

FORT MYERS POLICE DEPARTMENT GENERAL ORDER 13.1

TITLE: Records Division & Records Management

INDEXING: Records, Agency Records, Juvenile Records, UCR, Traffic Records, UTT's, Public Records Requests, Validations

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C.A.L.E.A. STANDARDS: 1, 17, 82 **C.F.A. STANDARDS:** 34 **PAGES:** 12

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PURPOSE

The purpose of this order is to establish guidelines for completing reports and the proper maintenance, filing, accountability, processing, and retrieval of departmental records in accordance with Florida State Statutes and guidelines.

SCOPE

These procedures shall apply to all Fort Myers Police Department personnel.

POLICY

It is the policy of the Fort Myers Police Department to maintain a Records Division that is responsible for record maintenance, data entry, control, report retrieval, storage of FCIC/NCIC teletypes and disposal of departmental records. It is also the policy of the Fort Myers Police Department that the Records Supervisor shall be held accountable for all records. The Fort Myers Police Department will follow the Florida Administrative Code, the Florida Public Records Law, the Florida Archives, History, and Records Management Act, and the General Records Schedule for Law Enforcement Agencies for the orderly retention and disposition of documents considered public records.

SECTION I: DEFINITIONS

1. Alteration: Any addition or deletion that materially changes the substantive content of a public record subject to access under F.S.S. Chapter 119.
2. Case Number: A sequential and chronological number used by the police department for the purpose of assigning accountability for a specific police action or activity.
3. Criminal Intelligence Information: Information with respect to an identifiable person or group of persons collected by a criminal justice agency in an effort to anticipate, prevent, or monitor possible criminal activity.

4. Criminal Investigative Information: Information with respect to an identifiable person or group of persons compiled by a criminal justice agency in the course of conducting a criminal investigation of a specific act or omission.
5. FDLE: Florida Department of Law Enforcement.
6. General Records Schedule for Law Enforcement Agencies: A listing of documents that are common to and maintained by law enforcement agencies with recommended and approved retention periods for each. The schedule, which is issued by the Florida Department of State, Division of Library and Information Systems, describes the records and shows the minimum length of time that a record series or individual record must be retained to meet administrative, legal, fiscal, and historical needs. Each records series or individual record listed in the general schedule is numbered in alphabetical order.
7. Public Records: All papers, letters, maps, books, tapes, disks, photographs, films, sound recordings, or other material regardless of physical form or characteristics made or received pursuant to law or ordinance in connection with the transaction of official business by any agency.
8. RMS: Records Management System (**Mark43/CAD**).
9. Personal Identifiable Information (PII): PII is information which can be used to distinguish or trace an individual's identity, such as name, social security number, or biometric records, alone or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, or mother's maiden name.

SECTION II: RECORDS DIVISION DUTIES & RESPONSIBILITIES

A. Records Division Supervisor's Authority, Duties, and Responsibilities:

1. The Records Division shall be under the supervision of the Administrative Bureau Commander and Support Services Division Lieutenant with a civilian supervisor responsible for the day-to-day operations.
2. Records Division Supervisor's authority and responsibility:
 - a. The Records Division Supervisor has the responsibility of maintaining, routing, and managing all department records. The Records Division Supervisor is considered the official records custodian and will have the responsibility for the care of all documents, as well as supervisory control of all documents in order to assert an exemption to all or a portion of the content of any document.
 - b. The Records Division Supervisor or designee is appointed as the Records Management Liaison Officer (RMLO) per F.S.S. 257.36(5)(a).

