

OVERCHARGED?

Clovis Police Department Record Fees



AI Generated Image Public Record Financial Exchange with Police Department

2025-2026 Fresno County Civil Grand Jury

Report #4

Report Date: June 3, 2026



SUMMARY

The Grand Jury received a citizen complaint regarding the fees charged by the Clovis Police Department (CPD) to duplicate records requested by the general public. An investigative committee was formed to examine the CPD records fees schedule, particularly whether the fee for duplicating electronic police records overcharges the public. The complainant's underlying issue is whether the CPD's record fees meet the legal standards under the California Public Records Act (Government Code sections 7920.000-7931.000) ensuring reasonable public access to records.

The Grand Jury began by interviewing the complainant, followed by employees of CPD and City of Clovis. Also reviewed were the materials submitted by the complainant. These included the actions they took to gather information, legal standards, and record fees of other police departments in Fresno County.

Specific deficiencies were identified in the current processes and procedures within the CPD and City of Clovis for determining record fee schedules. Two major concerns emerged from this investigation. First, the inability to confirm how record fees are calculated, specifically, and how they meet the legal standards of the California Public Records Act. Second, was the inability to describe the exact process the CPD uses to review the fee schedule they send to the City of Clovis Manager for City Council approval.

The findings and recommendations in this report respond to these deficiencies. This report's objective is to promote transparency, with the goal of establishing an accessible CPD fee schedule protocol and ensuring their record fees meet the legal standards of the California Public Records Act.

INTRODUCTION

California's Public Records Act (CPRA) gives individuals the right to access public records from a public agency. As defined in the CPRA, the term "public records" is "any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics." (Gov't Code § 7920.530(a).) This right of access to public records involves determining who bears the cost of duplicating these records and how to itemize those fees while ensuring the public's right to the records.

The proliferation of electronic records has challenged how these costs should be distributed while ensuring the public's access to the records. The CPRA was amended to account for new technologies, including electronic media. These amendments specified that a record that is only available in electronic form is still a public record that can be requested. The amendments also directed that copies of the record must be provided upon request in the format requested unless that format is not used by the agency.

The general rule under the CPRA remains: the requester pays the "direct costs" of duplication, or a statutory fee if applicable, even if the record is already in an electronic format used by the agency. (Gov't Code §§ 7922.530(a) and 7922.575(a).) However, the agency can pass on the cost of reproducing an electronic record should the record not normally be in electronic format and requires production costs (i.e., "requires data compilation, extraction, or programming"). (Gov't Code § 7922.575(b)(2).)

The question this Civil Grand Jury sought to answer was: Do the CPD record fees meet the legal standards of the CPRA and are the fees reasonable based on the CPD's established procedure to amend this fee schedule?

METHODOLOGY

In conducting its investigation, the Civil Grand Jury interviewed staff at the City of Clovis and the CPD. It also reviewed the materials the complainant submitted, the records fees of other local police departments, visited both the Clovis and Fresno Police Departments, and studied websites describing the CPRA.

DISCUSSION

The City of Clovis comprises several departments, all of which charge fees for a wide range of public services. The City management collects those fees, compiles them into a Master Administrative Fee Schedule (MAFS), then places them on the Clovis City Council agenda for their review and approval. Two departments, CPD and Clovis Fire Department, are each solely responsible for creating their own department fee schedules and submitting them to City management for inclusion into the MAFS along with the justification for any changes. The investigation focused only on the CPD fees for record requests (e.g., copies of police reports, copies of CDs/DVDs, and reproduction of digital photographs).

In spring of 2010, the CPD retained a national consulting firm that specializes in ensuring public access to government services to help assess their fees and make recommendations for fee changes. The consulting firm recommended that CPD review its own fee charges every four to five years and use their data model to generate future fees.

