

IN THE SUPREME COURT OF OHIO

State ex rel. Plunderbund Media, LLC,	:	Case No. 2013-0596
	:	
Relator,	:	Original Action in Mandamus
	:	
v.	:	
	:	
John Born, Director,	:	
Ohio Department of Public Safety,	:	
	:	
Respondent.	:	

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**RESPONSE OF RESPONDENT IN OPPOSITION TO  
RELATOR'S MOTION FOR IN CAMERA INSPECTION OF DOCUMENTS**

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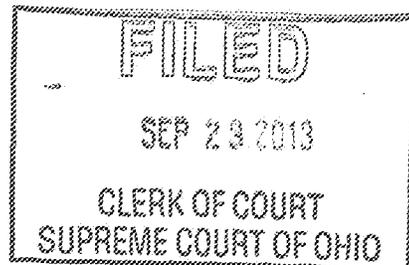
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Relator (“Plunderbund”) has moved this Court to order the Department of Public Safety to turn over the requested records to the Court for in camera review. However, as will be explained in the Department’s brief on the merits, the issue in this case is purely a legal one that can be and should be decided by this Court prior to viewing the documents themselves. The issue is posed regardless of the contents of the records themselves.

The issue presented is whether records concerning the Department’s investigations into threats made against the Governor are public records subject to disclosure in response to Plunderbund’s request. The Department asserts that (1) the records are security records pursuant to R.C. 149.433 and therefore are exempt from the Public Records Act’s disclosure requirements, and (2) public disclosure of the records, even redacted, violates the Governor’s constitutional right to personal security. These assertions are based upon the fact that if members of the public were to find out the time, place and regularity of the threats, they could figure out the security arrangements put in place to ensure the Governor’s and his family’s safety. This Court need not review the actual investigatory records in order to consider these legal issues. Once this Court decides the issue, the records will be released or not, depending on the Court’s order.

Therefore, this Court should deny Plunderbund’s motion.

Respectfully submitted:

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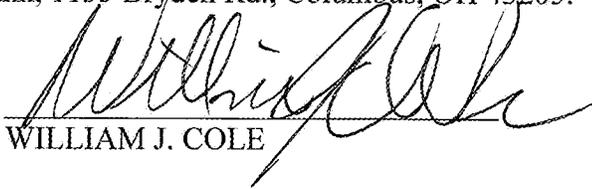
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### CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served by regular and electronic mail on September 23, 2013, upon Victoria E. Ullmann, 1135 Bryden Rd., Columbus, OH 43205.



WILLIAM J. COLE