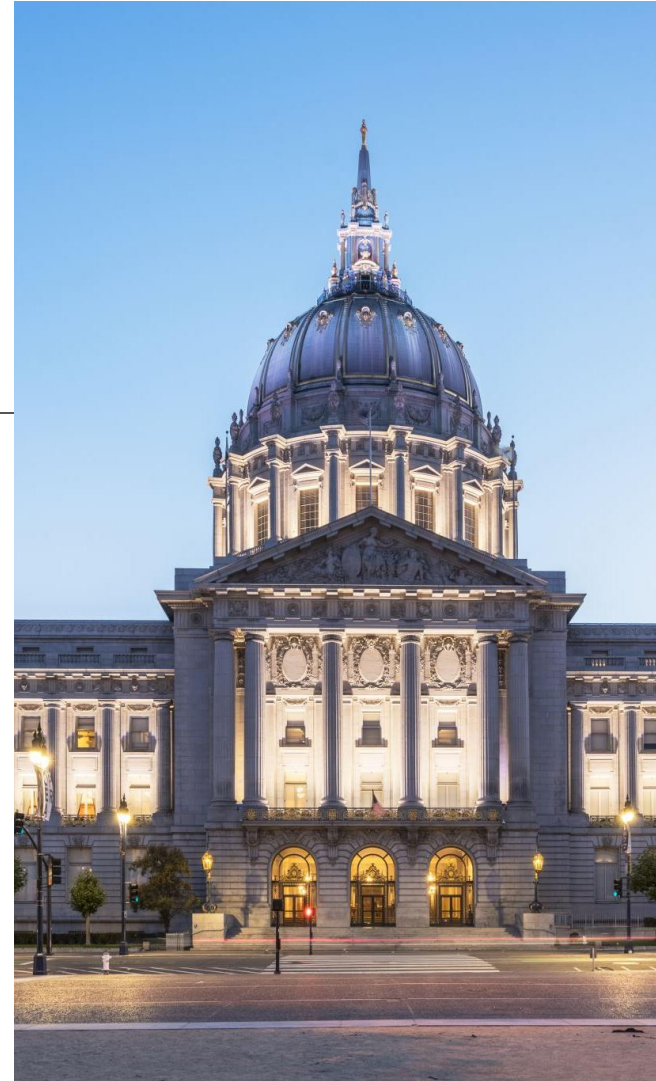
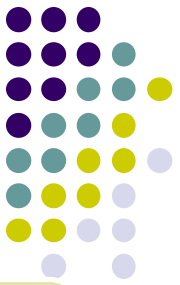


County Commissioners Public Meetings

This is your meeting





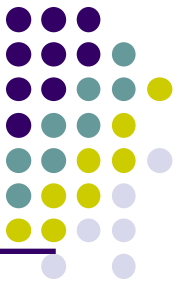
Public Business

This is a business meeting, and generally, most are run according to Roberts Rules of Order.

All deliberation on public business, and all official action, must take place in a meeting open to the public.

The public is welcome to attend these meetings to hear firsthand how decisions are made.

This is an open meeting, not a public meeting. An open meeting does not require a governmental body to allow members of the public to speak or actively participate in an open session meeting.



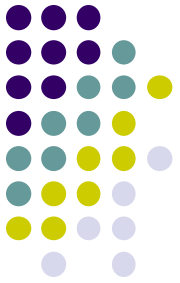
Public Forum

It is at the discretion of the Board to allow time on the agenda for a Public Forum allowing those attending the meeting time to address the Board.

A public conduct policy should be approved specifically stating the expectations of the Board on how guests should conduct themselves in their business meeting.

Public comment should be limited to agenda items unless the topic is approved by the President of the Board or their designee.

The best way to get public comment is to attend community events and make yourself available for conversation, making no promises, just listening to concerns and ideas. This allows you to bring up topics at your next open meeting.

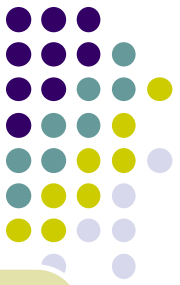


County Administrator / Clerk to the Board

As County Administrator I also serve as Clerk to the Board

1. Manage day to day business on behalf of the Commissioners
2. Prepare agendas and assure they are posted and sent to media and others requesting copies of the agendas within twenty-four hours of the meeting.
3. Prepare resolutions for Board approval.
4. Schedule individuals requesting to speak to the Board during the meeting and note the topic of the meeting.



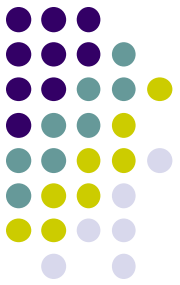


Commissioners Best Friends

Most of you should have a seasoned staff in your office. Take advantage of the experience in your office and listen to what they have learned. These individuals can be your best friends!

I have worked with ten different Commissioners. It is always nice to get a fresh outlook on the direction the County should be heading.

It is also good to remember many Commissioners have come before you with many ideas. Change is always good but sometimes not necessary and should be introduced cautiously.

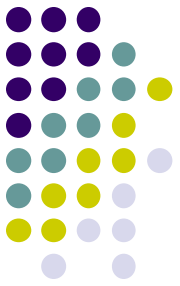


United you stand divided you fall



- There are three Commissioners. Every decision needs to have at least two Commissioners to pass. Everyone has a different opinion and may take a different stance on different issues. When meeting in open session, just like your family, when you are in public you should present a united front and show mutual respect. Without the mutual respect it opens a door for those watching to set you up against each other. Open meetings is not a time to air your differences.

Sunshine Law

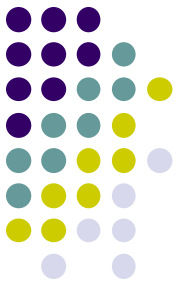


Presented by Mark Landes

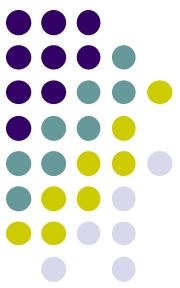
MLandes@IsaacWiles.com

(614) 221.2121

Fishbone in your throat?

