

**SUBMITTED BY:** Kraig Fullen, Chief of Police

**MANAGEMENT TEAM REVIEW:** Ana Urquijo, City Manager

**FOCUS AREA:** Other / NA

**ORGANIZATIONAL IMPROVEMENTS:** N/A

**SUBJECT:** **SECOND READING OF ORDINANCE NO. 24-1176**, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, **AMENDING TITLE 3, REVENUE AND FINANCE**, Chapter 3.11, Public Records, Documents and Media Fees, Section 3.11.010, Public Records, Documents and Media, of the City of Douglas Municipal Code to **ADD a NEW FEE FOR BODY CAMERA VIDEO REVIEW AND REDACTION**; establishing severability of components of ordinance; and establishing an effective date thereof.

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**EXECUTIVE SUMMARY:**

Proposed new fee or increased fee for public records requests for law enforcement video recordings, established under SB1148 and codified in Arizona Revised Statutes § 39-129.

**BACKGROUND:**

SB1148 was signed by Governor Hobbs on June 20, 2023 and became effective on October 30, 2023. The provisions of SB1148 as codified in Arizona Revised Statute § 39-129, allows for a county, city, a town or any political subdivision of this state to establish a onetime fee, per copy, not to exceed \$46 per video-hour reviewed, to be charged to a person submitting a public records request to a local law enforcement agency for a copy of a video recording. In determining the amount for the onetime fee per copy, the county, city, town or political subdivision may take into account the reasonable cost of reviewing, transmitting, making a copy of and, as necessary, redacting the video recording.

Arizona Revised Statute § 39-127 provides an exemption to the one-time fee per copy for a victim of the criminal offense related to the recording, the victim's attorney on behalf of the victim, or an immediate family member of the victim if the victim is killed or incapacitated.

**DISCUSSION:**

Staff recommends approval of a one-time per copy fee of \$46 per video-hour reviewed.

**FISCAL IMPACT:**

None.

**Fiscal Year:**

**Amount Requested:** \$

**Budgeted:** Y / N

**Account (s):**

**“...I MOVE THAT THE MAYOR AND COUNCIL APPROVE THE SECOND READING OF ORDINANCE NO. 24-1176 BY NUMBER AND TITLE ONLY.**