

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 30

DATE: July 1, 2008

STAFF: Susan Neiman

SUBJECT

Resolution 2008-060 Establishing Fee Increases Charged by Fort Collins Police Services Relating to the Release of Criminal Justice Records.

RECOMMENDATION

Staff recommends adoption of the Resolution.

EXECUTIVE SUMMARY

Approval of the change in the Fee Schedule will allow Fort Collins Police Services to comply with HB 08-1076, which will become effective August 6, 2008.

BACKGROUND

The Records Division of Fort Collins Police Services currently follows a fee schedule which was last approved by City Council in 2005 and has remained virtually the same since that time.

The Records Division of Fort Collins Police Services receives numerous requests on a daily basis for copies of police reports. The highest percentage of these requests comes from insurance companies for copies of accident reports. Records Division staff recommends changing the current fee schedule to comply with HB 08-1076.

Fort Collins Police Services is authorized pursuant to C.R.S. 24-72-306(1) to assess reasonable fees to cover Police Services' actual costs, including its personnel and equipment cost, incurred to search retrieve, and copy criminal justice records for public inspection. This statute also requires that such fees be approved by the City Council.

The current fee schedule and the recommended fee schedule are as follows:

CURRENT FEE SCHEDULE

- | | | |
|----|-----------------------------|-----------------|
| 1. | Copy of Report (1-10 pages) | \$7.50 |
| 2. | Additional Pages (over 10) | \$1.00 per page |
| 3. | Records Check | \$7.50 |

4.	Mail-in Requests	\$7.50
5.	Certified Copies	\$5.00 (+ copy of report)
6.	Photographs	Attendant Expenses
7.	RMS Searches	\$7.50
8.	Special Searches - requiring the creation of a new record, manipulation of data or expertise of computer systems personnel	\$30.00 per hour
9.	Dispatch Tape Recordings (includes search fee, supervisory review of recording, and cost of cassette tape)	\$23.00 minimum/up to \$30.00 per hour
10.	Other Recording (cassette, video, CD or DVD) (includes review and cost of medium)	\$23.00 minimum/up to \$30.00 per hour
11.	General Directives Manual	\$55.00

RECOMMENDED FEE SCHEDULE

1.	Fee for Criminal Justice Records – Search, Retrieval and Redaction (plus copy charge)	\$7.50
2.	Copies of Criminal Justice Record documents	\$.25 per page
3.	Records Check	\$7.50 plus per page copy cost
4.	Mail-in Requests	\$7.50 plus per page copy cost
5.	Certified Copies	\$5.00 (plus per page copy of report)
6.	Copies of photographs (includes search fee and cost of CD)	\$23.00 minimum/up to \$30.00 per hour
7.	RMS Searches (ad hoc reports)	\$7.50 (plus per page copy cost)
8.	Special Searches - requiring the creation of a new record, manipulation of data or expertise of computer systems personnel	\$30.00 per hour

- 9. Copies of Dispatch Recordings \$23.00 minimum/up to
(includes search fee, supervisory \$30.00 per hour
review of recording, and cost of CD)
- 10. Copies of other recording (cassette, \$23.00 minimum/up to
video, CD or DVD) (includes review \$30.00 per hour
and cost of medium)
- 11. General Directives Manual \$55.00

NOTE: All per hour charges are a minimum of 1/2 hour (or \$15.00)

RESOLUTION 2008-060
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ESTABLISHING FEE INCREASES CHARGED BY
FORT COLLINS POLICE SERVICES RELATING TO
THE RELEASE OF CRIMINAL JUSTICE RECORDS

WHEREAS, C.R.S. Section 24-72-306(1) authorizes Fort Collins Police Services to assess reasonable fees for the actual costs it incurs in searching for, retrieving, and copying criminal justice records for public inspection; and

WHEREAS, C.R.S. Section 24-72-306(1) also requires that any such fees be established by the City Council; and

WHEREAS, the fee schedule currently used by the Records Division of Fort Collins Police Services was last approved by the City Council in 2005; and

WHEREAS, House Bill 08-1076 limits the fee a law enforcement agency may charge for per page copies of criminal justice records documents to \$.25 per page; and

WHEREAS, the proposed increases in the Records Division's fee schedule more accurately reflect the current costs of making criminal justice records available for public inspection.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS, that the following costs and fees are hereby established and shall be applicable to all requests to the Records Division of Fort Collins Police Services for public inspection of criminal justice records:

Criminal Justice Records Fee Schedule:

1.	Fee for Criminal Justice Records Search, Retrieval and Redaction (plus copy charge)	\$7.50
2.	Copies of Criminal Justice Records documents	\$.25 per page
3.	Records Checks	\$7.50 (plus per page copy cost)
4.	Mail-In Requests	\$7.50 (plus per page copy cost)
5.	Certified Copies	\$5.00 per page (plus copy cost)
6.	Copies of photographs (includes search fee and cost of CD)	\$23 minimum/up to \$30.00 per hour
7.	RMS Searches (ad hoc reports)	\$7.50 (plus per page copy cost)
8.	Special Searches - requiring the creation	\$30.00 per hour

of a new record, manipulation of data
or expertise of computer systems personnel

- | | | |
|-----|---|--|
| 9. | Copies of Dispatch Tape Recordings (includes search fee, supervisory review of recording, and cost of CD) | \$23.00 minimum/up to \$30.00 per hour |
| 10. | Copies of other recordings (cassette, video CD or DVD (includes review and cost of medium) | \$23.00 minimum/up to \$30.00 per hour |
| 11. | General Directives Manual | \$55.00 |

NOTE: All per hour charges are a minimum of 1/2 hour (or \$15.00)

Passed and adopted at a regular meeting of the City Council held this 1st day of July, A.D. 2008.

Mayor

ATTEST:

City Clerk