

PUBLIC SAFETY AND THE POLICE DEPARTMENT COMMITTEE

Moseley
Sheely
Bowen

ORDINANCE NO. 26-2025

AN ORDINANCE APPROVING AMENDMENTS TO THE PUBLIC RECORDS POLICY OF THE VILLAGE OF LORDSTOWN FOR COSTS ASSOCIATED WITH LAW ENFORCEMENT DASHBOARD CAMERA VIDEOS AND/OR BODY CAMERA VIDEOS AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LORDSTOWN, COUNTY OF TRUMBULL, STATE OF OHIO:

Section I: Ohio House Bill 315, which went into effect on April 3, 2025, permits jurisdictions to charge a requester up to \$75 per hour, not to exceed \$750 in total, for the time it takes to review, blur, or otherwise obscure, redact, upload and/or produce copies of law enforcement dashboard camera video(s) and/or body camera video(s), in response to a public records request, including but not limited to costs for the storage medium on which the record is produced, staff time, and any other relevant overhead necessary to comply with the request.

Section II: That the Police Chief and Police Safety Committee hereby request Village Council amend its Public Records Policy to authorize the Police Department to charge a requester \$75 an hour for the actual cost, up to a maximum of \$750 in total, to review, blur or otherwise obscure, redact, upload and/or produce copies of law enforcement dashboard camera video(s) and/or body camera video(s), as well as for the costs of the storage medium on which the record is produced, staff time, and any other relevant overhead necessary to comply with the request.

Section III: That Village Council concurs with the recommendation of the Chief of Police and the Police Safety Committee and hereby adopts the Amended Public Records Policy (a copy of which is attached hereto as Exhibit "A" the terms of which are incorporated by reference and made a part of this Ordinance).

Section IV: That this Ordinance is hereby declared to be an emergency measure necessary for the public health, safety and welfare, and for the further reason that it must be enacted in a timely manner based on the recent enactment of this law.

Section V: That the passage of this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings in accordance with the provisions of Ohio Revised Code Section 121.22.

Passed in Council this 19 day of May, 2025.

 , Mayor

 , Clerk

AMENDED
VILLAGE OF LORDSTOWN
PUBLIC RECORDS POLICY

Introduction:

It is the policy of the Village of Lordstown that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of the Village of Lordstown to strictly adhere to the state's Public Records Act. All exemptions to openness are to be construed in their narrowest sense and any denial of public records in response to a valid request must be accompanied by an explanation, including legal authority, as outlined in the Ohio Revised Code. If the request is in writing, the explanation must also be in writing.

Section 1. Public Records.

The Village of Lordstown, in accordance with the Ohio Revised Code, defines records as including the following: Any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the Village of Lordstown. All records of the Village of Lordstown are public unless they are specifically exempt from disclosure under the Ohio Revised Code.

Section 1.1.

It is the policy of the Village of Lordstown that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying (See Section 4 for the e-mail record policy). Record retention schedules are to be updated regularly and posted prominently.

Section 2. Record Requests.

Each request for public records should be evaluated for a response using the following guidelines:

Section 2.1.

Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the Village of Lordstown to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and should assist the requester in revising

Exhibit "A"

the request by informing the requester of the manner in which the Village of Lordstown keeps its records.

Section 2.2.

The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. It is the Village of Lordstown's general policy that this information is not to be requested.

Section 2.3.

Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

Section 2.4.

Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so. Routine requests include, but are not limited to, meeting minutes (both in draft and final form), budgets, salary information, forms and applications, personnel rosters, etc. If fewer than 20 pages of copies are requested or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, these should be made as quickly as the equipment allows. If more copies are requested, an appointment should be made with the requester on when the copies or computers files can be picked up. All requests for public records must either be satisfied (see Section 2.4) or be acknowledged in writing by the Village of Lordstown within three business days following the Village of Lordstown's receipt of the request. If a request is deemed significant beyond "routine", such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following:

Section 2.4a

An estimated number of business days it will take to satisfy the request.

Section 2.4b

An estimated cost if copies are requested.

Section 2.4c

Any items within the request that may be exempt from disclosure.

Section 2.5.

Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.

Section 3. Costs for Public Records.

Those seeking public records will be charged only the actual cost of making copies.

Section 3.1.

The charge for paper copies is 10 cents per page. Double sided 20 cents per page. Faxes 75 cents per page.

Section 3.2.

The charge for downloading computer files to a compact disc is \$5 per disc.

Section 3.3.

There is no charge for documents e-mailed. However, if required, we will charge for scanning documents at the photocopy rate contained in Section 3.1.

Section 3.4.

Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.

Section 3.5.

Pursuant to Ohio House Bill 315, the Village of Lordstown Police Department is authorized to charge a requester \$75 an hour for the actual cost, up to a maximum of \$750, for the time it takes to review, blur, or otherwise obscure, redact, upload and/or produce copies of law enforcement dashboard camera video(s) and/or body camera video(s), in response to a public records request, including but not limited to costs for the storage medium on which the record is produced, staff time, and any other relevant overhead necessary to comply with the request.

Within five (5) business days of receiving a request for body-worn and dash camera video, the Police Department shall provide the requester with an estimate of the actual cost of the video requested. The estimated actual costs must be paid in full prior to the commencement of the review and redaction of the body-worn and dash camera footage.

If, upon commencing the review and redaction of the body-worn and dash camera footage, the Police Department determines the actual cost of the review and redaction will exceed the estimated cost, the Police Department may charge the requester for the difference, upon fulfilling a request for video records, if the requester is notified in advance that the actual cost may be up to twenty percent (20%) higher than the estimated cost. The notification shall be made by the method used by the requester to file the original public records request. The Police Department shall not charge a requester a difference that exceeds twenty percent (20%) of the estimated cost.

Section 4. E-Mail.

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the Village of Lordstown. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

Section 4.1.

Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of the Village of Lordstown are instructed to retain their e-mails that relate to public business (see Section 1 Public Records) and to copy them to their business e-mail accounts and/or to the Village of Lordstown's records custodian.

Section 4.2.

The records custodian is to treat the e-mails from private accounts as records of the Village of Lordstown, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.

Section 5. Failure to Respond to a Public Records Request.

The Village of Lordstown recognizes the legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, the Village of Lordstown's failure to comply with a request may result in a court ordering the Village of Lordstown to comply with the law and to pay the requester attorney's fees and damages.