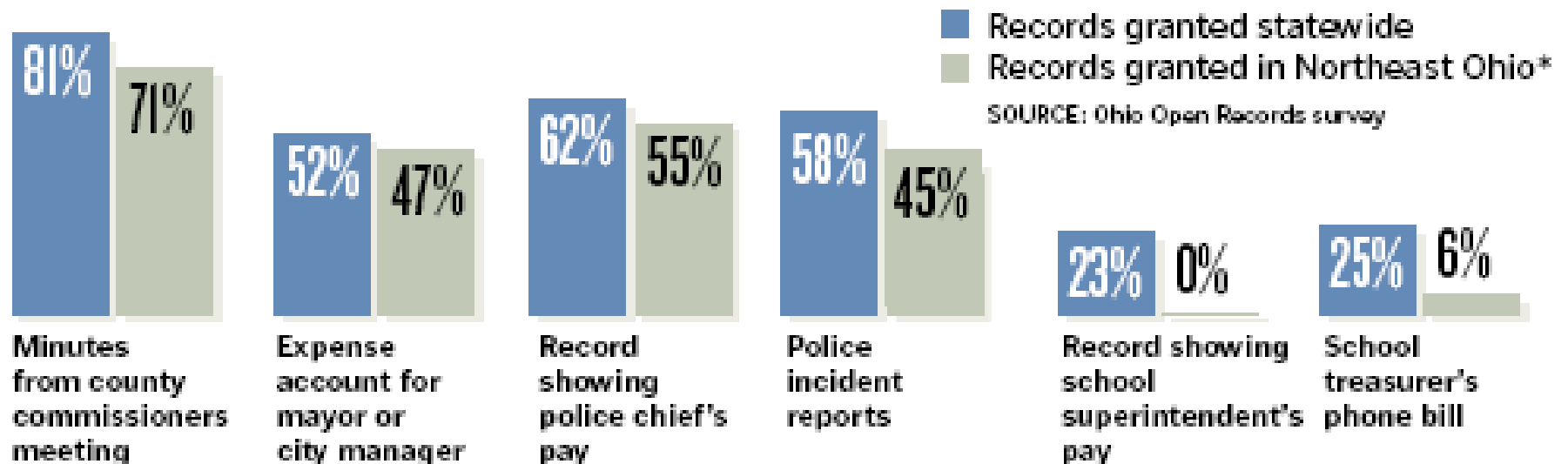


Your County 1234 County Rd W Columbus, Ohio 43215		Date _____	001
Pay to the Order of _____			\$ <input type="text"/>
_____ Dollars			
For _____	<i>County Commissioner</i> _____		
1:044000037:1 001 1234567665			



Media Audit

Shaky access to records: Government, police and school offices across Ohio were asked for public records in late April. Results statewide were mixed, with school offices most often denying access to the records.



* Results from 20 communities in Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit counties.

How open was each county?

The results below are based on visits to the county seat. In Cuyahoga County, for example, records were requested at public offices in Cleveland.

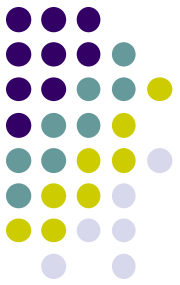
Key to colors
on the maps

Information
was provided

Information was provided,
but with conditions, such as
requiring a form to be filled out.

Information
was not
provided.

Not available



The requested records

1. Most recently available minutes from a meeting of the county commissioners.



2. Most recently available expense account for the chief executive (such as mayor or city manager).



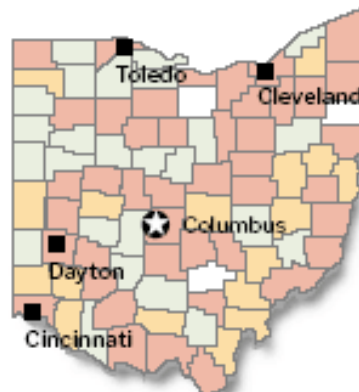
3. Any record that shows the salary of the police chief.



4. Most recently available police incident reports.

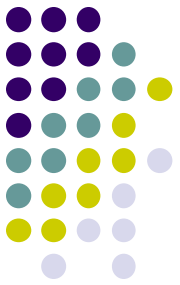


5. Most recently available telephone bill for the school district's treasurer.



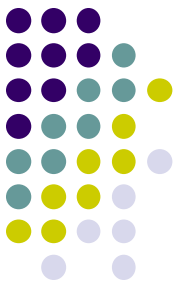
6. Any record that shows the total compensation for the schools superintendent.





Most recently available minutes
from a meeting of the county
commissioners.
of the county commissioners.

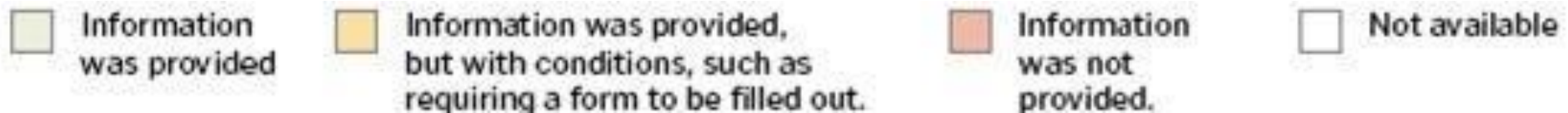
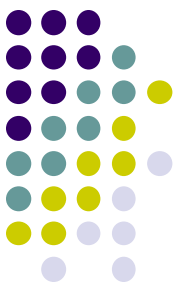




Most recently available minutes
from a meeting of the county
commissioners.
of the county commissioners.



Most recently available minutes
from a meeting of the county
commissioners.
of the county commissioners.



How open was each county?

The results below are based on visits to the county seat. In Cuyahoga County, for example, records were requested at public offices in Cleveland.

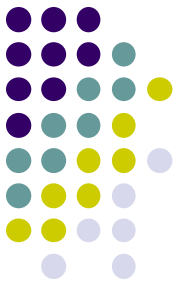
Key to colors
on the maps

Information
was provided

Information was provided,
but with conditions, such as
requiring a form to be filled out.

Information
was not
provided.

Not available



The requested records

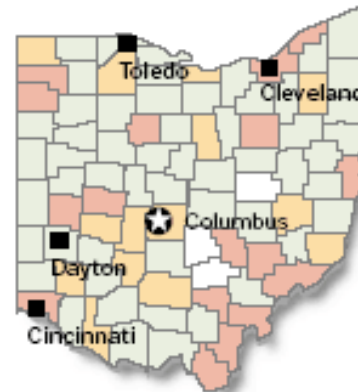
1. Most recently available minutes from a meeting of the county commissioners.



