



Interested Party Testimony to Sub HB 96

Curtis Fifner, Secretary

Senate Finance Committee June 6, 2025

Chair Cirino, Vice-Chair Chavez, Ranking Member Hicks-Hudson, and Members of the Senate Finance Committee, thank you for providing the opportunity to provide Interested Party testimony to the Senate's Substitute HB 96 – the State Operating Budget.

My name is Curtis Fifner, I am a plaintiff's attorney with Elk&Elk here in Columbus, and I am speaking today as the Secretary of the Ohio Association for Justice. I represent victims who have been harmed through no fault of their own.

Most importantly, I am here to advocate for slightly expanding the waiver of fees that may be charged by Law Enforcement Agencies for video public records. This fee, of up to \$750, was enacted by HB 315 via a conference committee amendment on the last evening of the 135th General Assembly.

Comp Doc item **LOCCD2** "Video public records" describes that the House included language to waive the \$750 fee from being charged to "victims of crime." Victims of crime are certainly worthy to receive these videos without a fee, but we request that the fee also be waived for victims that have suffered harm or property damage through no fault of their own.

More officially, our amendment adds the following exception:

“or who is a victim who suffered loss and could seek remedy through a tort action as defined by section 2307.011 of the Revised Code.”

OAJ also believes the amendment could be revised with an additional sentence, which is included in amendment **SC 2978**:

“A fee under this section may only be waived upon the receipt of an affidavit by the victim or the victim's legal counsel identifying that the use of the video is to investigate harm or damages that may have been captured on the video.”

Attorneys often use police body camera footage to evaluate the efficacy of a claim made to them by a client. I can share a very common hypothetical: a client in Cleveland who was vacationing in Florida heard that a neighbor's tree had been struck by lightning, fell, and damaged his home. The client had been told by the neighbor that Cleveland police visited the home to ensure no one was harmed. Now, the client would like to use that footage to make an insurance claim, but the law enforcement agency is attempting to charge him for it, increasing the total cost of this situation.

OAJ's requested amendment is very limited in scope. It retains the intended purpose of allowing fees for bothersome requestors, while carefully expanding the fee waiver to a broader group of victims.

Thank you again for the time and opportunity to testify. I am happy to answer any questions from the Committee.