B. The Records Division shall be responsible for:

1. Maintenance of all records in accordance with local, state and federal laws, and this procedure. **(C.A.L.E.A. 82.1.1a,c)**
2. Fulfillment/dissemination of all public records requests in accordance with all local, state, and federal laws, and this procedure. **(C.A.L.E.A. 82.1.1a, c)**
3. Receipt, maintenance, and control of all records in an orderly and systematic manner. **(C.A.L.E.A. 82.1.1c)**

4. Records information shall be available (24) hours a day via the **Mark43**/CAD and RMS Systems to authorized agency members. In the event that hardcopy reports are required after hours, the Records Supervisor or designee will be notified and shall retrieve the record(s). **(C.A.L.E.A. 82.1.1a,b)**
5. Audit and Evaluation: The Records Division Supervisor shall be responsible for conducting periodic audits and evaluation of the case numbering system to identify any discrepancies or the need for the modification of any procedures. Components and records designated for destruction are sent to the records storage area for action under the state retention schedules. **(CALEA 82.1.5)**
6. Case Status Accounting: The status of all cases can be determined through the Records Division. Records Division shall maintain the status of cases that have been filed for action with the State Attorney's Office, whether cleared or inactive. **(C.A.L.E.A. 82.1.5)**

SECTION III: GENERAL PROCEDURES

- A. Report Processing: All calls-for-service and officer-initiated calls shall be assigned an incident number. The Communication Section shall assign this number at the time the incident is reported. Each number shall be separate and distinct for each incident. **(C.A.L.E.A. 82.2.3)**

All incidents listed below that occur within the Fort Myers Police Department service area shall be reported, to include, but not be limited to, the following: (See G.O. 13.4)

1. All citizens' request for services; **(C.A.L.E.A. 82.2.2a,b)**
2. Incidents resulting in an employee being dispatched or assigned, to include follow-ups; **(C.A.L.E.A. 82.2.2c)**
3. Criminal and non-criminal cases initiated by law enforcement officers; **(C.A.L.E.A. 82.2.2d)**
4. Incidents involving arrest, citations or ordinance violation citations. **(C.A.L.E.A. 82.2.2e)**

Reporting can be by way of, but not limited to, incident, offense, arrest, narrative, persons, property, vehicle, or supplemental reports.

- B. Field Reports: A field report is an arrest, offense, FIR, or other report prepared by sworn personnel and CSA's. All field reports shall be reviewed and approved by the Shift Commander or designee. The Shift Commander or designee shall document their approval in the Field Based Reporting system or by initialing the report if handwritten in the appropriate block prior to placing the report in the Records box for filing.
- C. Original Documents: Original documents shall remain within the Records Division. Only copies are furnished to persons making a Public Records Request or disseminated to authorized personnel. **(C.A.L.E.A. 82.1.5)**
- D. Complaint Withdrawals: A signed complaint withdrawal means that a person no longer wishes to pursue the matter reported. Officers & C.S.A.'s need to complete offense reports along with the complaint withdrawal. The signed complaint withdrawal should be attached to the report form. Offense reports in which the victim wishes to sign a complaint withdrawal form shall be "unfounded" or "exceptionally cleared" (A U.C.R. status). If an arrest has been made for a particular misdemeanor offense the Records Division shall forward a copy of the complaint withdrawal to the State Attorney's Office.

E. National Uniform Crime Reporting Program: (C.A.L.E.A. 82.1.4)

1. The National Uniform Crime Reporting Program (UCR) produces statistics in relation to crime trends in the United States.
2. The department actively participates in the UCR Program by submitting data on existing crime.
3. A Records/Data Entry Clerk reviews all reports prepared by the department and ensures the appropriate incident / UCR code has been entered into the report.
4. Additionally, the clerk corrects the UCR code when appropriate.
5. UCR information compiled from submitted reports shall be transmitted to the Florida Department of Law Enforcement, in a report, semi-annually by August 1st of the current working year and annually by February 1st of the following year. This shall be accomplished electronically per FDLE.
6. UCR Classification: The Records Division or Investigation Division will complete the clearance area on all offense reports marking either A (Adult) or J (Juvenile) as appropriate for the offender and completing the clearance type and date. Only Command Staff, Lieutenants, Detective Supervisors and Records Personnel are authorized to make changes in UCR classifications.

