

DECLARATION OF EMERGENCY

**Office of the Governor
Division of Administration
Office of the Commissioner
and
Department of Public Safety and Corrections
Public Safety Services**

Louisiana State Police Video Public Records Requests
(LAC 55:I.903)

In accordance with the emergency provisions of R.S. 49:962(A)(1), Department of Public Safety and Corrections, Public Safety Services hereby recognizes exigent circumstances requiring utilization of the emergency process for implementation of the attached Rule relative to State Police video public records. Statistical analyses show a projected increase of public records requests for body-worn camera (BWC) and in-car camera (ICC) video footage. Public Safety Services operating costs increase parallel with the linear trend of increased BWC/ICC requests. Setting a fee schedule for providing electronic records and video footage is justifiable based on the costs to the agency, both now and in the future. Louisiana courts recognize the evolution of technology and a contemporarily developing body of law. Johnson v. Pineville, 08-1234, (La. App. 3 Cir. 4/8/09), 9 So.3d 313. In accordance with the provisions of R.S. 49:962, R.S. 39:241, and R.S. 44:32, the Division of Administration, Office of the Commissioner hereby adopts §903 as a supplement to the Uniform Fee Schedule to provide for state police video public records.

This Emergency Rule was originally promulgated on July 18, 2024. The Legislative Fiscal Office did a thorough analysis of the Rule and on November 6, 2024, approved the Fiscal and Economic Impact Statement. The Rule was submitted to the Oversight Committee on November 25, 2024.

In accordance with the provisions of R.S. 49:962, R.S. 39:241, and R.S. 44:32, the Division of Administration, Office of the Commissioner hereby adopts §903 as a supplement to the Uniform Fee Schedule to provide for State Police video public records.

This Emergency Rule shall have the force and effect of law on December 31, 2024, and will remain in effect for 180 days, until permanent rules are promulgated in accordance with law.

Title 55

PUBLIC SAFETY

Part I. State Police

Chapter 9. Photographs and Videos

§903. Videos Related to Louisiana State Police Public Records Requests

A. Copies of Louisiana State Police video public records furnished to a person so requesting shall be provided at fees according to the following schedule:

1. \$10 per video less than or equal to 20 minutes in length;
2. \$0.50 per minute for videos longer than 20 minutes in length.
3. For purposes of this section, “minute” includes one full minute, and no charge shall be given based on rounding up any additional seconds between full minute increments.

B. The fee for production of such videos shall be provided to the requester by Louisiana State Police in advance of production.

C. This schedule does not apply to copies of Louisiana State Police video public records requested from another state agency.

D. For the purposes of this part, Louisiana State Police video public records include but are not limited to: body-worn camera footage retained by Louisiana State Police regardless of law enforcement agency, in-car dash camera video retained by Louisiana State Police regardless of law enforcement agency, and third party videos, including security video, retained by Louisiana State Police.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:241, R.S. 44:32, and R.S. 36:406.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services and Office of the Governor, Division of Administration, Office of the Commissioner, LR 51:

Jason Hessick
Assistant Secretary

2501#009