



Report Issued

July 10, 2025

**Audit Report
No. 25-02**



**City of Cape Coral
City Auditor's Office**

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CAPE CORAL POLICE DEPARTMENT - COMMUNICATION AND LOGISTICS BUREAU RECORDS PROCESSES AUDIT

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TO: Mayor Gunter and Council Members

FROM: Andrea R. Russell, City Auditor *ARR*

DATE: July 10, 2025

SUBJECT: 25-02 Cape Coral Police Department – Communication and Logistics
Bureau Records Processes Audit

The City Auditor's Office conducted a performance audit of the Communication and Logistics Bureau Records Processes. This audit was added to the City Auditor's FY25 approved Audit Plan at the request of the Cape Coral Police Department. The audit was conducted in conformance with Generally Accepted Government Auditing Standards by the authority granted through City Ordinances 28-02 and 79-10.

We would like to express our sincere appreciation to command staff and the Communication and Logistics Bureau Records section management and staff for the courtesy, cooperation, and proactive attitude extended to the team members during the audit. If you have any questions or comments regarding this audit, please contact Andrea Russell at 242-3380.

C: Michael Ilczyszyn, City Manager
Connie Barron, Assistant City Manager
Mark Mason, Assistant City Manager
Aleksandr Boksner, City Attorney
Kimberly Bruns, City Clerk
Anthony Sizemore, Chief of Police
Dana Coston, Deputy Chief of Police
Tazkoma Burgoyne, Commander
Ciarra-Marie Baez, Records Supervisor
Sarah Evins, Special Projects Coordinator
Audit Committee

REPORT HIGHLIGHTS

Cape Coral Police Department (CCPD) – Communication and Logistics Bureau Records Processes Audit

Issued July 10, 2025

Objectives

To determine if Public Records Requests (PRRs) are processed in compliance with federal, state, and local laws, regulations, and policies and procedures.

To determine CCPD compliance with federal, state, and local laws, regulations, and policies and procedures for records maintenance.

To determine if roles and responsibilities appropriately reflect employee duties and responsibilities, are appropriately classified; consistent with organizational policies, goals and legal requirements; communicated to staff; and are supported with necessary resources for accurate and complete records processing.

Background

The CCPD Records section consists of 10 civilian employees, including a supervisor; a Senior Customer Service Representative (CSR); and eight CSR positions. These individuals process PRRs and court requests, in addition to reviewing and entering patrol and detective data for over 300 sworn officers.

WHY THIS MATTERS

Cape Coral continues to be one of the fastest growing municipalities in Florida. As a result of growth, crime and accidents increase, which results in an increase of records that document incidents. CCPD records must be maintained, reviewed, and stored in compliance with laws and regulations. Police records data supports public safety because they provide valuable information that can be utilized for legal evidence and provide transparency to hold law enforcement accountable. Streamlining the Records section processes and having staff who are well trained can save time and help compliance with laws and regulations.

ACCOMPLISHMENTS

- During the scope of the audit, Records processed over 10,000 records requests.
- Achieved Commission on Accreditation for Law Enforcement Agencies (CALEA) Accreditation for calendar years 2021, 2022, and 2023
- October 2023, CCPD implemented a new software system to facilitate submission and processing of PRRs.

WHAT WE FOUND

The City Auditor's Office conducted a performance audit of Communication and Logistics Bureau Records section's processes. This audit is an addition to the City Auditor's FY25 approved Audit Plan requested by CCPD.

CCPD follows several Florida State Statutes for records and has policies and procedures in place; however, we noted controls over processing PRRs, seals, and expungements need improvement. CCPD did not meet internal processing timelines for PRR processing; did not provide redaction data with PRRs; fees for PRRs were not accurately calculated; and did not process seals and expungements in a timely manner. Additionally, we identified that the Records section CSRs, who process PRRs, job duties do not fully represent position requirements. These opportunities for improvement are discussed in further detail in the Findings and Recommendations section of this report.

While we noted the need for improvement in records processing policies and procedures and job classification, we noted no material control deficiencies.

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Background

The Cape Coral Police Department (CCPD) became operational on August 9, 1971, with a staff of six. Currently, the department has more than 300 sworn officers, over 100 full-time civilian positions, and a Police Volunteer Unit with more than 100 volunteers. CCPD is accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA). The purpose of CALEA is to improve the delivery of public safety by maintaining a body of professional standards that support the



administration of accreditation programs. CALEA Accreditation is the gold standard for public safety agencies and represents a commitment to excellence. CALEA standards for record processes are detailed in Chapter 82, Central Records of CALEA standards. According to the most recent CALEA review with Chapter 82 standards, CCPD met all compliance requirements. There were no findings identified as part of the review.

