

# **Bond Case Briefs**

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## **PUBLIC RECORDS - OHIO**

### **State ex rel. Copley Ohio Newspapers, Inc. v. Akron**

**Supreme Court of Ohio - December 6, 2024 - N.E.3d - 2024 WL 4996423 - 2024-Ohio-5677**

Newspaper filed a mandamus action seeking to compel city to produce public records without redaction of names of officers involved in lethal use of force incidents, and sought awards of statutory damages, court costs, and attorney fees.

The Supreme Court held that:

- Newspaper's requests for personnel files, discipline records, and internal investigations of unidentified city police officers were improper public-records request;
- Newspaper's public records requests, which sought "[a]ll administrative leave or reinstatement notices issued to any employees of the [city] Police Department" during period during which the two use of lethal force incidents occurred and "incident report, including supplemental notes of the investigating officers, witness statements and narratives" related to third lethal force incident, were proper public records requests;
- Names of eight police officers included within incident reports were properly redacted from records under the exception for confidential law-enforcement investigatory records (CLEIR);
- City's evidence did not demonstrate that the release of the unredacted administrative-leave or reinstatement notices would create a substantial risk of serious bodily harm or death to the police officers involved in two lethal use of force cases, and thus city was required to disclose the unredacted records;
- City's records custodian had reasonable bases for denying newspaper's public records requests for unredacted records, and thus newspaper was not entitled to an award of statutory damages; and
- Newspaper was entitled to an award of court costs.