PUBLIC RECORDS PROCESS IMPROVEMENTS

Exit Conference Dates: August 9 and 18, 2021

Release Date: October 12, 2021

Report No. 22-01

City of Orlando
Office of Audit Services and Management Support

George J. McGowan, CPA
Director

Co-source Partner
Carr, Riggs and Ingram
CPAs and Advisors, LLC

CITY OF
ORLANDO

MEMORANDUM OF TRANSMITTAL

To: Stephanie Herdocia, City Clerk

            Claudio Rosado, Police Support Services Manager

From: George J. McGowan, CPA

            Director, Office of Audit Services and Management Support

Dates: Exit Conferences: August 9 and 18, 2021

            Release: October 12, 2021

Subject: Public Records Process Improvements (Report No. 22-01)

The Office of Audit Services and Management Support, with major assistance from our co-source partner Carr, Riggs and Ingram CPAs and Advisors, performed an audit of the processes and controls over the records management system. The primary audit objective was to assess the City record management system process in order to develop and provide recommendations for improvement. According to City Policy, the City Clerk maintains official files of documents presented to the City Council and effects proper processing and maintenance of public records. The City Clerk establishes consistent procedures for efficient processing of public records requests.

We conducted this performance audit in conformance with the International Standards for the Professional Practice of Internal Auditing. 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.

The following report contains the issues identified during the audit, recommendations for improvement and management's replies regarding actions taken/planned to be taken with respect to the identified issues.

We appreciate the cooperation and courtesies extended by the staff of the City Clerk, the Orlando Police Department, and the other departments consulted during this audit.

GJM

c:

      The Honorable Buddy Dyer, Mayor
      Heather Fagan, Chief of Staff
      Jody Litchford, Deputy City Attorney
      Kevin Edmonds, Chief Administrative Officer
      Orlando Rolon, Police Chief
      Chad Ochiuzzo, Deputy Chief
      Natasha Williams, Chief Assistant City Attorney
      Alexander J. Karden, Chief Assistant City Attorney
      Betsaida Maldonado, Police Records and ID Supervisor

Records Management – Public Records Request Process Improvement

October 2021

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Executive Summary

Executive Summary

Overview

Florida has some of the broadest public records laws in the nation. Per Chapter 119, Florida Statutes (F.S.), any records – including documents, maps, books, tapes, photographs, films, and sound records - made or received by any public agency in the course of official business are public records. These records are available for inspection unless specifically exempted by Florida Statute or the Florida Constitution. The custodian of these public records must respond to public records requests (PRR) promptly and in good faith including making reasonable efforts to provide records.   If records are exempt, the agency custodian must provide the basis of the exemption including the statutory citation.

Per City Policy 141.1, the City Clerk maintains official files of documents presented to the City Council and effects proper processing and maintenance of public records. City Policy 141.5 establishes consistent procedures for efficient processing of PRRs and fees to be levied by the City of Orlando (City) to cover the cost of responding to PRRs.

PRRs processed by the City increased 40% between 2018 and 2020. The City received 10,842 PRRs in 2020.

Objective

Our primary objective was to assess the City record management system process in order to develop and provide recommendations for improvement.

Observations

Observation ratings are a subjective evaluation of the severity of the concern and the potential impact on the operations. An observation rating of "High" represents an issue of immediate concern and could cause significant operational issues if not addressed soon. A "Moderate" rating is an issue that may also cause operational issues and does not require immediate attention but should be addressed as soon as possible. Observations given a "Low" rating could escalate into operational issues but can be addressed through the normal course of conducting business. The following is a summary of observations noted.

Ratings by Observation	Risk Rating
1. **PRR Processing**	**Moderate**
2. **Records Management – City-Wide**	**Moderate**
3. **Benchmarking – Other Cities**	**Moderate**
4. **OPD Records Management**	**High**
5. **OPD Tracking - Walk-In PRRs**	**Moderate**
6. **OPD Records Request Queue Workload**	**Moderate**
7. **OPD Self-Service Records**	**Moderate**

Overall, we noted that the City has effective policies and controls for PRR processing. Our observations and related recommendations are to help the City become even more efficient and effective in PRR processing.