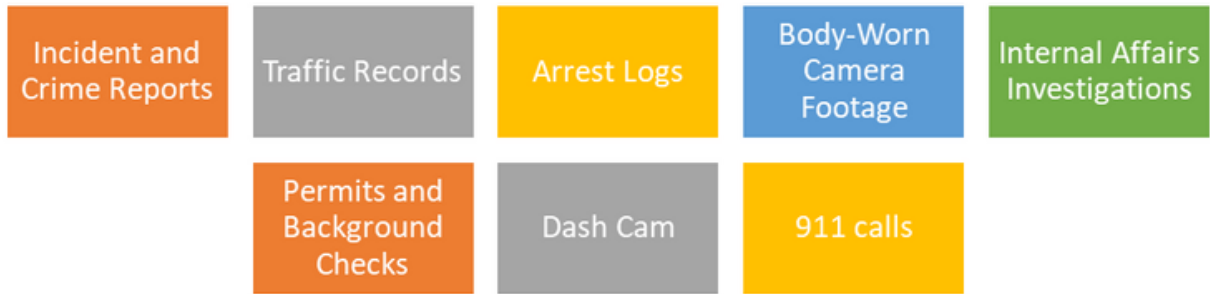
CCPD has six different bureaus within the agency. The Communications and Logistics Bureau is responsible for Police and Fire radio communications and dispatch services through the Communications Center. The Records section (Records) is included in this Bureau and is responsible for fulfilling all requests for records and entering data from patrol reports and detectives. Records consists of all civilian employees. There are 10 staff members on the team comprised of a supervisor, a Senior Customer Service Representative (CSR), and eight CSR positions. These individuals process all Public Records Requests (PRRs) and court requests, in addition to reviewing and entering patrol and detective data for over 300 sworn officers. Lee County Sheriff's Office (LCSO) has approximately 1,600 sworn officers with 39 records personnel and Fort Myers Police Department (FMPD) has approximately 263 sworn officers with 12 records staff.

CCPD maintains public records in accordance with Florida's Public Records Law. A public record is defined by Florida State Statute (FSS) 119.011(12) as:



“All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.”

According to FSS 119, records may include:



FSS 119 also defines information considered exempt from records and other important key concepts. According to FSS 119.07(1)(a) agencies must respond to PRRs within a “reasonable time”, provide the requested records, and also requires the custodian of the records to acknowledge receipt of the requests promptly.

Since 2003, CCPD has used three different Records Management Systems (RMS) for storing and accessing police records. In October 2023, CCPD implemented software that would allow the public to request records online. The new software increased efficiency by allowing customers to submit online requests, communicate with Records through the software, monitor completion, and view documents as soon they are made available. The new software also provides the ability to formally track requests, improve communication with customers, and comply with laws and regulations.

Requestors may submit a PRR using a variety of methods.



The individual in a supervisory role in Records reviews the PRR and distributes the request to the correct area within Records for both digital and paper requests. If the PRR is for visual documentation, such as body camera footage, the senior CSR researches and locates case numbers in the appropriate RMS so records can be preserved. Records are preserved as soon as possible to avoid premature deletion from the system it resides in because of the multiple RMSs. Once all records are located, preserved if necessary, and assigned to the appropriate CSRs, an invoice is created, if charges apply. Once payment is received, CSRs will begin the review and redaction part of the process in compliance with FSS 119. Once redaction is complete, the information is provided to the customer either electronically, in-person, or by mail.



During the scope of the audit, Records processed over 10,000 records requests with an average of 23 days to process.



Findings and Recommendations

FINDING 2025-01: Public Records Request Processing Needs Improvement

Rank: High

Condition:

Background

A public record is defined in Administrative Regulation (AR) 20, Public Records Requests, as the following:

“All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connections with the transaction of official business by any agency.”

In addition, FSS 119.01, Public Records, states:

“It is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency.”

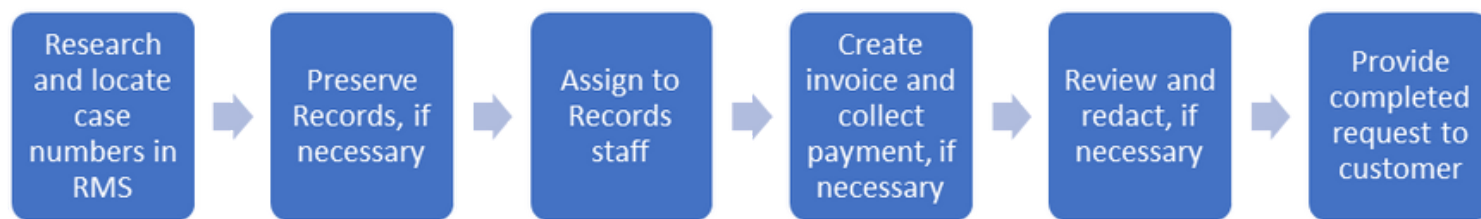
CSRs who process PRRs must adhere to additional regulations and policies and procedures, including the following:

- General Order (GO)¹ C-57, Records Section - Establishes guidelines for records maintenance, records retrieval, and validation of information.
- Marsy’s Law and General Order (GO) B-37, Victims’ Rights, provide guidelines on information that is exempt from public records. They protect victims by ensuring their information is not disclosed to others involved in the case.
- Standard Operating Procedure (SOP) REC-2, Public Record Requests, was issued in May 2019 and provides procedures governing requests for inspections, copying, fees, and release of public records in the custody of the CCPD.

FSS 119, Marsy’s Law, AR 20, GO B-37, and GO C-57, detail requirements for fulfilling PRRs. The CALEA accreditation, Chapter 82, Central Records, also provides additional guidance for PRRs.

¹ General Orders are CCPD internal policies and procedures.