F. Master Index File: An alphabetical master name index file shall be maintained within the RMS for cross-referencing incidents that a person is involved in. **(C.A.L.E.A. 82.3.1)**

1. Persons maintained in this system shall include the following:
 - a. Victims
 - b. Arrested and ticketed persons
 - c. Complainants
 - d. Suspects
 - e. Witnesses
2. The RMS also maintains a master database capable of the following: **(C.A.L.E.A. 82.3.2a,b,c)**
 - a. Indexing incidents by type
 - b. Indexing incidents by location
 - c. Indexing evidence and property by stolen, found, and recovered.

G. Arrest Records / Files: (CALEA 1.2.5a)

1. Arrest record files are maintained in compliance with state and federal laws. These records are available to authorized persons upon request. **(C.A.L.E.A. 82.1.1a)**
2. Arrest reports shall be completed by the arresting officer.
3. The Florida Department of Law Enforcement administers a statewide fingerprint records system (AFIS), a statewide, computerized criminal information system (FCIC), and a statewide crime reporting system (UCR). The Fort Myers Police Department participates in these systems and will follow all rules and procedures included in the FDLE

Identification Manual, the FCIC Operations Manual, and the Florida Uniform Crime Reports Guide Manual.

4. All arrestees, except those specified by FDLE, shall be fingerprinted and photographed. This can be accomplished at the Lee County Jail. If fingerprints are completed in-house for investigative purposes, the Identification Division will maintain the fingerprint cards and / or data if taken electronically. These documents may be filed by Master Index Number/Identification Number or alphabetically. **(C.A.L.E.A. 1.2.5b,c, 82.3.6 & 83.2.3)**
5. All arrestees are assigned a unique and numerically sequential Master Index Number/Identification Number by dispatch through CAD. If the arrestee has a previously issued Master Index Number/Identification Number, that number shall be utilized. Identification Numbers are not to be duplicated or skipped. This number shall be documented on the arrest report under the "Other Local Number" section. **(C.A.L.E.A. 82.3.6)**
6. Numerically sequential arrest record files of all arrests shall contain an original arrest report record and related documents. The arrest report files are maintained in Records and are scanned into the Alchemy Database.
7. Juvenile Arrest Records: Records Division members will strictly control access to juvenile records information. **(C.A.L.E.A. 82.1.1a) (C.A.L.E.A. 82.1.2a,c)**
 - a. All juveniles arrested for misdemeanors and felonies shall be photographed and fingerprinted at the Juvenile Assessment Center. **(C.A.L.E.A. 82.1.2b)**
 - b. Juveniles may be photographed by officers under any circumstances that would justify the photographing of an adult. **(C.A.L.E.A. 82.1.2b)**
 - c. All Offense/Incident Reports with juvenile arrest information shall be filed by agency case number.
 - d. Collection and Retention: Agency records pertaining to juveniles are collected in the same manner as other records with the following exception:
(C.A.L.E.A. 82.1.1a, 82.1.2a,c, 83.2.3)(CFA 34.09M)
 1. All fingerprints, palm prints, and photographs pertaining to juvenile offenders must be marked "CONFIDENTIAL / JUVENILE" with red colored ink and maintained in a separate, secure file cabinet and retained in conformance with F.S.S. Chapter 39 and State of Florida General Records Schedule GS2.
 2. All Juvenile arrests will be entered into the RMS under the "Juvenile" designation.
 - e. Criteria for Dissemination: The following information pertaining to juveniles shall not be released: **(C.A.L.E.A. 82.1.1a,c) (C.A.L.E.A. 82.1.2a,b,c)**
 1. Any criminal intelligence or criminal investigative information active or not including: the prisoner record containing the photograph, name, address, or other facts or information.
 2. The identity, name, age, race, sex or address of any juvenile under the age of 18 charged with a misdemeanor.

