity to allow the office the ability to identify, retrieve, and review the records. Generally, all records of a coroner's office are public records subject to inspection by the public. A coroners' office may provide copies to a requester with a written records request and payment from the requester.

Documents that do not fall under the public record category:

- Examination Reports
- Investigative Notes
- Coroner Findings
- Photographs
- Examination and Scene Photos
- Suicide Notes
- Medical Records
- Law Enforcement Records
- Laboratory Reports
- Cuyahoga County Report of Autopsy Report and Toxicology Report

The following groups of requesters may request the entire record or portions of the record:

1.) Next of Kin:

The decedent's next of kin will be provided with the following records succeeding a records request. A copy of the next of kin's driver's license will be obtained during pickup.

- Coroner Verdict
- Coroner Findings
- Investigative Note

- Suicide Note
- Examination and Scene Photos
- Medical Records
- Cuyahoga County Report of Autopsy and Toxicology Report

The next of kin to receive records is determined by the following rank order:

1. Surviving spouse
2. Decedent's children over the age of 18
 - a. Preferably the eldest
3. Parents of the decedent
4. Siblings of the decedent
 - a. Preferably the eldest
5. Representative of the decedent's estate

It should be noted that the legal POA authorization is terminated upon the death of a decedent. **Ohio Revised Code 1337.30(A)**

2.) General Public:

The general public may only obtain a copy of the Coroner Verdict. A formal records request will need to be submitted in order to obtain a copy of the record. A copying fee of .25 a page with a minimum charge of \$1.00 will be requested prior to the release of records.

Payments will be accepted by: cashier's check, money order, debit, or credit card payment.

3.) Journalist:

A journalist may only **View** records.

Records that are eligible for review are:

- Coroner Verdict
- Coroner Findings
- Investigative Note
- Suicide Note
- Examination and Scene photos
- Cuyahoga County Report of Autopsy and Toxicology Report

A journalist may **Not** view medical records provided to the Stark County Coroner's Office. ***See R.C. 313.091***

A journalist must make a request in writing or through an online submission. Information required:

- Journalist name
- Title
- Name and address of his/her employer
- Statement that the granting of the request would be in the best interest of the public

There should always be the understanding that the Stark County Coroner's Office may contact the decedent's next of kin to inform them that a journalist has submitted a request to view records, as well as whether the request was approved or not.

4.) Insurance Companies and/or Legal Representation:

An insurer or legal representation of the decedent or the decedent's next of kin, may obtain a copy of all the records, *if* signed documentation from the next of kin is provided with the request. Requests can be made verbally or through an online submission. A \$25.00 fee will accrue with any and all record requests.

Payments will be accepted by: cashier's check, money order, debit, or credit card payment.

It should be noted that any entity other than law enforcement will not be permitted to view records which are pending a criminal or a civil investigation.

ELECTRONIC RECORDS

Emails that fit the definition of a “public record” are “public records”. Emails that *do not* document the organization, functions, policies, decisions, procedures, and essential transactions of the Stark County Coroner’s Office are ***Not Public Records***. These records are not required to be maintained.

For emails that meet the definition of a “public record,” there are three (3) levels of retention:

- a) **Transient Retention:** Emails such as meeting notices that can be compared to “communication that might take place during a telephone conversation or a hallway conversation,” are transient, and retention should be until the email is no longer of administrative value; then it will be destroyed.
- b) **Intermediate Retention:** Intermediate correspondence, six (6) months. General correspondence one (1) year. Monthly and weekly reports, one (1) year. Minutes of a staff meeting, two (2) years. Any email that falls into the *Intermediate Retention* category should be printed for retention; following it can be deleted.
- c) **Permanent Retention:** Executive correspondence
 - a. Departmental policies
 - b. Departmental proceduresAny email that falls into the *Permanent Retention* category should be printed for retention; following it can be deleted.
- d) **Personal Correspondence:** This is including but is not limited to “lets do lunch” or “can I get a ride home,” these are examples that are not public records and can/should be deleted
- e) **Broadcast Email:** emails from outside resources, such as spam messages are not public record and can/should be deleted.

DENIAL AND REDACTION OF RECORDS

If the requester makes an ambiguous, overly broad request, or has difficulty in making a request, the request may be denied. An example would be if the office has difficulty identifying what public records are being requested. If a request is denied, the office must then provide the requester with an opportunity to revise the request, by providing information to make their request more specific. If the office withholds, redacts, or otherwise denies any requested records, it must provide an explanation, including legal authority, for the denial(s). If portions of a record are public and portions are exempt, the exempt portions may be redacted, and the rest can be released. When making records available for public inspection or copying, the office shall notify the requester of any redactions or make the redating plainly visible.

COPYING

A public records request will be charged a copying fee of .25 cents per page with a minimum of \$1.00. An Insurance Company or legal representation may request records with signed documentation from the decedent’s next of kin; a \$25.00 fee for records will be requested. Insurance Companies or legal representation can request photos with signed documentation from the decedent’s next of kin, a \$5.00 per photo fee will be charged. The next of kin can make an initial request for records with no charge, any additional requests will be charged .25 cents per page with a minimum of \$1.00. The next of kin can request black and white copied photos with no charge and colored copies at \$1.00 per picture.

MANAGING RECORDS

The Stark County Coroner’s Office records are subject to a records retention schedule. The current schedules for the office are available at the Stark County Central Records Office and at the Stark County Coroner’s Office. These records will be available upon request to the public as required by **Ohio Revised Code 149.43(b)(2)**. Records are maintained by the “Records Director” of the Stark County Coroner’s Office, Central Records Department of Stark County, and the Civil and Criminal Divisions of the Stark County Prosecutor’s Office.