When CCPD receives a PRR, CSRs perform the following²:



Citizens can submit PRRs online by using the RMS in person at the CCPD counter, by fax, email, or postal mail. PRRs may be for an accident or loss report needed for an insurance claim, court proceedings (arrest reports, body and dashboard camera footage), background investigations, or citizen requests on neighborhood issues. The FSS, the AR, GO, and SOPs detail information that must be redacted from the information provided to the requestor. The information redacted may differ based on the requestor. For example, if a PRR is submitted by an officer of the court for proceedings, less information may be redacted or considered exempt from release than if a private citizen requests the same information.

In October 2023, Records launched a new software system for the submission of online PRRs, allowing for improved tracking and monitoring over the prior manual system in place; however, at the time of the new software implementation, if requests were submitted in person, by fax, email, or postal mail, they were not entered into the RMS and therefore not tracked as accurately as the online submissions.

Test Results

To determine if PRRs were processed in accordance with FSS and internal policies and procedures, we obtained a population of PRRs during the audit scope and selected a sample of 60. Of the 60 PRRs sampled, 22 (37%) could not be tested due to mis-categorization in the RMS because CSRs were instructed to enter the in-person requests as an invoice receipt when they had time, which could occur months after the requests were fulfilled, if they were entered at all³.

We tested the 38 eligible PRRs for the following attributes:

1. Acknowledgement of receipt of PRR in compliance with FSS 119

- Results: The majority of PRRs tested were completed correctly with the acknowledgement of request email sent to the requestor.

² See Finding 2025-02 for details on the “Preserving Records” and “Create invoice and collect payment” steps in the process.

³ Many in-person requests are completed at that time of the request if the information is considered readily available. In-person requests generally result in copy fees (\$0.15 per page) and these receipts were entered after the request was fulfilled to agree to the financial system transaction documenting receipt of the fees. A request that would take more than one hour is considered extensive and cannot be fulfilled in-person. The requester is invoiced for the cost.

2. Processing time in compliance with FSS 119; SOP REC-2

- Results: Of the 38 tested, 29 (76%) did not meet the defined processing time standard. The FSS does not explicitly state a time frame for fulfilling PRRs, therefore CCPD established SOP REC-2 to address this and define time frames for completion. The SOP states “readily available documents should be processed within two business days, while extensive research requests should be completed within five business days”. Currently, no monitoring of the performance metrics is in place to ensure requests are processed in compliance with requirements. Without monitoring, there is no mechanism to verify adherence to laws, regulations, or policies and procedures. Implementing a structured monitoring process would help ensure Records personnel maintain compliance with established standards.

3. Redaction and explanation of exempt information in compliance with FSS 119; Marsy’s Law; GO B-37

- Results: Only five of the items in the sample had redactions. None (100%) included the required Exemption Memo. Records personnel were unaware of this requirement. It is important to note that during the audit, CCPD created a memo template to provide to customers whenever information is redacted.

As part of the audit, we also conducted walkthroughs and distributed a survey to CSRs to gain an understanding of the processes and identify potential areas of concern. We identified certain areas for improvement to standardize the entire process and increase efficiency. The areas identified do not represent control deficiencies, weaknesses or noncompliance with regulations and policies and procedures, but will assist in streamlining the processes in the section⁴.

Records Backlog

Various factors have contributed to a backlog in processing PRRs as well as seals and expungements of records⁵, including the implementation of a new RMS, staffing shortages due to difficulty in hiring and retention, a lack of documented formal policies and procedures, and insufficient communication within the division. Due to an insufficient system setup, an accurate report of total requests remains unavailable. Failure to log requests into the RMS may result in noncompliance with FSS 119.07(1)(h), which mandates that requests and records provided to customers must be retained for at least 30 days.

Locating Records

Since 2003, the CCPD has used three different RMS programs. Each time the department transitioned to a new system, significant amounts of data were not transferred to the new RMS or data was imported incorrectly. During migration to the current RMS, some information was duplicated or omitted entirely.

⁴ See Finding 2025-04 for further information on survey results.

⁵ See Finding 2025-03 for further information on seals and expungements.

This inconsistency in information transfer may pose a risk of misplacement of or inaccessibility to records when fulfilling PRRs. Additionally, the time required for Records personnel to locate missing records increases delays in processing requests. If information is not consistently stored in a centralized RMS, the likelihood of delayed or unfulfilled requests rises due to the extensive research required to retrieve relevant records.

Redacting Records

CSRs manually redact information rather than utilizing electronic redaction methods. Adobe PDF allows for permanent removal of information from the electronic file. In addition, the RMS also provides for electronic redaction. We brought this information to the attention of Records. CSRs started using electronic redaction features to more efficiently remove exempt information from PRRs shortly after we brought this to their attention.

Criteria:

- FSS 119
- Marsy's Law
- CALEA Chapter 82
- GO B-37
- GO C-57
- SOP REC-2
- AR 20

Cause:

- Noncompliance with FSS 119 exemption memo requirements
- Noncompliance with SOP REC-2 processing time standard
- High volume of requests
- Difficulty in locating records due to multiple systems used to maintain data

Effect:

- Requestors are not informed of exempt information as required by FSS
- Delay in fulfillment of PRRs
- Potential inadvertent release of exempt information
- Potential for excessive redaction of information

Recommendations

2025-01a:

Fully utilize the RMS by entering all requests and corresponding data and request type to ensure requests are trackable and comply with applicable regulations, policies, and procedures.