3. Until October 1, 1994, law enforcement agencies generally could release only the name and address of juveniles (16) and older who had been charged with or convicted of certain crimes. In 1994, the juvenile confidentiality laws were modified to eliminate the age restriction and provide enhanced disclosure.

SECTION IV: DISTRIBUTION OF REPORTS

A. Report Distribution:

1. Distribution of records within the agency: (C.A.L.E.A. 82.1.1a, 82.2.4)
 - a. Information stored in the department's Automated Records Management System (R.M.S.) is available (24) hours a day to all department members and is restricted to official law enforcement use only. **(C.A.L.E.A. 82.1.1b)**
 1. All files are "Read Only" status, protecting them from unauthorized attempts to alter, remove or destroy the files.
2. Distribution of reports outside the agency: (C.A.L.E.A. 82.2.4)
 - a. Crash Reports shall be distributed to:
 1. Department of Highway Safety & Motor Vehicles in Tallahassee.
 2. The public upon request and within all applicable laws.
 3. Risk Management, if a city owned vehicle is involved.
 - b. DUI (Driving under the Influence) Arrest Packages are sent to the State Attorney's Office and the Bureau of Administrative Review.
 - c. Confiscated Drivers Licenses turned into the Records Division with or without a citation will be destroyed/shredded by the Records Division at the request of the Department of Highway Safety and Motor Vehicles and/or per Florida records retention laws.

SECTION V: PUBLIC RECORDS REQUESTS (C.A.L.E.A. 82.1.1c)

A. Public Records Requests:

1. Public Records Requests are accepted by mail, email, telephone and in-person at the Records Division window in the police department lobby during business hours. ***On-line requests submitted via the GovQA portal may be submitted at any time.***
2. This agency and its members shall abide by all state and federal laws governing the release of public records, specifically Chapter 119 of the Florida State Statutes.

B. General Procedures:

1. All requests for public records will be logged by the Records Division. Police Department employees shall forward any requests for public records to the Records Division to be properly recorded and tracked.
2. The Records Division with the assistance of the appropriate Bureaus will gather the necessary documents to fulfill the request.

3. Records Division staff will redact all exempt information in accordance with state and federal laws. ***Additionally, they will provide a list of the specific exemption(s).***
4. The Records Division will notify requestors when a request for public records is complete and advise of any fees. For more information concerning deposits and fees see **Section IX: Fee Assessments** below.

C. Distribution of Public Records Requests to the General Public: (C.A.L.E.A. 82.2.4)

1. Copies of all public records are provided in accordance with Florida State Statutes.
2. Copies of Traffic Crash Reports may be obtained on-line for a convenience fee or by contacting the Records Division and in accordance with guidelines set forth in the Florida State Statutes.

SECTION VI: RECORDS RETENTION, STORAGE, DISPOSAL & DESTRUCTION

- A. Retention of Records: Retention of records shall be in accordance with the State Library & Archives of Florida, Schedule GS1-SL & GS2. **(C.A.L.E.A. 82.1.3)**
- B. Disposal: The agency has a contract with a secure document destruction company for the purposes of destroying confidential paperwork. Secure shredding bins are located throughout the building. Documents to be disposed that contain personal identifying information such as social security numbers, addresses and driver's license numbers shall be placed in the shredding bins for proper disposal. This shall include but is not limited to reports, copies of citations, criminal histories, DAVID information and witness statements.
- C. Records Destruction: The Records Division is responsible for coordinating the destruction of agency records and for maintaining records of destruction requests and retention schedules. All destructions will be completed in accordance with the rules and procedures established by the State Library & Archives of Florida, Schedule GS1-SL & GS2. The Records Division shall destroy all records.
- D. Disposition of Records When Reaching Adult Age: Such records will remain on file according to the records retention schedule for Law Enforcement agencies, of the Department of State, or, until an Order from the Court allows their removal. **(C.A.L.E.A. 82.1.2d)**
- E. Records Expungement/Sealing for Adult/Juveniles: Upon the receipt of a Court Order to expunge or seal a criminal history record, the Records Supervisor/**Clerk** will initiate the following procedural steps to ensure that the requirements of law are met (ALL court orders must be certified). **(C.A.L.E.A. 82.1.2e)**

Identify the subject of the court order or document requesting expungement or sealing with the subject's arrest record, case number, and date of arrest.