2. Most recently available expense account for the chief executive (such as mayor or city manager).



3. Any record that shows the salary of the police chief.



4. Most recently available police incident reports.



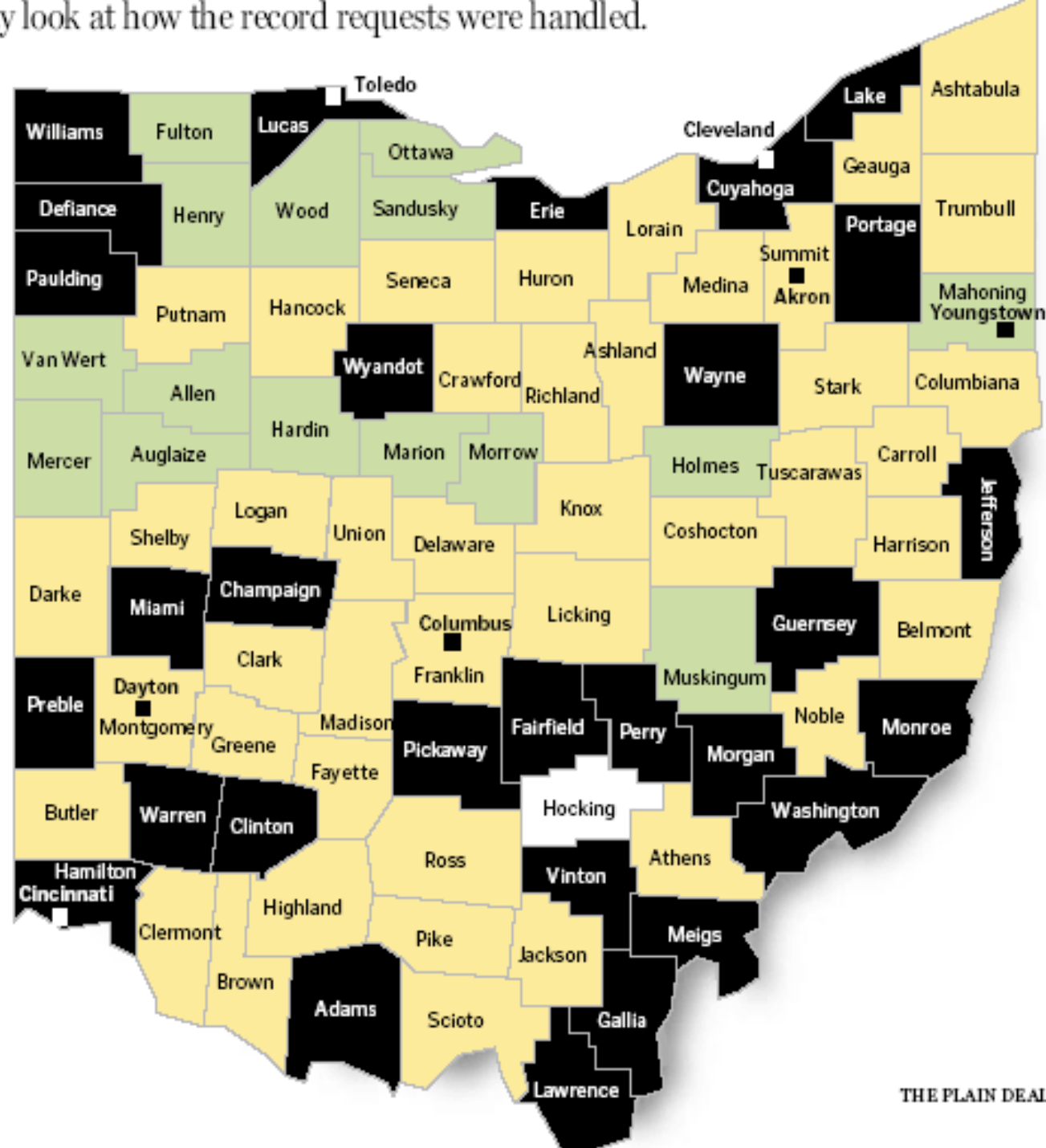
5. Most recently available telephone bill for the school district's treasurer.



6. Any record that shows the total compensation for the schools superintendent.






Here is a county-by-county look at how the record requests were handled.

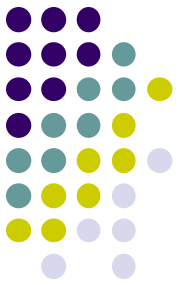


Media Audit

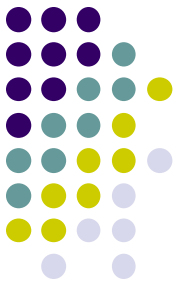
Who complied

How Columbus-area counties reacted when asked to provide their chemical-response and preparedness plan:

-  Provided the document
-  Withheld some data
-  Refused, then later provided it in full



Open Meetings Law



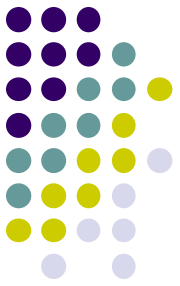
**Regular Meetings: Notice
Required**

Special Meetings

**Limitations on
Special Meetings**

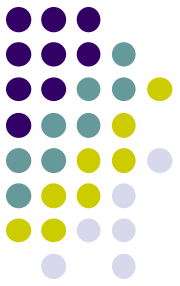


What Is a “Meeting?”



1. Prearranged gathering
2. Majority of members of public body
3. To discuss or transact public business
4. Does email count?

Open Meetings Law



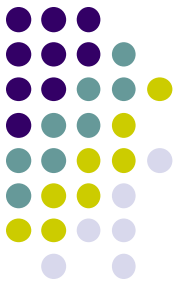
Agendas

Journals and Minutes

**Limitations on
Citizen Participation**



Open Meetings Law

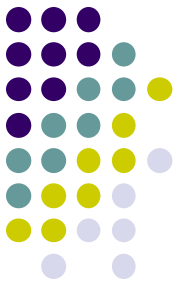


Executive Sessions

- Employee issues (unless employee asks for public)
- Buying property
- Attorney conferences
- Union bargaining
- Security
- Trade Secrets of hospital



Open Meetings Law

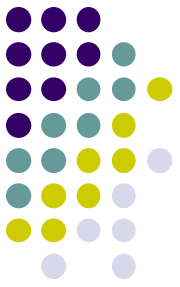


Procedure for Executive Session

- In session, vote to go in and state reason
- Penalties for Private Deliberations include action invalidated!



**Where did public
records law come
from ?**



IN CONGRESS, JULY 4, 1776.

The unanimous Declaration of the thirteen united States of America.

