



GRAND FORKS COUNTY SHERIFF'S OFFICE

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SHERIFF ANDY SCHNEIDER



To: House Government & Veterans Affairs
From: Captain Joel Lloyd, Grand Forks County Sheriff's Office
Date: February 5, 2025
Re: Opposition to HB1306

Honorable Chairman Schauer
Honorable Vice Chair Satrom
Members of the Committee

I am submitting this letter today on behalf of the Grand Forks County Sheriff's Office, as we are requesting a DO NOT PASS recommendation on HB1306. The Sheriff's Office is specifically opposed to the language being proposed to section (g) of the bill which mandates that our office shall furnish one records request per requester, per year and free of charge, if the cost of the request does not exceed forty hours and the requester is a citizen of the state.

There are a few reasons why we oppose HB1306. The first reason for our opposition is that our office is not able to verify if the person requesting records is a citizen of the state or not, as section 2(b) of the same bill prohibits us from asking for the identity of the person making the request, and our office frequently receives requests from individuals who submit them anonymously.

Another reason for our opposition to this bill is the mandate that our office provide the records free of charge for up to 40 hours of our processing time. Many of the records requests we receive are for the videos from body camera's worn by sheriff's deputies. Nearly all these videos contain a substantial amount of exempt or confidential information that needs to be redacted prior to the release, resulting in a significant amount of time needed to do the video redactions. In our office, these video redactions are done by a single person who is specifically trained to do them. This person currently has an hourly pay rate of \$34.08, and our office is already operating at a loss on each hour spent conducting video redactions at the current fee of \$25/hr. HB1306 would mandate that this person now conduct a 40 hour records request, which equates to their entire work week, free of charge to the requestor at the expense of the tax payers of Grand Forks County. If HB1306 were to pass, it would likely lead to a substantial increase in the perception of "free" records requests, which would certainly lead to our agency needing to hire and train additional personnel to fulfill them, again at the expense of the taxpayers of this county.

Further, HB1306 allows a requestor to make one request per year free of charge for up to 40 hours of our time. An individual would very easily be able to make their one "free" request, and then simply ask their friends to make additional "free" requests on their behalf. Another unintended consequence of HB1306 would be the potential for abuse of the open records laws it would cause. It's no secret there are some members of society who don't like law enforcement – and HB1306 would certainly make it easy for them to tie up and waste law enforcement resources with repeated, frivolous, and "free" records requests all while potentially remaining anonymous and do so without consequence.

We understand that this bill may have been well intentioned in increasing government transparency and accountability, something our agency has always honored to the best of our ability, but the cost of that should fall on the requestor of the record at the more than reasonable current cost of \$25/hr. The cost should not be at the expense of the general taxpayers of Grand Forks County, or any other county of this state.

Again, we would ask for a DO NOT PASS recommendation, thank you.

Joel Lloyd

Captain Joel Lloyd
Grand Forks County Sheriff's Office