

MODEL PUBLIC RECORDS POLICY ON PRODUCTION OR INSPECTION OF VIDEO RECORDS

PURPOSE

The purpose of this policy is to establish rules and guidelines for [PUBLIC OFFICE] when preparing video records for production or inspection.

PRODUCTION OR INSPECTION COSTS

[PUBLIC OFFICE] may 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

[PUBLIC OFFICE] may require a requester to prepay the actual cost of preparing a video record for production or inspection. If prepayment is required, the office will provide an estimate of the actual cost 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.

The office will notify the requester if the final actual cost is more than the estimated actual cost. The requester may be required to pay the difference between the actual cost and the estimated cost if (1) the requester is notified in advance that the actual cost is more than the estimated actual cost; and (2) the actual cost is less than twenty per cent more than the estimated actual cost. The requester will not be required to pay the difference in the actual cost and the estimated actual cost if the difference is more than twenty per cent.

WAIVER OF COSTS

[PUBLIC OFFICE] will 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 correctional employee, youth services employee, or peace officer;
 - b. Grievous bodily harm to a person if caused by a correctional employee, youth services employee, or 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 correctional employee, youth services employee, or peace officer.

(2) If, in the judgment of [PUBLIC OFFICE], 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 must be produced within a reasonable period of time. Video records must be made available for inspection promptly. “Prompt” and “reasonable” take into account 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.

If the office requires the requester to pay in advance the actual cost of preparing a video record for production or inspection the office’s obligation to produce a video record within a reasonable period of time, or make it available for inspection promptly, does not start until the requester pays the estimated actual cost in full.

Video records will only be available for inspection during regular business hours.

MANAGING VIDEO RECORDS

[PUBLIC OFFICE]’s video records are subject to records retention schedules. The office’s current schedules are available at [LOCATION], a location readily available to the public as required by Ohio Revised Code § 149.43(B)(2).