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Chair Manning, Vice Chair Reynolds, and members of the Senate Judiciary Committee: thank you for the opportunity to provide testimony on **Senate Bill 123**, to prohibit law enforcement from charging fees for certain videos. **Senate Bill 123** prohibits a state or local law enforcement agency from charging a fee for preparing a video record for inspection or production when the requester of the video record is an individual known or presumed to be depicted in the video, or a representative, spouse, parent, or child, of that individual.

Current law, under a provision passed through House Bill 315 at the close of last GA's lame duck season with absolutely no public input or hearings, authorizes a law enforcement agency to charge any requester to prepare a video record for inspection, or to produce a copy of the record. The agency may determine the actual costs including all costs incurred in reviewing, blurring or otherwise obscuring, redacting, uploading, or producing the video records, including but not limited to the storage medium on which the record is produced, staff time, and any other relevant overhead necessary to comply with the request. The agency may charge the actual cost associated with preparing a video record for inspection or production, not to exceed \$75 per hour of video produced, nor \$750 total. Under continuing law, an agency may charge such fees to individuals not exempted by the bill.

This new law goes above and beyond traditional "actual costs" of producing these public records and copies. Instead, it may prohibit someone who is legally entitled to understanding what happened to them or their loved one from accessing this footage. I do understand the need to moderate the—at times—multiple requests for worn-body-camera footage from the same incident, because it can overburden limited police staff, but the reality is that many true victims will also be negatively impacted by this sweeping policy. **Senate Bill 123** would amend this newly introduced practice to ensure that those most closely affected have the ability to truly discern what occurred and pursue just legal action without the additional hurdle of financial barriers in an already trying time.

This video footage is created using state and locally funded equipment by government workers on paid government time. These public records should, at the very least, be guaranteed to be fully accessible to tax-payers who help to fund its creation and are directly involved or impacted by the events that they depict. In his own press conference related to this provision, Governor DeWine conceded that this provision could have "unforeseen consequences" which he would willingly rectify through the Ohio legislature.¹ Though this provision would not be able to be officially enacted until April, there are already talks among the police departments of some Ohio municipalities about immediate implementation and there are many others who remain open to the idea. This may very

¹ <https://ohiocapitaljournal.com/2025/01/03/ohio-gov-dewine-signs-bill-into-law-to-charge-public-for-police-video/>
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quickly become a situation that inequitably grants Ohio residents access to viewing public records and pursuing justice both for themselves or for loved ones.

I urge this committee to allow for proponent testimony for Senate Bill 123 to ensure that the people of Ohio have fair and equal access to public records under Ohio law regarding their safety and wellbeing. Thank you for your consideration of my sponsor testimony. I would be happy to answer any questions that you may have at this time.

