

Government Oversight Committee

JOINT FAVORABLE REPORT

Bill No.: SB-973

AN ACT PERMITTING REDACTION FEES FOR THE DISCLOSURE OF
RECORDS CREATED BY POLICE BODY-WORN RECORDING EQUIPMENT

Title: OR DASHBOARD CAMERAS UNDER THE FREEDOM OF INFORMATION ACT.

Vote Date: 2/25/2025

Vote Action: Joint Favorable

PH Date: 2/13/2025

File No.:

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SPONSORS OF BILL:

Government Oversight Committee

REASONS FOR BILL:

To authorize a public agency to charge a fee for the redaction of certain records created by police body-worn recording equipment or dashboard cameras as authorized under state or federal law prior to disclosure under the Freedom of Information Act. This fee covers the time spent redacting the record, and section 2 goes on to give a very detailed explanation of how to calculate the fee, including a cap of \$100 per hour of the actual length of time of the record requested. Public agencies are prohibited from charging a fee to the following requesting parties; legal guardian of involved person, attorney of involved person, officer involved shooting or officer involved in a motor vehicle accident, or an officer giving a statement about the use of force. In addition, officers involved in allegations of misconduct or who are subject to any disciplinary investigations also fall under this prohibition. Public agencies are required to maintain an original, unredacted copy of any requested record that is redacted for public dissemination. Violations of the provisions of this section allow the FOIA commission to order a public agency to refund a payment.

RESPONSE FROM ADMINISTRATION/AGENCY:

Colleen Murphy, Freedom of Information Commission, Executive Director:

Opposes the bill's passage due to repeat language in similar bills already passed. the Commission believes that any fee structure should be reasonable and that records should be provided at the least cost; the fees should not impose an unnecessary financial barrier to obtaining access to public records to which the public is entitled. In addition, they regard an amendment to the lines regarding the negation of costs of access by an "involved party" who

are "requesting parties" are not part of the bill's aim. Thus, they advocate for the access of the data be of no cost to any involved party.

Nancy Navarretta, Department of Mental Health & Addiction Services, Commissioner:

Opposes this bill's passage due to specific wording regarding the current prohibition of sworn officers on DMHAS' staff from using body-worn cameras in particular circumstances and they find the intent of this new language unclear, as it seems to specify release of recordings that are already prohibited. Under current law, located in lines 115 through 128 of the bill, police officers, including those on DMHAS' police force, are prohibited from using body-worn recording equipment to record in certain circumstances. Some of the circumstances particularly applicable to DMHAS include prohibition of recording while a person is undergoing a medical or psychological evaluation, procedure, or treatment or while in a mental health facility. But overall encourage conversations with proponents of the bill to clarify said language and come to a more complete understanding.

NATURE AND SOURCES OF SUPPORT:

Karen Florin, Connecticut Council on Freedom of Information (CCFOI) Board of Directors:

Supports this bill because it will permit a reduction in fees for the disclosure of records regarding body-worn or dashboard cameras under the Freedom of Information Act. In addition, it will allow law enforcement agencies to charge reasonable fees for redacting of information from said cameras, with exceptions. Ms. Florin believes the fee structure should be reasonable and that records should be provided at the least cost; the fees should not impose an unnecessary financial barrier to obtaining access to public records to which the public is entitled.

Karl Jacobson, Chief of Police, New Haven, CT., Connecticut Police Chiefs Association:

Supports this bill because as it will create a new precedent whereas law enforcement organizations can more capably complete FOIA requests for information recorded on body-worn cameras or dashcams and will equally create a balance between information requested by the public and a format to charge fees to offset costs for said equipment. Chief Jacobson feels this bill provides an avenue that enables police departments to continue to provide the public and interested parties with information and videos that are not exempt from disclosure, while also providing agencies with a fee structure that does not currently exist for video.

Betsy Gara, Connecticut Council of Small Towns, Executive Director:

Supports this bill because it reduces costs of redaction of information gathered by body-worn recording equipment specifically from municipalities who face major financial difficulties due to the costs required. In addition, the ability to charge for such redactions assist in the necessary processes of redaction before disclosure.

NATURE AND SOURCES OF OPPOSITION:

None Expressed.

Reported by: : Tom Atwood

Date: 3/7/2025