Management Response and Corrective Action Plan:

2025-01a Select one of these boxes:

☒ **Agree** ☐ **Partially agree*** ☐ **Disagree***

***For partially agree or disagree a reason must be provided as part of your response.**

2025-01a

The Cape Coral Police Department recognizes the importance of accurately tracking all Public Records Requests (PRRs) through the Records Management System (RMS) to maintain compliance with Florida State Statute 119 and internal procedures. Effective immediately, all PRRs—regardless of submission method (online, in person, fax, email, or mail)—will be entered into the RMS at the time of receipt.

To ensure consistency and compliance:

- CSRs will be retrained on intake and RMS logging procedures.*
- Supervisors will conduct bi-weekly audits of RMS entries to confirm accuracy and timeliness.*
- The Bureau Commander or designee will provide biweekly status updates during staff meetings to review progress, identify issues, and share compliance metrics with the Records team and leadership.*
- Quarterly refresher training will reinforce adherence and integrate any system updates or procedural improvements.*

These steps will enhance accountability, facilitate comprehensive tracking, and minimize the risk of noncompliance or record loss.

2025-01a

Management Action Plan Coordinator:
Chief of Police

2025-01a

Anticipated Completion Date: 12/31/2025

Recommendations

2025-01b:

Update SOP REC-2 to include information for:

- Categorization of PRRs
- Assignment of PRRs
- Electronic redacting requirements
- Completion of exemption memo
- CSR time metric for closing a PRR
- Supervisor monitoring of PRR status
- Inventory/quick reference for various data locations or sources
- Preserving records²

Management Response and Corrective Action Plan:

2025-01b Select one of these boxes:

☒ **Agree** ☐ **Partially agree*** ☐ **Disagree***

***For partially agree or disagree a reason must be provided as part of your response.**

2025-01b

The Department agrees that Standard Operating Procedure REC-2 must be revised to align with current technology, legal standards, and operational best practices. The SOP will be updated to include:

- Categorization of PRRs for more accurate tracking and reporting.
- Assignment protocols for clear delegation and accountability.
- Mandatory use of electronic redaction tools (Adobe and RMS) to improve efficiency and reduce risk of error.
- Use of Exemption Memos with every redaction, utilizing the standardized template already implemented.
- Defined CSR time metrics based on request complexity (e.g., two business days for readily available records, 5 days for complex requests).
- Supervisor monitoring protocols, including weekly review and monthly compliance summaries.
- Quick reference inventory of record locations across current and legacy systems.
- Procedures for record retention and preservation in compliance with FSS 119.07(1)(h).

To promote ongoing transparency and implementation oversight:

- The Bureau Commander or designee will provide biweekly status updates at staff meetings on the SOP revision progress and implementation milestones.
- Staff will be trained on the revised SOP upon approval, and updates will be integrated into onboarding for new Records personnel.

2025-01b

Management Action Plan Coordinator:
Chief of Police

2025-01b

Anticipated Completion Date: 10/08/2025



**FINDING 2025-02: Improved Guidelines for Handling PRR
Preserving and Invoicing Should Be Developed**

Rank: High

Condition:

When CCPD receives a PRR, data must be preserved as soon as possible to avoid premature deletion from the systems it resides in. There are various record retention guidelines for differing types of information that may be included in the PRR. For example, traffic stop data is retained for 180 days and felony offense data is retained for 10 years. The individual in a supervisory role in Records reviews the PRR and distributes the request to the appropriate CSR within Records for both digital and paper requests. Once the request is delivered to the correct area, the individual processing the request locates any information and performs any preserving needed for the request. The CSR generates an invoice and collects payment if necessary⁶. Payments are not deposited until the CSR begins working on the PRR, which can be weeks after the PRR was invoiced.

Preserving Records for PRR

SOP REC-2 defines extensive research requests as those PRRs requiring more than one hour of staff time to fulfill. Records must be preserved so that they remain available and not destroyed before fulfilling requests. Extensive records requests require preserving and redacting of certain information¹ as well as invoicing for CSR time spent fulfilling the request. It is an informal policy that records be preserved within one business day of receiving the PRR; however, no formal procedures exist to enforce this requirement.

Of the 10 requests tested that required record preservation⁷, five (50%) did not have records saved within one business day, according to the informal policy followed by CSRs. Based on the sample tested, it takes 17 days on average to preserve records from the date the request is created. Delays in preserving visual records may result in premature deletion because visual documentation is only retained for a specified timeframe which varies based on retention guidelines in the General Records Schedule GS2 For Law Enforcement, Correctional Facilities, and District Medical Examiners.

Invoice Calculation Process

CCPD SOP REC-2, Public Record Requests, defines fees and charges for public records in accordance with FSS 119.07(1)(f), that authorizes a special service charge for extensive agency time use. CSRs calculate invoices using the total time of visual recordings reduced by 30 minutes

⁶ See Finding 2025-01 for details of the records request process.

⁷ See Recommendation 2025-01b for recommendation to include the preservation process in the SOP updates.

for requests involving visual review. For example, if the total time for the footage is 10 hours, the invoice would include fees for 9.5 hours of work. This practice is contrary to the methodology defined in SOP REC-2, where fees for 10 hours of footage would be calculated on 9 hours of work (total footage time less one hour).

