

September 28, 2017

*Via U.S. Mail (certified) and email to PublicRecords@city.cleveland.oh.us*

Kimberly Roberson  
City of Cleveland  
Department of Law  
Public Records Section  
601 Lakeside Ave., Room 106  
Cleveland, Ohio 44114

Re: Public-records request

Dear Ms. Roberson:

This is a public-records request under R.C. 149.43 to inspect the following records:

1. The OPS file regarding complaint number 10-339;
2. Records of any pre-disciplinary hearing(s) held regarding an incident with Juan Ortiz on August 16, 2010 (the subject to OPS complaint number 10-339) and any discipline imposed on Brian Kazimer or Dan Crisan regarding that incident; and
3. Any communications (internal or external) between, among, or involving City personnel regarding the subject of discipline for the incident involving Juan Ortiz on August 16, 2010.

We are seeking these records regardless of their location within the City (whether in the officers' personnel files, in the case-preparation office, in the chief's office, with OPS, or in any other location in the City). Please conduct a thorough search for these records.

Please note that records documenting the business of a public entity or the basis for the decisions of its officials that are in officials' personal email accounts, cell phones, personal computers, etc. are still public records.<sup>1</sup> Therefore, an exhaustive search should be made for responsive records of this nature.

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<sup>1</sup> See, e.g., *State ex rel. Glasgow v. Jones*, 119 Ohio St.3d 391, 2008-Ohio-4788, 894 N.E.2d 686, ¶ 23 and *State ex rel. Bott Law Group v. Ohio Dept. of Natural Resources*, 10th Dist. Franklin No. 12AP-448, 2013-Ohio-5219, ¶ 29.

Ohio's public-records law requires that a public office, upon receiving a public-records request, promptly make its records available for inspection.<sup>2</sup> We expect to receive your complete response by **October 15, 2017**.

Further, the statute gives the requester the right to choose the medium in which the records are received for inspection.<sup>3</sup> Please provide .pdf files of the records by email to me at [ashlie.sletvold@chandra.com](mailto:ashlie.sletvold@chandra.com). In the alternative, you may provide a link to a file-sharing site (such a Dropbox, Box, Accellion, etc.) to that same email address.

If the responsive records are too large to email and you do not have access to a file-sharing site, please contact Suzanne Zaranko in our office. She will send you a link to our file-sharing site where you can upload the records at no cost.

Please contact me at the number above if you have any questions regarding this request.

Sincerely,



Ashlie Case Sletvold

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<sup>2</sup> R.C. 149.43(B)(1). *See State ex rel. Wadd v. City of Cleveland*, 81 Ohio St.3d 50, 54, 689 N.E.2d 25 (1998) (requiring public office to produce records within eight days of request).

<sup>3</sup> R.C. 149.43(B)(6).