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. — We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. — And whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. — But when a long train of abuses and usurpations, pursuing invariably the same Object, evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. — Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let facts be submitted to a candid world. — He has refused his assent to Laws, the most wholesome and necessary for the public good. — He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them. — He has refused to pass other Laws for the accommodation of large districts of People, unless those People would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only. — He has called together legislative Bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures. — He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the People. — He has refused for a long time, after such Dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise, the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within. — He has endeavoured to prevent the Population of these States; for that purpose obstructing the Law for Naturalization of Strangers; refusing to grant Letters of Naturalization to encourage their migrations hither, and raising the conditions of new Appropriations of Lands. — He has obstructed the Administration of Justice, by refusing his assent to Laws for establishing Judiciary Powers. — He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries. — He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our People, and eat out their substance. — He has kept among us, in times of peace, Standing Armies without the Consent of our Legislature. — He has affected to render the Military independent of and superior to the Civil Powers. — He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our Laws; giving his assent to their Acts of pretended Legislation: — For quartering large bodies of armed troops among us: — For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States: — For cutting off our Trade with all parts of the world: — For imposing Taxes on us without our Consent: — For depriving us in many cases, of the benefits of Trial by Jury: — For transporting us beyond Seas to be tried for pretended offences: — For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies: — For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments: — For suspending our own Legislatures, and declaring themselves invested with powers to legislate for us in all cases whatsoever. — He has abdicated Government here, by declaring us out of his Protection and waging war against us. — He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our People. — He is at this time transporting large Armies of foreign Mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation. — He has constrained our fellow Citizens taken Captive on the high seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands. — He has excited domestic insurrections amongst us, and has endeavoured to bring on the Inhabitants of our frontiers, the merciless Indian Savages, whose known mode of warfare, is an unrelenting destruction of all ages, sexes and conditions. In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People. — Nor have We been wanting in attention to our British Brethren. We have warned them from time to time of attempts by their Legislature to extend an unconsentable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow those usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of concinnity. We must, therefore, acquiesce in the necessity, which denounces our separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends. — We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name and by the authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be, Free and Independent States; that they are absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. — And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

Boston, Gwinnett
Lynch Hall,
Gerrardson.

John Hancock
Joseph Hewes
John Adams

Edward Rutledge

Thomas Jefferson
Thomas Lynch
Arthur Middleton

Samuel Adams
John Adams
John Hancock
John Adams
John Adams

George Wythe
Richard Henry Lee
Thomas Jefferson
Thomas Jefferson
Thomas Jefferson
Thomas Jefferson

John Adams
John Adams
John Adams
John Adams
John Adams

James Wilson
James Wilson
James Wilson
James Wilson
James Wilson

John Adams
John Adams
John Adams
John Adams
John Adams

John Adams
John Adams
John Adams
John Adams
John Adams

John Adams
John Adams
John Adams
John Adams
John Adams

John Adams
John Adams
John Adams
John Adams
John Adams



IN CONGRESS, JULY 4, 1776.

The unanimous Declaration of the thirteen united States of America.

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. — We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. — And whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. — But when a long train of abuses and usurpations, pursuing invariably the same Object, evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. — Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let facts be submitted to a candid world. — He has refused his assent to Laws, the most wholesome and necessary for the public good. — He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them. — He has refused to pass other Laws for the accommodation of large districts of People, unless those People would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only. — He has called together legislative Bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures. — He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the People. — He has refused for a long time, after such Dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise, the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within. — He has endeavoured to prevent the Population of these States; for that purpose obstructing the Law for Naturalization of Strangers; refusing to grant Letters of Naturalization to encourage their migrations hither, and raising the conditions of new Appointments of Strangers. — He has obstructed the Administration of Justice, by refusing his assent to Laws for establishing Judiciary Powers. — He has made Judges dependent on his Will alone for the tenure of their offices, and the amount and payment of their salaries. — He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our People, and eat out their substance. — He has kept among us, in times of peace, Standing Armies without the Consent of our Legislature. — He has affected to render the Military independent of and superior to the civil Power. — He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our Laws; giving his assent to their Acts of pretended Legislation: — For quartering large bodies of armed troops among us: — For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States: — For cutting off our Trade with all parts of the world: — For imposing Taxes on us without our Consent: — For depriving us in many cases, of the benefits of Trial by Jury: — For transporting us beyond Seas to be tried for pretended offences: — For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies: — For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments: — For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever. — He has abdicated Government here, by declaring us out of his Protection and waging war against us. — He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our People. — He is at this time transporting large Armies of foreign Mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation. — He has constrained our fellow Citizens taken Captive on the high seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands. — He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions. In every stage of these Oppressions We have petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People. — Nor have We been wanting in attention to our British Brethren. We have warned them from time to time of attempts by their Legislature to extend an unwarrantable Jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow those usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of concinnity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends. — We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name and by the authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be, Free and Independent States; that they are absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. — And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

Boston, Gwinnett
Lynch Hall
Gorton

John Hancock
Joseph Hewes
John Adams

Edward Rutledge

Thomas Jefferson
Thomas Lynch
Arthur Middleton

Samuel Adams
John Adams
John Hancock
John Adams
John Adams

George Wythe
Richard Henry Lee
Thomas Jefferson
Thomas Jefferson
Thomas Jefferson

John Adams
John Adams
John Adams
John Adams
John Adams

James Wilson
James Wilson
James Wilson
James Wilson
James Wilson

John Adams
John Adams
John Adams
John Adams
John Adams

John Adams
John Adams
John Adams
John Adams
John Adams

John Adams
John Adams
John Adams
John Adams
John Adams

John Adams
John Adams
John Adams
John Adams
John Adams

John Adams
John Adams
John Adams
John Adams
John Adams

John Adams
John Adams
John Adams
John Adams
John Adams

John Adams
John Adams
John Adams
John Adams
John Adams

John Adams
John Adams
John Adams
John Adams
John Adams

John Adams
John Adams
John Adams
John Adams
John Adams

John Adams
John Adams
John Adams
John Adams
John Adams

John Adams
John Adams
John Adams
John Adams
John Adams

John Adams
John Adams
John Adams
John Adams
John Adams

John Adams
John Adams
John Adams
John Adams
John Adams

John Adams
John Adams
John Adams
John Adams
John Adams

When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Form, extending these principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.—Such has been the patient sufferance of these Colonies, and such is now the necessity which constrains them to alter their former system of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let facts be submitted to a candid world.

We, therefore, the Representatives of the united States of America, in General Conference assembled, on this tenth day of July, 1776, by the unanimous Declaration of the thirteen united States, that they are dissolved from all Allegiance to the British Crown, and that all political connections between them and that Crown, are so dissolved, that as free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

George M.
Richard H.
Th. Jeff.
Wm. H. Harr.
The Nelson pr.
James Lightfoot
Carler Braxton

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures.

IN CONGRESS, JULY 4, 1776.

The unanimous Declaration of the thirteen united States of America.