1. Notify all Agency Divisions to whom the subject's affected record has been disseminated.
 2. All Expunged/Sealed Records will be disposed of according to the signed court order.
- F. Records Storage: The security of public records is achieved by restricting access to files and filing areas. Special precautions are taken to limit access to files containing administrative investigations, personnel records, juvenile records, intelligence records, etc.

1. Records that are active or to be used as reference material should be maintained within the department in a secured storage area
2. All documents sent for permanent storage must be inventoried and packed for easy identification and retrieval. The records must be placed in archive boxes that are properly labeled before being sent to the Records Division. Records stored in a box must be of similar size, type, and nature. Each box must have an inventory sheet that lists the schedule, item number, description of items, and destruction date annotated. Boxes that bulge at the sides or have lids that do not completely seal will not be accepted.

SECTION VII: RECORDS SECURITY

- A. **Security of Reports:** The Records Division office is secured at all times by a locked entrance door. During duty hours, only on-duty Records personnel, supervisors or personnel authorized by the Records Supervisor shall be allowed access to Records Division to conduct business. After normal hours of operation, only officers with the rank of Sergeant or higher shall be allowed access to the Records Division. **(C.A.L.E.A. 82.1.1a,b) (C.A.L.E.A. 82.1.2c)**
1. The Records Supervisor and Records/Data Entry Clerks shall be the only persons authorized to make entries into the computerized records system. Personnel may make inquiries only to the computerized records.
 2. Sensitive files such as Vice, Intelligence, Narcotics and Internal Affairs Investigations, shall be maintained by the respective bureau or unit. **(C.A.L.E.A. 82.3.5)**
 3. Active investigation files are maintained by the assigned investigator until they are completed. Original offense reports shall be filed in Records and the investigator shall work off of a copy. **(C.A.L.E.A. 82.3.5)** Follow-up reports should be completed within (30) days. **(C.A.L.E.A. 82.1.5)**
 4. Every member of the police department is responsible for the security and maintenance of public records in their possession.

SECTION VIII: UNIFORM TRAFFIC CITATIONS & CRASH REPORTS

- A. **Traffic Record System:** The department maintains a record of all traffic crashes, including reports, investigations, and locations as specified in GS2. The department maintains records on roadway hazard information. The department also maintains records on traffic enforcement, including citations, arrests, dispositions, and locations. Reports are available to the public upon request to the Records Division or on-line at www.crashdocs.org. Periodically traffic crash locations and enforcement data shall be retrieved from the department's Record Management System for the purpose of providing analysis reports. **(82.3.3a,b,c)**
- B. **Traffic Citations:** F.S.S. 316.650(8) states: "It is unlawful and official misconduct for any traffic officer or other officer or public employee to dispose of a traffic citation or copies thereof or of the record of the issuance of same in a manner other than as required herein. **(C.A.L.E.A. 82.3.4a,b,c)**
1. Uniform traffic citations will be completed in accordance with DHSMV Uniform Traffic Citation Procedures Manual.
 2. Records staff shall issue Uniform Patrol Sergeants citation booklets via a validation log for distribution to officers. The Patrol Sergeants are responsible for the distribution of Uniform Traffic Citations, DUI Uniform Traffic Citations, and Warning Citations to officers. Only Records Division personnel are authorized to order citations. The issued

citation books shall be stored in the Patrol Sergeants secure offices and issued only by the Sergeant on duty. The Records Division Supervisor will ensure that accurate records are maintained for all traffic, DUI citation, and warning books.