The 2010 CPD Fee Schedule, including the record fees, was approved by Clovis City Council and enacted. These fees were put into effect in 2011. The fees pertinent to this complaint were as follows:

- Copy of Police Report = \$5
- Production of Records-Video Tapes/CD's/DVD's per record = \$54
- Reproduction of Digital Photographs = \$43
- Reproduction of 35mm Photographs = \$142

The most recent revision of the CPD fee schedule was Fall 2022. The CPD proposed changes to recover costs associated with the increase in labor for producing these services. The Grand Jury learned that the CPD used the 2010 consultant's model along with the growth rate from the 2010 Cost of Living Index to the 2022 Cost of Living Index. The Index provided new labor costs that were then inserted into the 2010 consultant's model to generate the new fee schedule, including the record fees. The 2022 fee schedule line items were the same as the 2010 fee schedule line items. The CPD submitted to City management their proposed fee schedule. The CPD's proposed fee schedule was adopted by the Clovis City Council on November 7, 2022. The Grand Jury learned there was concern because fee schedules are not being reviewed regularly, the fee schedule may have been relying on outdated information, and may not reflect current laws.

The following record fees went into effect in January 2023 and are displayed in the main CPD lobby:

- Copy of Police Report/c-CAD Calls = \$7
- Production of Records-CDs/DVDs per copy = \$75
- Reproduction of Digital Photographs = \$55
- Reproduction of 35mm photographs = \$200

The Grand Jury investigation into the CPD record fees revealed that there are no established procedures for reviewing the CPD fee schedule, including, but not limited to, how often CPD should review its fee schedule and whether the current schedule meets legal requirements.

CONCLUSION

The Grand Jury understands that the CPD does not wish to make it difficult for people to access public records. Four years ago, CPD examined its fees. Its efforts centered on analyzing current labor costs and calculating those costs into the consultant's model given to them back in 2010. From the evidence presented through interviews the Grand Jury conducted, the Grand Jury determined that CPD record fees may not comply with the CPRA's "direct cost" standard.

Additionally, there is a lack of clarity on who, when and how CPD record fees are determined. The only consistent conclusion was that CPD prepares its own fee schedule, passes its proposed record fees on to City management for Clovis City Council discussion and final approval.

FINDINGS

California Penal Code Section 933(a) mandates that a grand jury report issue findings and recommendations.

Finding 1. Because there is no established policy setting standards for revising CPD's fee schedule, the CPD and City of Clovis management were both unable to show whether its past and current record fees meet the legal standards of the California Public Records Act and other relevant laws.

Finding 2. Because there is no established policy setting the procedure for revising CPD's fee schedule, the CPD was unable to provide a clear explanation of the protocol it uses to determine and review record fees for submission to the Clovis City Council for review and final approval.

Finding 3. The CPD record fees may have violated the California Public

Records Act's "direct costs" standard because the records fees are predetermined flat fees.

RECOMMENDATIONS

Recommendation 1: The Clovis City Council should direct the CPD to assess whether the public record fees in the Department's current fee schedule meet the legal standards of the California Public Records Act and includes fees that are reasonable for constituents, to be completed September 30, 2026. (F3)

Recommendation 2: The Clovis City Council should direct the CPD to develop a written, publicly available standard operation procedure to determine how future Department fee schedules are amended, including a recommended regular periodic review schedule every five years, by January 1, 2027. (F1, F2)

REQUESTS FOR RESPONSES

Pursuant to California Penal Code §933, each entity or individual named below must respond to the enumerated Findings and Recommendations within specific statutory guidelines.

Responses must be based on the findings and recommendations of the report, not the process of how the findings and recommendations were acquired.

Responses to Findings shall be either:

- The respondent agrees with the finding; or
- The respondent disagrees wholly or partially with the finding, in which case

the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons, therefor.

Responses to Recommendations shall be one of the following:

- The recommendation has been implemented, with a summary regarding the implemented action;
- The recommendation has not yet been implemented, but will be implemented in the future, with a time limit for implementation;
- The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time limit for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency where applicable. This time limit shall not exceed six months from the date of the publication of the Civil Grand Jury report;
- The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

REQUIRED RESPONDENT

Required response within 90 days:

The following entity is required to respond: Clovis City Council (F1, F2, F3, R1, R2)

INVITED RESPONDENTS

The following responses are invited pursuant to Penal Code section 933(a) from the following departments within 90 days:

Clovis City Manager (F1, F2, F3, R1, R2)

Clovis Police Department, Chief of Police (F1, F2, F3, R1, R2)

Responses are to be sent to:

The Honorable Judge Jeffrey Hamilton, Jr.
Fresno County Superior Court
1100 Van Ness Avenue
Fresno, CA 93724-0002

DISCLAIMER

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code section 929 requires reports of the Civil Grand Jury to not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.

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