We tested 10 extensive records requests, utilizing the SOP methodology which is to reduce the total hours billed by the first hour of review. None of the requests (100%) matched our calculation, because of the difference in CSR practice for calculating fees (subtracting 30 minutes) compared to the SOP methodology (subtracting one hour). Additionally, one PRR was invoiced twice to separate requestors, with differing charges per invoice. Adherence to the defined SOPs which provide the methodology for invoicing is not enforced. There is also no review of the invoice by a supervisor or another CSR prior to release and no formal tracking of hours necessary to fulfill the PRR.

PRR Fees

The City Code of Ordinances Chapter 2 Administration, Article 2 Fees, Section 2-19, Copies and other services, establishes fees for PRRs that Financial Services calculates in accordance with FSS 119 guidelines. CSRs invoice for hourly fees and other costs associated with the PRR including copies, DVDs, or other information. These fees are detailed on the CCPD Cash Deposit Form. Of the 20 invoices reviewed, one payment (5%) was not recorded in the financial software, and no supporting documentation was uploaded to the RMS. Similar to PRR testing performed, we were unable to test timeliness of deposits for 10 (50%) invoices because transactions were entered into the system retroactively and without supporting documentation, such as request details and supporting documentation provided with the request⁸. Three invoices (16%)⁹ had incorrect hourly fees or missing charges.

PRR Fee Processing

City of Cape Coral Cash Handling Policies and Procedures, that departments are required to follow, mandates that all checks be deposited within a reasonable timeframe. However, due to the current backlog¹⁰, CSRs invoice PRR requestors when the CSR is ready to begin work, which can be months after the request is made. Funds received are not deposited when received but rather when the CSR begins to actively work on the request, since they invoice and move on to the next PRR. The CSR stores the payment in a folder until they are ready to work on the corresponding PRR.

In addition, there is no way to verify when the checks were actually received by the CSR because no dates are recorded to document receipt. Records now uses an automated response in the online requesting site that advises the requestor when payment is received. Because Cash Handling policies only state checks should be deposited in a reasonable timeframe, for testing

⁸ See Finding 2025-01 and Recommendation 2025-01a for utilizing the RMS to its fullest capability.

⁹ Of the 20 invoices in our sample, we were unable to determine if fees were applied for one payment because it was not recorded in the financial software; therefore, we could only test this attribute for 19 of the 20. Three of 19 equals an 16% exception rate.

¹⁰ See Finding 2025-01 for information regarding the backlog

purposes, we defined a reasonable time as four or fewer business days. Eight extensive requests (80%) failed to meet this threshold. On average it took 27 business days to enter the payment into the RMS, calculated from the date of the check to when it was formally recorded in the RMS (since we were unable to determine the actual date received). One check was not deposited for 114 days after the check date.

For our sample, once payment was recorded in the RMS, payments were also recorded in the financial software and deposited within two business days. We noted one invoice selected for testing had multiple problems with invoice and payment processing. First, the payment received was not entered into the RMS for 114 days after received. The invoice was also incorrect because it did not include charges for a DVD provided as part of the PRR. Finally, a deposit was taken on the invoice which was only \$34.74. AR 20 and SOP REC-2 state deposits are taken only on invoices of \$50 or more, otherwise payment in full is due.

GO C-57, Records Section, authorizes front-counter records personnel to collect fees and forward them to the City Cashier. Ten of 19³ invoices tested (53%) had the same CSR create invoices in the RMS and also record the payments in the financial system, resulting in lack of segregation of duties and non-compliance with the GO.

Criteria:

- FSS 119
- Ordinance 2-19
- General Records Schedule GS2
- Cash Handling Policies and Procedures
- SOP REC-2
- GO C-57
- CCPD Cash Deposit Form
- AR 20

Cause:

- Non-compliance with FSS 119
- Non-compliance with Ordinance 2-19
- Non-compliance with SOP REC-2
- No procedures in SOPs for preserving records or monitoring
- Inconsistent application of fee calculation methodology
- Non-compliance with Cash Handling Policy

Effect:

- Records not preserved and potentially purged prematurely
- Inaccurate fee calculation
- Funds not deposited in a reasonable time in accordance with Cash Handling Policy

Recommendations

2025-02:

Develop a formal methodology and policies and procedures for extensive PRR fees, including methodology and documentation for tracking hours, streamlining payment processing, and an internal time standard for depositing payments.

Management Response and Corrective Action Plan:

2025-02 Select one of these boxes:

☒ **Agree** ☐ **Partially agree*** ☐ **Disagree***

***For partially agree or disagree a reason must be provided as part of your response.**

2025-02

The Cape Coral Police Department recognizes the critical need to strengthen the invoicing, fee calculation, and records preservation process for extensive Public Records Requests (PRRs). To address the audit findings, the Department will develop and implement comprehensive policies and procedures to ensure:

- **Standardized Fee Calculation Methodology**

A written procedure will align with SOP REC-2 and FSS 119.07(1)(f), including specific guidance that invoices for extensive PRRs involving visual review deduct one full hour, not 30 minutes, from the total time billed. Clear instructions and worked examples will be included in the revised SOP.

- **Time Tracking for Invoice Support**

Records Clerks and CSRs will begin logging actual hours worked on PRRs. A time tracking worksheet or system field will be implemented to capture effort per request, which will be reviewed and approved by a supervisor prior to invoice issuance.