As books are issued, the following apply:

- a. The receiving officer will ensure that all citations are present and sign the accountability receipts at the front of the book, and the validation log. The Sergeant will sign their name and place badge number under issuing authority.
 - b. The receiving officer will retain the first copy and the second copy will be returned to the issuing Sergeant who will place it in the Records mail drawer.
 - c. Records personnel shall pick up officer receipts submitted by Sergeants and will maintain the citation validation log for validation purposes.
3. Officers will issue citations and remit them to Records the same day the citation is written. Records personnel will distribute copies according to procedures outlined in the Department of Highway Safety and Motor Vehicle Uniform Traffic Citation Procedures Manual.
4. Upon receipt of all handwritten and criminal (ONLY) electronic citations, Records personnel will complete an RMS citation transmittal form. The transmittal form and copies of citations will be distributed in compliance with DHSMV Uniform Traffic Citation Procedures Manual guidelines. Civil electronic citations transfer automatically to the Clerk's office upon submittal.
5. Unused Citations: Upon retirement, resignation, or termination, the officer's citation book(s) will be surrendered to the Records Division Supervisor. Citations that are unusable will be handled as in number 9, below.
6. Lost or Stolen Citations: If a citation is lost or stolen, the officer shall inform his / her supervisor and the Records Division in writing. **(CFA 34.08Md)**
7. Dismissal: If the officer has a reason to ask for the dismissal of a citation, a Request to Drop Charge form shall be completed by the officer and submitted to the Records Division. The officers' direct supervisor must approve the Request to Drop Charges by signing the form with their initials and I.D. number. The Records Division shall forward this form to Clerk of Courts and / or the State Attorney's Office.
8. If an officer wishes to amend a UTC, he may do so in one of the following ways:
 - a. The issuing officer may request a county judge issue an order to affect the proper change; or
 - b. The UTC may be amended in open court at the time of the hearing where a citation has been contested. Granting the amendment is the option of the judge.
9. Voided Citations: Are forwarded to the Department of Highway Safety and Motor Vehicles. Records personnel will list voided citations on a transmittal form according to DHSMV guidelines. Voided Uniform Traffic Citations shall be sent to the State of Florida Division of Motor Vehicles. All copies of the voided citation need to be submitted to the Records Division for this to take place. All copies of the voided citation must be in the officer's possession and marked "VOID" with a brief explanation and the officer's initials and I.D. number. Only the arresting/citing officer may void the citation. The officers' direct supervisor must approve the voiding of a citation by signing the citation with their

initials and I.D. number. A citation cannot be voided once it is issued to an alleged violator. It is unlawful and official misconduct for an officer to dispose of a citation other than as required by F.S.S. 316.650. **(CFA 34.08Me)**

10. Internal Audits: The Records Division Supervisor shall assign a Records/Data Entry Clerk the duty of conducting periodic internal audits on citation books. These audits are conducted quarterly, at a minimum. The internal audit shall be conducted in the following manner: **(CFA 34.08Mf)**
 - a. Each listed officer who has been issued a citation book shall be reviewed to ensure that each individual citation within that book has been utilized in the appropriate manner.
 - b. If all citations cannot be accounted for, the officer(s) direct supervisor shall be contacted by the Records Division. The supervisor will ensure the officer accounts for the missing citation. If the citation(s) cannot be accounted for, the officer shall indicate the same, in writing, to the Records Division Supervisor, through their supervisor, with an explanation of the circumstances.
 - c. Electronic citations shall be audited with traditional citations, and at the same frequency through the TRACS system.
 - d. Once all citations and electronic citations are accounted for, the citation books and TRACS system is validated by the Records Division.