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. — We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. — And whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. — But when a long train of abuses and usurpations, pursuing invariably the same Object, evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. — Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let facts be submitted to a candid world. — He has refused his assent to Laws, the most wholesome and necessary for the public good. — He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them. — He has refused to pass other Laws for the accommodation of large districts of People, unless those People would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only. — He has called together legislative Bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures. — He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the People. — He has refused for a long time, after such Dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise, the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within. — He has endeavored to prevent the Population of these States; for that purpose obstructing the Law for Naturalization of Strangers; refusing to grant Letters of naturalization to others; and raising the conditions of new Appropriations of Lands. — He has obstructed the Administration of Justice, by refusing his assent to Laws for establishing Judiciary Powers. — He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries. — He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our People, and eat out their substance. — He has kept among us, in times of peace, Standing Armies without the Consent of our Legislature. — He has affected to render the Military independent of and superior to the civil Power. — He has combined with others to subject us to a jurisdiction foreign to our Constitution, and unacknowledged by our Laws; giving his assent to their Acts of pretended Legislation: — For quartering large bodies of armed troops among us: — For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States: — For cutting off our Trade with all parts of the world: — For imposing Taxes on us without our Consent: — For depriving us in many cases, of the benefits of Trial by Jury: — For transporting us beyond Seas to be tried for pretended offences: — For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies: — For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments: — For suspending our own Legislatures, and declaring themselves invested with powers to legislate for us in all cases whatsoever. — He has abdicated Government here, by declaring us out of his Protection and waging war against us. — He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our People. — He is at this time transporting large Armies of foreign Mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation. — He has constrained our fellow Citizens taken Captive on the high seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands. — He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions. — In every stage of these Oppressions We have petitioned for Redress in the most humble terms: Our repeated Petitions have been answered by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People. — Nor have We been wanting in attention to our British Brethren. We have warned them from time to time of attempts by their Legislature to extend an unwarrantable Jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow those usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of concinnity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends. — We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name and by authority of the good People of these Colonies, solemnly publish and declare, that they are Absolved from all Allegiance to the British Crown, and that all political Ties which have connected them with Great Britain, are totally dissolved; that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, enter into Commercials, and in all other respects to do all things which Independent States may of right do. — And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

William Livingston
Lyman Hall
George Walton

John Hancock
Joseph Hewes
John Adams

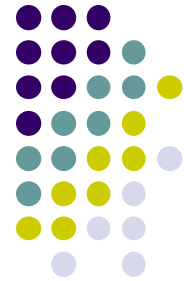
Edward Rutledge

Thomas Mifflin
Thomas Lynch
Arthur Middleton

Samuel Adams
John Jay
Francis Pickens
Charles Carroll

George B. Gordon
Richard B. Smith
M. Jeffers
Wm. Barr
The Marquis
Charles Brattle

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures.



IN CONGRESS, JULY 4, 1776.

The unanimous Declaration of the thirteen united States of America.

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. — We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. — But when a long train of abuses and usurpations, pursuing invariably the same Object, evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. — Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let facts be submitted to a candid world. — He has refused his assent to Laws, the most wholesome and necessary for the public good. — He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them. — He has refused to pass other Laws for the accommodation of large districts of People, unless those People would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only. — He has called together legislative Bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures. — He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the People. — He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise, the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within. — He has endeavoured to prevent the Population of these States; for that purpose obstructing the Law for Naturalization of Strangers; refusing to grant Letters of Naturalization to others; and raising the conditions of new Appropriations of Lands. — He has obstructed the Administration of Justice, by refusing his assent to Laws for establishing Judiciary Powers. — He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries. — He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our People, and eat out their substance. — He has kept among us, in times of peace, Standing Armies without the Consent of our Legislature. — He has affected to render the Military independent of and superior to the civil Power. — He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our Laws; giving his assent to their Acts of pretended Legislation: — For quartering large bodies of armed troops among us: — For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States: — For cutting off our Trade with all parts of the world: — For imposing Taxes on us without our Consent: — For depriving us in many cases, of the benefits of Trial by Jury: — For transporting us beyond Seas to be tried for pretended offences: — For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies: — For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments: — For suspending our own Legislatures, and declaring themselves invested with powers to legislate for us in all cases whatsoever. — He has abdicated Government here, by declaring us out of his Protection and waging war against us. — He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our People. — He is at this time transporting large Armies of foreign Mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation. — He has constrained our fellow Citizens taken Captive on the high seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands. — He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions. In every stage of these Oppressions We have petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People. — Nor have We been wanting in attention to our British Brethren. We have warned them from time to time of attempts by their Legislature to extend an unwarrantable Jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow those usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of concinnity. We must, therefore, acquiesce in the necessity, which denounces our separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends. — We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name and by authority of the good People of these Colonies, solemnly publish and declare, that they are Absolved from all Allegiance to the British Crown, and that all political Ties which have connected them with Great Britain, are totally dissolved; that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, enter into Commercials, and in all other respects to do all things which Independent States may of right do. — And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

Boston, Gwinnett,
Lynch Hall,
Gorton.

John Hancock
Joseph Hewes
John Adams

Edward Rutledge

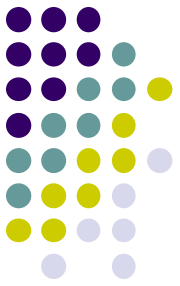
Thomas Mifflin
Thomas Lynch
Arthur Middleton

Samuel Chase
John Jay
George Wythe
Richard Stockton
M. J. Smith
Wm. Barr
Thos. Bland
Carter Braxton

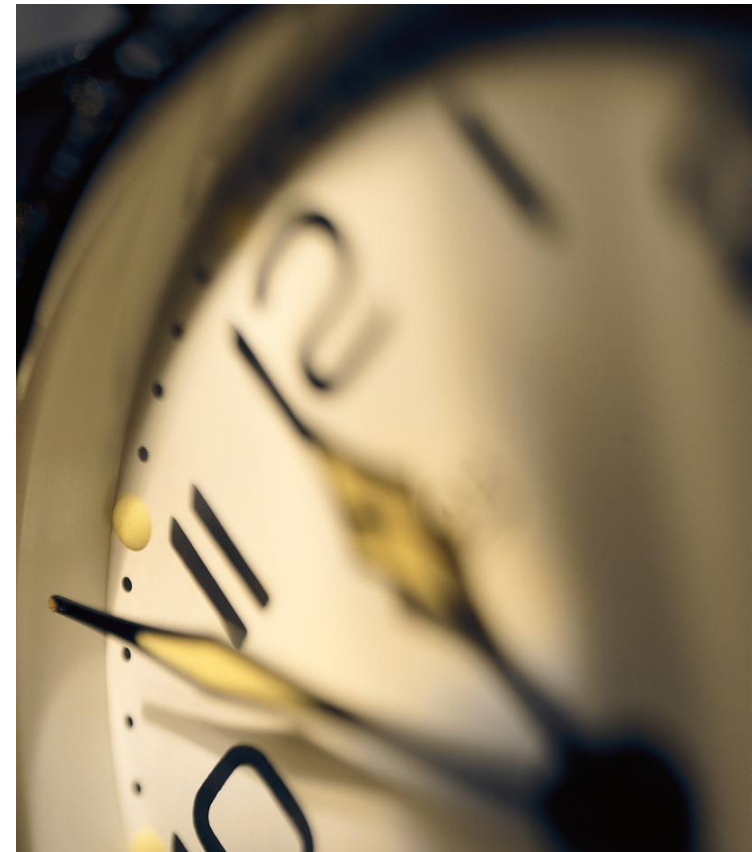
He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures.