- **Payment Processing Controls**

New protocols will require:

- 1. All payments to be logged upon receipt with date-stamped documentation.*
- 2. Deposits to occur within four business days of receipt, per the audit's reasonable threshold and in alignment with City Cash Handling Policy.*
- 3. Funds to be deposited upon receipt, regardless of when the request is actively worked, unless otherwise authorized.*

Recommendations

2025-02: Continued...

Develop a formal methodology and policies and procedures for extensive PRR fees, including methodology and documentation for tracking hours, streamlining payment processing, and an internal time standard for depositing payments.

- **Segregation of Duties**

Invoice creation and payment processing will be separated across personnel, in line with General Order C-57 and best practices. A second CSR or supervisor will verify payment recording when necessary.

- **Preservation of Records**

PRRs requiring preservation will be logged and preserved within one business day of receipt. The SOP will formally incorporate this timeline, along with procedures to verify and document data retention requirements based on the General Records Schedule GS2.

- **Quality Review and Oversight**

Supervisors will review all invoices before release, ensuring fee accuracy and completeness. Supporting documentation will be uploaded into the RMS for transparency.

- **Staff Communication and Monitoring**

The Bureau Commander or designee will deliver biweekly status updates during staff meetings to report on implementation progress, identify gaps, and reinforce compliance across Records personnel.

- **Training and Implementation**

All Records staff will receive mandatory training on the new procedures upon finalization. Ongoing training and process refreshers will be scheduled every six months or upon revision.

2025-02

Management Action Plan Coordinator:
Chief of Police

2025-02

Anticipated Completion Date: 09/08/2025

FINDING 2025-03: Process Seals and Expungements in a Timely Manner in Accordance with FSS

Rank: High

Condition:

FSS 943.059, Court-ordered sealing of criminal history records, and FSS 943.0585, Court-ordered expunction of criminal history records, detail the process and conditions for sealing or expunging criminal history records. CALEA 82.1.1 and 82.1.2 state that the privacy and security of records should be in accordance with agency policy and applicable laws. When a court issues an order to seal or expunge a record, the signed order is sent to all agencies that may possess relevant records. Currently, CCPD Records does not have formal documented policies and procedures for processing seals and expungements in compliance with FSS 943.059 and 943.0585. There is currently a significant backlog of approximately 900 records dating back to 2007, due to prior management failing to process the court ordered seals and expungements. Through discussions with the City Attorney's Office, we determined there is minimal risk of legal action against the City for erroneous records from the backlog.

In order to process seals and expungements, multiple bureaus within CCPD must be notified of each court-order. For example, a record may need to be reviewed by the Investigative Services Bureau, Crime Analyst Departments, Evidence, Property, Forensic Department, Axon Division, and the Public Information Officers. In order to begin working on the backlog, as a result of our audit, Records drafted a memo to initiate communication with relevant bureaus to assist with timely processing of seals and expungements. Records is currently working on developing formal documented policies and procedures to ensure compliance with FSS and reduce the backlog. Establishing a formal, documented process will help to enhance compliance and reduce the backlog.

Criteria:

- FSS 943.059
- FSS 943.0585
- CALEA Chapter 82

Cause:

- Noncompliance with FSS 943.059 and FSS 943.0585
- Lack of policies and procedures

Effect:

- Inefficient record processing
- Inaccurate records

Recommendations

2025-03a:

Develop policies and procedures to process record seals and expungements in a timely manner in accordance with FSS.

Management Response and Corrective Action Plan:

2025-03a Select one of these boxes:

☒ **Agree** ☐ **Partially agree*** ☐ **Disagree***

***For partially agree or disagree a reason must be provided as part of your response.**

2025-03a

The Cape Coral Police Department agrees that a formalized, consistent process is essential for timely and compliant handling of court-ordered record seals and expungements under Florida State Statutes 943.059 and 943.0585.

To achieve compliance and operational efficiency, CCPD will:

- *Develop and implement comprehensive written **Policies and Procedures (P&P)** for the receipt, routing, verification, and completion of record seals and expungements.*
- *Define specific steps for each record type, including the responsibilities of internal bureaus such as Investigative Services, Property and Evidence, Forensics, Crime Analysis, Axon, and the Public Information Office.*
- *Establish a clear internal **time standard** for processing new court orders (e.g., within 30 business days of receipt).*
- *Use the RMS to track each request and document actions taken for audit and compliance purposes.*
- *Assign accountability checkpoints, including supervisor review of each completed seal/expungement before closing the case.*

To support transparency and drive progress:

- *The **Bureau Commander or designee** will provide **biweekly status updates** at staff meetings summarizing progress on developing and implementing the P&P and training completion rates.*
- *Staff responsible for processing seals and expungements will be trained on the new procedures once finalized.*

This policy development initiative will support CALEA compliance (Ch. 82), reduce risk of errors, and ensure sensitive information is handled in accordance with legal mandates.

2025-03a **Management Action Plan Coordinator:**
Chief of Police

2025-03a **Anticipated Completion Date:** 09/08/2025

Recommendations

2025-03b:

Process the seal and expungement backlog.

Management Response and Corrective Action Plan:

2025-03b Select one of these boxes:

☒ **Agree** ☐ **Partially agree*** ☐ **Disagree***

***For partially agree or disagree a reason must be provided as part of your response.**

2025-03b

The Department acknowledges the need to resolve the longstanding backlog of unprocessed court-ordered seals and expungements, currently estimated at approximately 900 cases, some dating back to 2007.

