

CITY OF BEREA DEPARTMENT OF PUBLIC SAFETY

POLICY ON PRODUCTION OR INSPECTION OF VIDEO RECORDS

PURPOSE

The purpose of this policy is to establish rules and guidelines for the City of Berea Department of Public Safety, including the Berea Police and Fire Departments, when preparing video records for production or inspection.

PRODUCTION OR INSPECTION COSTS

The City of Berea Department of Public Safety shall charge for the “actual cost” of preparing a video record for production or inspection. Actual cost includes the cost to review, blur or otherwise obscure, redact, upload, or produce a video record. Actual cost may also include the cost of the storage medium the office uses to produce a video record, staff time, and any other relevant overhead necessary to comply with the request.

PREPAYMENT/DEPOSIT

The City of Berea Department of Public Safety shall require a requester to either prepay in full or to pay a deposit for the preparation of a video record for production or inspection. The office will provide an estimate of the actual cost or the required deposit within five business days of receiving the request.

The office is not required to start preparing a video record for production or inspection until the requester pays the estimated actual cost in full. The office’s obligation to produce a video record or make it available for inspection starts when the requester pays the estimated actual cost in full.

Video Record Request Fees:

In accordance with applicable State law, the processing of public records requests related to video including but not limited to body camera, mobile video recording systems, department video system (e.g. jail video, interview room), are subject to the following:

Hourly Rate: Fees for processing a video record request shall include the hourly rate for the personnel involved, with a maximum charge of \$75.00 per hour.

Fee Cap: The total fee for video redaction, copying, processing, and any other associated tasks shall be capped at \$750.00.

Deposit Requirement: A minimum deposit, equal to the one-hour labor cost of one employee, may in lieu of prepayment in full, be required prior to fulfilling the request.

The deposit is based on the estimated time required to fulfill the request.

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| <input type="checkbox"/> 1 hour: \$58.00 (minimum deposit) | <input type="checkbox"/> 5 hours: \$290.00 |
| <input type="checkbox"/> 2 hours: \$116.00 | <input type="checkbox"/> 6 hours: \$348.00 |
| <input type="checkbox"/> 3 hours: \$174.00 | <input type="checkbox"/> 7 hours: \$406.00 |
| <input type="checkbox"/> 4 hours: \$232.00 | <input type="checkbox"/> 8 hours: \$464.00 |

Balance Payment: The balance of the fee and any adjustment to the estimated personnel cost shall be provided to the requestor as a breakdown and shall be paid before the video is released. The form of payment shall be cash or check made payable to the City of Berea, unless an electronic form of payment is established by the City.

WAIVER OF COSTS

The City of Berea may waive or reduce payment of the actual cost if either of the following apply:

- (1) The video or a portion of the video shows, communicates, or discloses any of the following:
 - a. The death of a person, or a deceased person's body, if the death was caused by a peace officer; or
 - b. Grievous bodily harm to a person if caused by a peace officer; or
 - c. An act of severe violence against a person that results in serious physical harm to the person if caused by a peace officer.
- (2) If, in the sole judgment of the Berea Department of Public Safety, the video or a portion of the video shows, communicates, or discloses information that is of great interest or importance to the general public.

RESPONSE TIME

Copies of video records shall be produced promptly and within a reasonable period. "Prompt" and "reasonable" includes the time it takes the office to retrieve, download, review, redact, seek legal advice regarding, and produce the video record, as well as other facts and circumstances of the records requested.

The office's obligation to produce a video record within a reasonable period, or make it available for inspection promptly, does not start until the requester pays the estimated actual cost/deposit in full.

Video records are available for inspection only during regular business hours.