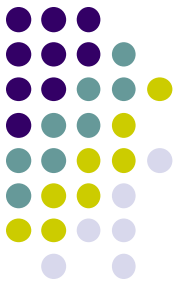
Public Records Law Training for Public Officials & Employees



- All elected officials or their designees must attend state-approved training.
- **3 Hours** required for each term of office.
- Training must provide guidance in developing and updating offices' policies.



Responsibilities For All Public Offices



Every public body **MUST** adopt a public records policy.

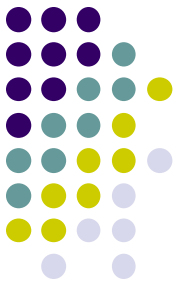
- **Must** prepare and display (in the main office and all branch offices) a poster that describes the policy.
- **May** establish minimum period for response of up to 8 hours.
- **May not** restrict the number of requests per person nor per day.
- **Must** be included in any employee handbooks.

A model policy will be available from the state.



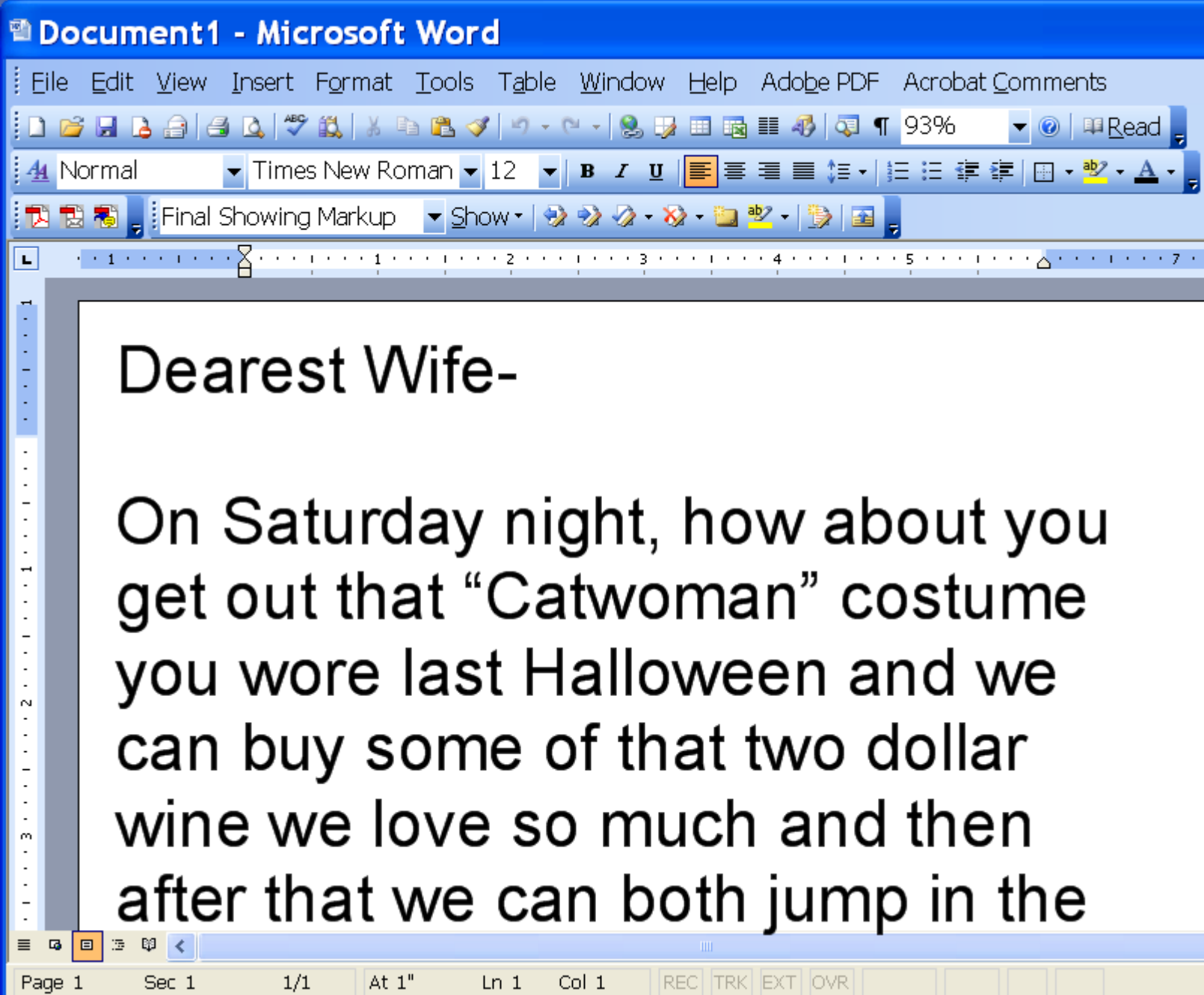
The Auditor of State is required to audit public offices for compliance with the training and public records policy provisions.

The 2 Basic Responsibilities Of A Public Office

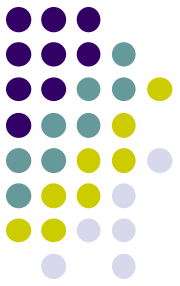


- Provide *prompt* inspection of public records;
- Upon request, provide copies within a *reasonable period of time*
- *Cost of copies?*





A “Public Record” is held by a public office and...