To address the backlog efficiently and legally:

- CCPD will implement a **phased processing strategy**, prioritizing cases from 2023 forward, then moving backward chronologically, as confirmed appropriate through discussions with the City Attorney's Office.
- A tracking log has already been initiated and will continue to be maintained to monitor progress, document actions taken, and ensure a clear audit trail.
- Inter-bureau coordination will be formalized using a **standardized memo template**, already in draft, to notify all relevant units of each seal/expungement and ensure thorough internal record removal.
- Executive staff **authorizes the use of overtime (OT)** to expedite backlog processing. Records leadership is empowered to schedule OT opportunities on off days and weekends to maximize personnel availability and accelerate completion. Staffing resources will be adjusted accordingly to maintain momentum.

To ensure accountability and progress tracking:

- **The Bureau Commander or designee will provide biweekly status updates** at staff meetings to report on the number of cases completed, aging metrics, and any barriers to completion.
- The post-audit review process will include **regular external monitoring** of backlog reduction until completion.

This effort will demonstrate the Department's commitment to transparency, compliance, and safeguarding individual rights per applicable state statutes and accreditation standards.

2025-03b

Management Action Plan Coordinator:

Chief of Police

2025-03b

Anticipated Completion Date: 07/31/2026

FINDING 2025-04: Records CSR Job Duties Are Not Representative of Actual Position Requirements

Rank: High

Condition:

Currently, Records consists of all civilian employees. There are 10 staff members on the team, comprised of a supervisor, a Senior CSR, and eight CSR positions. These individuals process all PRRs and court requests, in addition to reviewing and entering patrol and detective data for over 300 sworn officers. The CSR position is considered entry-level, and no prior experience is required.

The U.S. Bureau of Labor Statistics defines CSR position responsibilities as primarily listening to and responding to customer inquiries. The City's CSR job description mentions the position as safety sensitive but does not explicitly define responsibilities related to police records review, reviewing emergency calls, or maintaining confidentiality of sensitive information.

As part of an ongoing review, CCPD identified the existing CSR job description, which pays \$19.11¹¹ per hour, does not accurately reflect actual job duties and responsibilities. CCPD is in the process of revising the CSR job description and developing a new position of Police Records Coordinator. These updates to the classification and accompanying job description will align the CCPD positions with similar positions in Fort Myers and Tampa Police Departments, and Lee County Sheriff's Office. These updates will also more clearly state specific duties related to police records review, body and dashboard camera review, and record redaction. All but one of these agencies requires prior experience in records management for the position. Consideration should also be given to developing a second shift for Records personnel that could focus on fulfilling requests and work on other related Records duties outside of regular business hours.

As part of the position reclassification, salaries will also be reviewed and potentially updated. Starting pay varies among the above noted agencies but based on an average of four job descriptions found in Table 1, the estimated average hourly pay for similar positions is \$23.49. This is \$4.38 higher than the current CCPD CSR starting wage.

¹¹The hourly rate increase was approved at the April 2, 2025, City Council meeting. The starting hourly rate went from \$17.37 to \$19.11.

Table 1

Agency	Job Description Title	Starting Pay
City of Cape Coral	Records Coordinator <i>CCPD considering this job classification</i>	\$23.23
Fort Myers Police Department	Records/Data Entry Clerk	\$20.22
Lee County Sheriff's Office	Records Clerk	\$19.23
Tampa Police Department	Body Worn Camera Analyst	\$31.26
Average of police job pay:		\$23.49

To better understand CSR roles and responsibilities, we surveyed CCPD CSRs, Records supervisors, and management. See the questions below:

How do you feel your job relates to the CCPD mission?

What do you feel are obstacles that stand in your way of accomplishing the mission or doing your job?

What are some frustrations you feel that stand in your way of doing your job?

Do you have any ideas on how you could better accomplish your mission/job? If yes, please provide high level points.

What makes it hard to do your job?

If you could change anything about your work, what would it be and why?

What performance metrics do you use?

Staff believe they are contributing to CCPD's mission; however, several concerns were raised, including a lack of training, limited policies and procedures, and insufficient guidance. Additionally, multiple individuals expressed challenges related to communication and the complexity of navigating numerous software programs.



Overall themes in the responses identified two key areas of concern: the need for ongoing training and clearly defined policies and procedures¹². Currently, the only formal training CSRs have completed to support their job responsibilities is a one-day onsite session conducted for the Florida Public Records Law, which was completed in January 2025. Several additional training opportunities would help to enhance staff knowledge, including the Records Management for Florida Law Enforcement Agencies webinar, RMS training specific to the systems used, as well as various courses offered through Police Records Management.

Providing ongoing training can strengthen job competency, improve employee morale, and enhance overall job satisfaction. Establishing a structured training program would help ensure personnel are equipped with the necessary skills to effectively fulfill their responsibilities.

Criteria:

- U.S. Bureau of Labor Statistics
- City of Cape Coral CSR Job Description

Cause:

- Changes to job duties and responsibilities over time
- Job description roles and responsibilities do not accurately represent current duties
- Organizational belief that on-the-job experience alone is sufficient training

Effect:

- Difficulty in recruiting and retaining competent employees
- Wasted time and resources on recruitment and training
- Insufficient staffing
- Job dissatisfaction and burnout
- Inconsistent application of job roles and responsibilities

¹² See Findings 2025-01, 2025-02, and 2025-03 supporting the employee responses that policies and procedures need to be created.

