

Minutes of the meeting of the Records Commission of Cuyahoga County, held September 27, 2019 at 1:33 p.m. on the third floor of the County Archives building. The following members of the Records Commission were present:

Judith G. Cetina, representing Cuyahoga County Executive, Armond Budish
LaTia Adams, representing Clerk of Courts, Nailah K. Byrd
Christina Papa, representing Fiscal Officer Dennis G. Kennedy
Kelli Perk, representing County Prosecutor, Michael C. O'Malley

The following persons were also present:

Audrey L. Rodriguez Fiscal Office-Board of Revision
Stefanie Deka Law Department
Maureen Pergola Cuyahoga County Archives

Dr. Judith G. Cetina, representing Cuyahoga County Executive Armond Budish, called the meeting of the Cuyahoga County Records Commission to order at 1:33 p.m. The meeting began with an introduction of the Records Commission members and guests. Dr. Cetina then asked Audrey Rodriguez, representing the Fiscal Office-Board of Revision, to provide the rationale for submitting a Records Retention Schedule, one that seeks to amend the existing RC-2 in regard to the retention of audio files for Valuation Complaints, Homestead Complaints, Special Assessment Complaints, and Tax Lien Complaints, now being preserved as permanent records. Ms. Rodriguez explained that on the Board's current retention schedule all of the complaints and other documents identified above, maintained in a paper format, are destroyed six years after the date of last action (2018-1 and 2018-2). Further, with the exception of foreclosure cases, all other hearings reference the original documents that are destroyed, and no official decision is placed on record. Decisions are not made until the Hearing Officers have had time to review the testimony and other evidence presented to them. Ms. Rodriguez added that the ownership or the owner's rights to a parcel are not at risk; and concluded that without having the corresponding documents as reference, the audio record has limited value. Finally, as stated by Ms. Rodriguez, the expedited foreclosure audio files, as well as hearing minutes for
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court cases related to the Board of Revision other than appeals cases, will continue to be maintained permanently. The Commission then reviewed the schedule to determine if any other adjustments were necessary, but found none. Then upon the motion of Ms. Papa, seconded by Ms. Adams, the schedule submitted by the Fiscal Office-Board of Revision was approved by the Commission.

The next items for discussion were two RC-2 forms submitted by the Sheriff's Department-Evidence Unit and the Sheriff's Department-Corrections Division. Dr. Cetina suggested that rather than reviewing both retention schedules simultaneously, each should be considered separately and approved individually. Stefanie Deka, in addressing the preparation of the RC-2 forms for the two retention schedules, explained that creating retention periods for the preservation of law enforcement videos can be challenging with limited available case law or examples of best practices. Turning to the RC-2 for the Sheriff's Department-Evidence Unit, Ms. Deka reminded the Commission that the proposed length of retention for the video recordings varied, based on the nature of the events depicted by body-worn and dashboard camera equipment. The conversation that followed was thoughtful and spirited; and several amendments to the provisions of the Evidence Unit schedule were recommended. First, the phrase "provided no action is pending; applies to all categories" was added to Item Numbers 2019-1 and 2019-2. And next, the retention period for 2019-001(T) and 2019-002(I), was changed from "Until no longer of administrative value" to "Until categorized." The Commission member then reviewed the schedule to determine if any other adjustments were necessary, but found none. Upon the motion of Ms. Adams, seconded by Ms. Perk, the RC-2 submitted by the Sheriff's Department-Evidence Unit, as amended, was approved by the Commission.

The Commission then addressed the RC-2 from the Sheriff's Department-Corrections Division. A lengthy discussion led to the modification of the retention periods for multiple items. First, in regard to 2019-001, the language "provided no action is pending; applies to all categories" was included as part of the stated records retention. Then, considering 2019-001(FF), the members agreed that the retention period given as "Retain until no longer of administrative value" should be changed to read "Until categorized". And in examining Item 2019-2, the Commission determined that the retention period for Building Surveillance Video files, listed as "retain for 30 days or until capacity of storage device requires overwriting then destroy" be revised to "Retain for 30 days or until capacity of storage device requires overwriting, whichever is shorter, then destroy". The Commission then reviewed the schedule to determine if any other adjustments were necessary, but found none. Upon the motion of Ms. Perk, seconded by Ms. Adams, the RC-2 submitted by the Sheriff's Department-Corrections Division, as amended, was approved by the Commission.

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There being no other matters for the Commission's attention, upon the motion of Ms. Papa, seconded by Ms. Perk, the meeting was adjourned by the unanimous consent of its members.

Respectfully submitted,

Judith G. Cetina, Ph.D. CA

Acting Secretary

Cuyahoga County Records Commission.