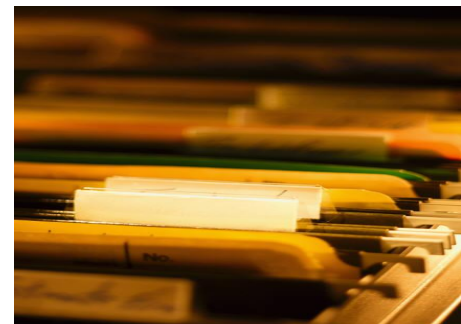
Stored on a fixed medium (tape, video, film, photos, etc);



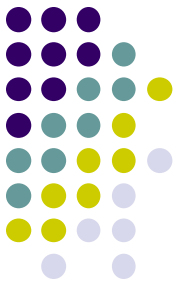
Created, received or sent under the jurisdiction of a public office; and



Documents what the office does.



Liabilities



1. No criminal liability.

2. No civil liability.

3. Attorney General cannot investigate or enforce.

4. Mandamus.

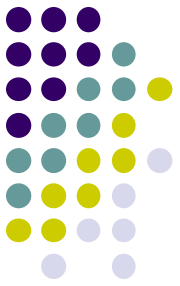
❖ A legal action filed in common pleas, appellate court, or the Ohio Supreme Court to enforce the public records act.



5. Attorney's fees, *court costs, and *statutory damages.



Statutory Damages



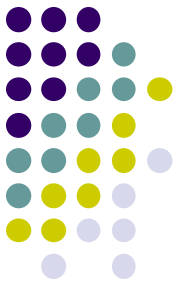
- \$100 for each business day (up to \$1,000)

- Clock starts running the day the requester files a mandamus action.
- Available **ONLY** if *written request* was submitted by hand delivery or certified mail.

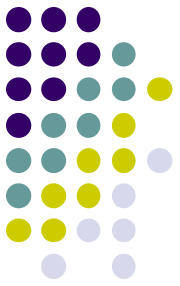




R.C. 149.351



A government agency that unlawfully removes or destroys a public record that the agency is required to maintain is subject to a civil forfeiture of \$1,000 for each violation **(each document)**.

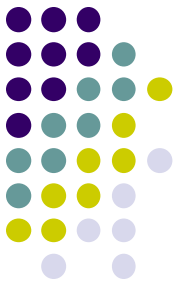


What about redaction?

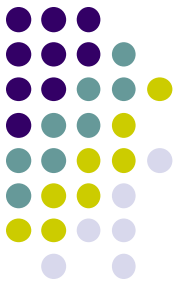
- If redaction isn't obvious, then the requester must be informed of redaction.*
- A redaction is a denial of a request to inspect or copy the redacted information **except** if federal or state law authorizes the redaction.*



A Redaction Is A Denial



Can someone request a copy of everything?



Scenario:

Your office receives a request for all memos the department has ever created.



Must a public office comply with the request?



A public office may deny a request that's ambiguous or overly broad ***BUT** must first give the requester the opportunity to revise the request for clarity after “educating” the requester of how records are kept and retrieved.



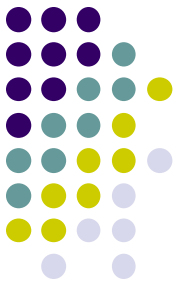
An explanation of the reasons for the denial, including legal authority, is required if a request for public records is denied. And, the denial must be in writing if original request was in writing.



Exceptions to Ohio's Public Records Act



Disclose or Not to Disclose, That Is the Question

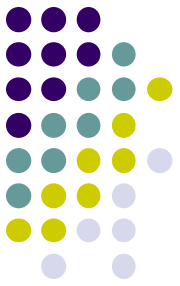


- If a record is clearly public with no applicable exceptions, disclose (green light).
- If a record falls squarely in a “catch-all” exception, withhold (red light).
- If a § 149.43 exception could be applicable, use caution and consult your attorney (yellow light).

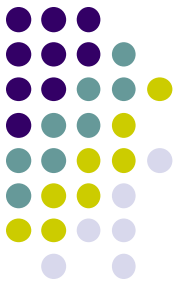


Exception:

Catch-All



If any provision of Ohio or federal law prohibits the disclosure of a certain type of record, it may not be disclosed under the public records act.



Exception:

Medical Records

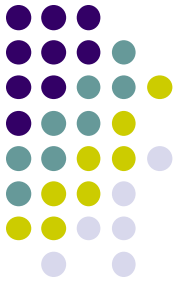
Scenario:

A road crew worker hurts his back working on his home. His doctor diagnoses a slipped disk. The doc sends a detailed report to the city manager, asking that the worker be put on desk duty. A reporter wants to inspect the report.



Should the report be released or withheld?

If a record pertains to a patient's **medical condition** *and* was generated and maintained in the process of **medical treatment**, it need not be disclosed under the public records act.



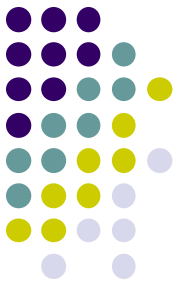
Exception: Trial Preparation Records

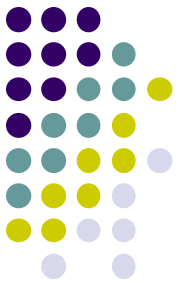
Scenario:

The city janitor makes a log every Friday morning describing the condition of the city building. On Friday afternoon, someone slips on the main stairs. The city manager asks the janitor for a report on the stair's condition because it looks as if they might have been slippery.

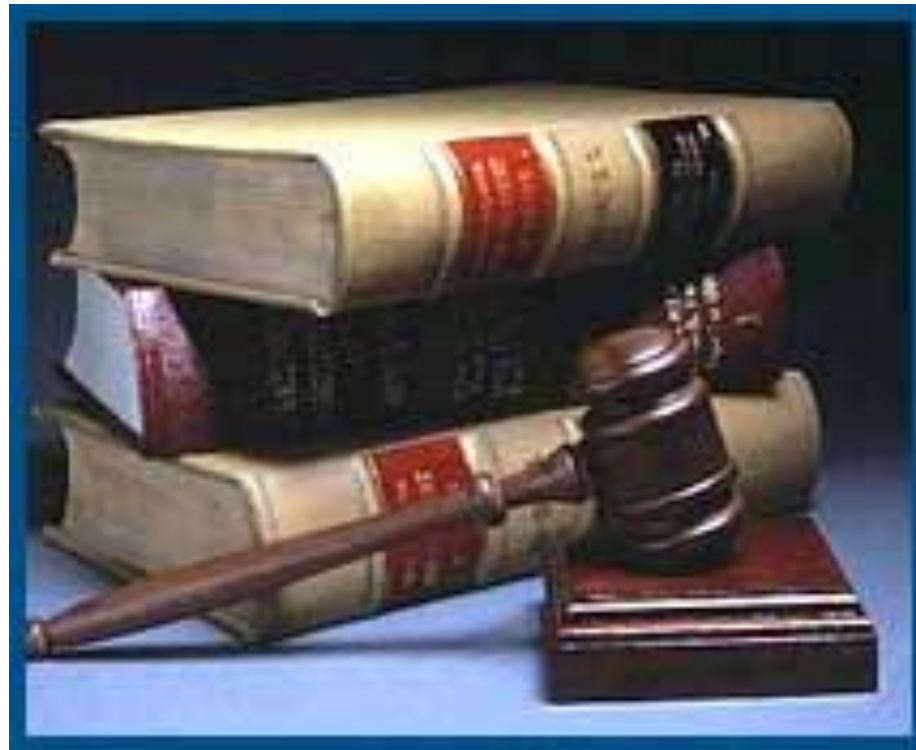


Is either the log or the report a public record?