Recommendations

2025-04a:

Evaluate current position classifications and division organization to better reflect duties and responsibilities associated with the positions and more efficiently support the CCPD mission and vision.

Management Response and Corrective Action Plan:

2025-04a Select one of these boxes:

☒ **Agree** ☐ **Partially agree*** ☐ **Disagree***

***For partially agree or disagree a reason must be provided as part of your response.**

2025-04a

CCPD acknowledges that the current Civilian Support Representative (CSR) job description does not accurately reflect the complexity and scope of actual duties performed. The Department is actively revising the CSR job description and creating a new Police Records Coordinator classification to better align with the responsibilities related to police records review, body and dashboard camera footage review, record redaction, and other specialized functions.

The reclassification effort will also include:

- Benchmarking salaries and job requirements against peer agencies such as Fort Myers, Tampa PD, and Lee County Sheriff's Office to ensure competitive pay and required qualifications, including prior records management experience.*
- Exploring the feasibility of establishing a second shift for Records personnel to handle public records requests and related duties outside normal business hours, improving service levels and workload distribution.*
- Developing a mission and vision statement specific to the Records division to clarify roles and strengthen organizational alignment.*

The bureau commander will provide executive leadership with biweekly status reports detailing progress.

2025-04a

Management Action Plan Coordinator:
Chief of Police

2025-04a

Anticipated Completion Date: 10/01/2027

Recommendations

2025-04b:

Develop an annual training program and requirements for all Records personnel.

Management Response and Corrective Action Plan:

2025-04b Select one of these boxes:

☒ **Agree** ☐ **Partially agree*** ☐ **Disagree***

***For partially agree or disagree a reason must be provided as part of your response.**

2025-04b

Records leadership will work collaboratively with the Training Unit to design and implement a robust, ongoing in-service training program tailored specifically for Records personnel. This training curriculum will encompass essential topics such as Records Management best practices, compliance with Florida Public Records Law, proficiency with RMS software systems, body-worn camera footage review and redaction protocols, confidentiality requirements, and other critical skill areas.

An annual training schedule will be established to ensure all staff receive consistent and comprehensive professional development, improving overall job competency, employee morale, and job satisfaction. The program will include mechanisms for tracking completion and effectiveness of the training sessions.

The bureau commander will provide executive leadership with biweekly status reports detailing progress on curriculum development, training implementation, participation rates, and any identified training gaps or resource needs.

2025-04b

Management Action Plan Coordinator:
Chief of Police

2025-04b

Anticipated Completion Date: 12/08/2025

Scope

Based on the work performed during the planning phase and the assessment of risk, the audit covers the processes, laws and regulations, and policies and procedures in place over CCPD Records for the period of FY24 and FY25 through March 31, 2025. To evaluate the processes in place for Records, we reviewed policies and procedures, applicable laws, and regulations, and surveyed Records personnel.

Statement of Auditing Standards

We conducted this performance audit in accordance with Generally Accepted Government Auditing Standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Methodology

In order to achieve the audit objectives and gain a better understanding of how Records processes PRRs in compliance with applicable laws, regulations, and policies and procedures we conducted walkthroughs, held meetings with other agencies, and surveyed Records CSRs.

We also received a demonstration on the various software systems utilized to locate applicable documentation to support and fulfill PRRs. Original records and copies, and various reports were used as evidence. Information provided by other local law enforcement agencies was considered during testing to assist with identifying potential areas for improvements and ways to strengthen controls and processes. Sample size and selection were based on the CAO sampling methodology.

We tested PRRs to determine compliance with federal, state, and local laws, regulations, and policies and procedures by selecting a random sample 60 PRRs submitted through the RMS. To test the invoicing and preserving of records for PRRs we utilized an invoicing report from the RMS. Invoice and preserving of records is considered control testing and a stratified random sample of a total of 20 invoices was selected to determine if records were preserved and if fees and payments were processed in accordance with policies and procedures.

During the planning phase we learned the Records did not have policies and procedures in place to process seals and expungements. We evaluated the seals and expungement backlog with legal consideration to determine compliance with applicable laws and regulations.

Methodology (continued)

GS1 and GS2 and internal policies and procedures were evaluated to determine if records are managed in accordance with laws and regulations.

To determine if Records had a process in place to hire and maintain staff, we evaluated job descriptions for Records personnel for the City of Cape Coral and other police agencies to compare pay, job responsibilities, experience, and job title. Additionally, we sent a survey to all Records personnel to help us identify areas for improvements.

To support the sample methodology described above to achieve the audit objectives, we discussed, obtained an understanding of, and observed the various software systems utilized by Records to obtain information. By doing this we deemed the data reliable for purposes of our audit objectives.

We also utilized data from the City's financial accounting system to verify invoicing for extensive requests. The financial accounting system is tested by the external auditors as part of the Annual Comprehensive Financial Report. Based on the results of their procedures, no additional data reliance testing was deemed necessary.

Unless specifically stated otherwise, based on our selection methods, and testing of transactions and records, we believe that it is reasonable to project our results to the population and ultimately draw our conclusions for testing, findings, and recommendations on those results. Additionally, for proper context we have presented information concerning the value and/or size of the items selected for testing compared to the overall population and the value and/or size of the exceptions found in comparison to the items selected for testing.