SECTION IX: FEE ASSESSMENTS

A. Fee Assessment: (C.A.L.E.A. 17.4.2e)

1. Fees shall be assessed by the Records Division Supervisor for copies of records released pursuant to Florida State Statute 119.01. Section 119.07(4)(a)1 F.S. states that the custodian of public records shall furnish a copy or a certified copy of the record upon payment of the fee prescribed by law.
2. All fees collected by the Records Division shall be taken to the designated financial institution for deposit in conformance with General Order 1.3 – Fiscal Management.
3. Whenever cash, check, money order, or an electronic transfer is received, receipts and/or documentation shall be shown for the transaction. Receipts for duplicating charges shall be issued upon request. **(C.A.L.E.A. 17.4.2b)**
4. Duplication fee amounts for the following requests will be maintained on a list in the office of the Records Supervisor:
 - a. Paper documents, black & white.
 - b. Paper documents, color.
 - c. CD's
 - d. DVD's
 - e. Flash Drives
5. Additional Fees for Excessive Time Producing Records:
 - a. Chapter 119 of Florida State Statutes authorizes the custodian of records to charge, in addition to the cost of duplication, a reasonable service charge for the

cost of the extensive use of information technology resources or of personnel, if such extensive use is required because of the nature or volume of public records to be inspected or copied. The charge is based on the costs actually incurred by the agency. The special service charge applies to requests for both inspection and copies of public records when extensive clerical assistance is required, or extensive use of information technology resources are required.

- b. The Fort Myers Police Department will charge for the time used to gather, copy, print, and redact information that exceeds (30) minutes. The charge(s) are at the employee's hourly pay rate. The charges are applied by (30) minute increments.

(Example: If it takes an employee one hour and five minutes to reproduce the information, the customer is billed for one full hour of the employee's pay rate. The first (30) minutes are free, the second (30) minutes are applied, and the final (5) minutes are billed as (30 minutes).

- c. Deposits/Advance Payment: Excessive requests that appear to take more than (30) minutes to prepare may require a (50%) fifty percent deposit before any work is generated. This deposit will be an estimate of the total cost. Work will begin after the requested deposit is paid. Any remaining cost, after a deposit has been paid, will be billed to the requestor.

In the event that the deposit is more than the actual cost, the difference shall be refunded to the requestor.

- 6. Standard Fees for the additional items listed below will be maintained on a list in the office of the Records Supervisor:

- a. Occupational License Administration Fee
- b. Certified Copies
- c. Fingerprints
- d. Postage
- e. Notary
- f. Adult Entertainment License

- 7. Billing Program:

- a. Requestors will be notified in writing, if possible, with instructions for remittance of payment.
- b. The agency may refuse to produce additional records requests if the fees for a previous request have not been paid by the requestor. (Lozman v. City of Riviera Beach, 2008)

- 9. Waived Fees: The following are exempt from paying records request fees:

- a. Any government agency (Except the Public Defender's Office).
- b. Churches & Schools (Must have State ID and an acknowledgement letter with agency letterhead).
- c. Police Academy.
- d. Tax exempt agencies (Must have current Tax-Exempt Form or pay fee)

- e. Current employees requesting information from their personnel file including training documentation and disciplinary records.
 - f. Any former police department employee shall be entitled to one complete copy of their personnel file, to include their training and disciplinary records at no cost. This request can be made at any time after separation.
10. Miscellaneous Considerations:
- a. Notary services are provided for agency and employee needs. Records Clerks may also provide notary services to the general public for a pre-designated fee.
 - b. Requests for public records made by employees of the police department outside their normal business duties shall be handled in the same manner as a request from the general public.

REFERENCES:

- F.S.S. 316.650(8)
- F.S.S. 775.15
- F.S.S. 985.04
- F.S.S. Chapter 119 – Public Records (Sunshine Law)
- F.S.S. Chapter 39
- Lozman v. City of Riviera Beach (2008)
- General Records Schedules for Law Enforcement Agencies (GS1-L and GS2)
- Florida Division of Library & Information Services
- Fort Myers Police Department General Order 1.3 – Fiscal Management.
- Fort Myers Police Department General Order 13.4 – Computer Services, Records, & Usage

APPROVED:

[DIGITAL SIGNATURE ON FILE]

08/22/2024

Jason Fields, Chief of Police
Fort Myers Police Department

Date