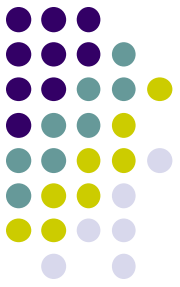




A record that contains information that was **specifically compiled** in **reasonable anticipation of litigation** is a trial preparation record and need not be disclosed under the public records act.



Infrastructure and Security Records



Since 9/11, the law has changed. Infrastructure” and “Security” records are exempt from disclosure as public records.





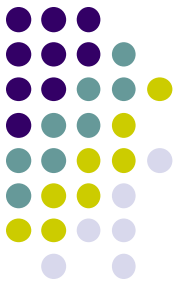
Infrastructure Records:

Configuration of a public office's critical systems such as:

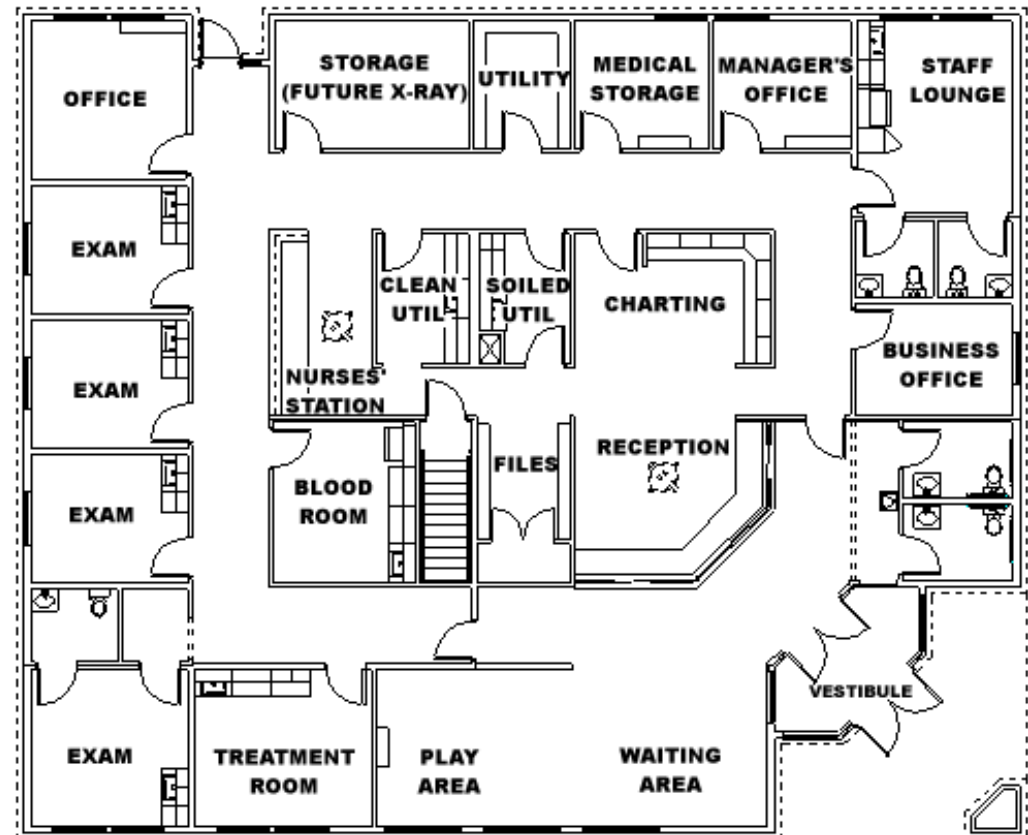
- ✓ Communication and Computer
- ✓ Electrical
- ✓ Mechanical
- ✓ Ventilation
- ✓ Water and plumbing
- ✓ Security codes



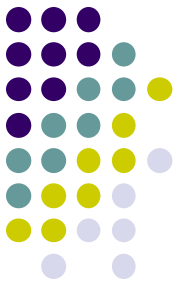
Note:



“Infrastructure record” does **not** mean a simple floor plan that discloses only the spatial relationship of a public office or building.

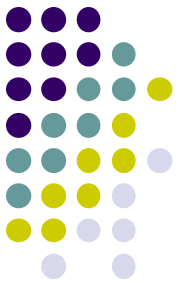


E-mail, Text and Voicemail Messages



They may be public records depending on their substance. Be sensitive to retention issues.





Exception: Law Enforcement

1. Pertains to a law enforcement matter:

☒ **Specific suspicion of misconduct**

- ⌚ It must have been initiated upon a suspicion that someone did something wrong

☒ **Conduct violates law**

- ⌚ The law allegedly violated may be criminal, civil, or administrative in nature
- ⌚ A violation of an internal code of conduct is not a violation of “law” as contemplated by the public records act

☒ **Agency has authority to enforce law**

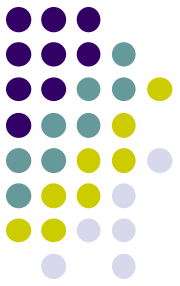
AND



2. High probability of disclosing one or more of five types of information:

- Investigatory work product;
- Uncharged suspect;
- Confidential source or witness;
- Endanger physical safety;
- Investigatory techniques or procedures

Strategy for retaining emails that are public records

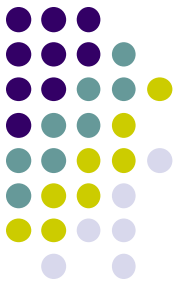


- Instruct all staff that they create public records with smartphones, text messages, and live chats (consider Detroit's mayor)

Note: these go away, but when?

- Retain copies of emails electronically in a separate folder to ease the burden of responding by topic, if possible
- Begin a systematic approach to reviewing these records under the requirements in your public records retention policy
- Warning: reply-all to emails will give rise to public meetings issues

HOW TO LOSE IN COURT AND IN PUBLIC OPINION



- Secret meetings
- Throw stuff away
- Don't provide public records
- Double delete emails
- **Policies and Training Are Key!**