Background

Background

Overview

Florida has some of the broadest public records laws in the nation. Per Chapter 119, Florida Statutes (F.S.), any records – including documents, maps, books, tapes, photographs, films, and sound records - made or received by any public agency in the course of official business are public records. These records are available for inspection unless specifically exempted by Florida Statute or the Florida Constitution. The custodian of these public records must respond to public records requests (PRR) promptly and in good faith including making reasonable efforts to provide records. If records are exempt, the agency custodian must provide the basis of the exemption including the statutory citation.

Section 119.021, F.S. specifies that each agency shall comply with the rules establishing public records retention schedules and disposal processes established by the Records and Information Program of the Division of Library and Information Services of the Department of State.

Per City Policy 141.1, the City Clerk maintains official files of documents presented to the City Council and effects proper processing and maintenance of public records. City Policy 141.5 establishes consistent procedures for efficient processing of PRRs and fees to be levied by the City of Orlando (City) to cover the cost of responding to PRRs.

The Orlando Police Department (OPD) Policy and Procedure on initial police reports requires incident reports be submitted by the end of an officer's shift. All other reports are to be completed within 24 hours with supervisory approval.

Staffing

Key personnel from the Records Management function that are involved in the PRR process and assisted in the internal audit are as follows: the City Clerk, Deputy City Clerk, and Records and Cemetery Manager.

Currently, Records Management is composed of five full-time employees and one part-time temporary/intern position. The City Clerk and Deputy City Clerk are involved in the PRR process but have significant additional responsibilities outside of Records Management.
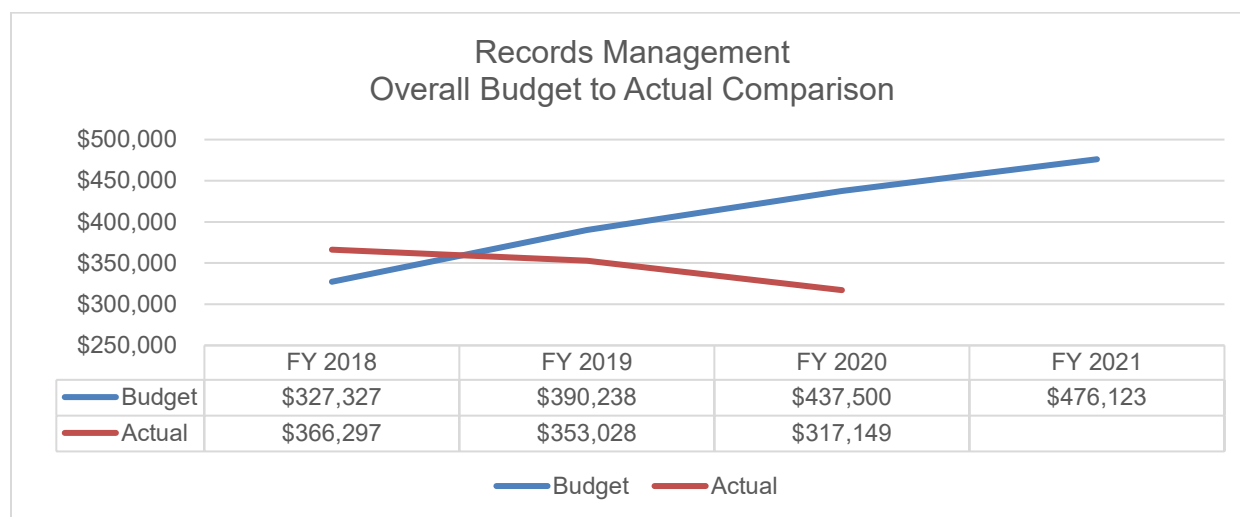

Records Management Organizational Chart
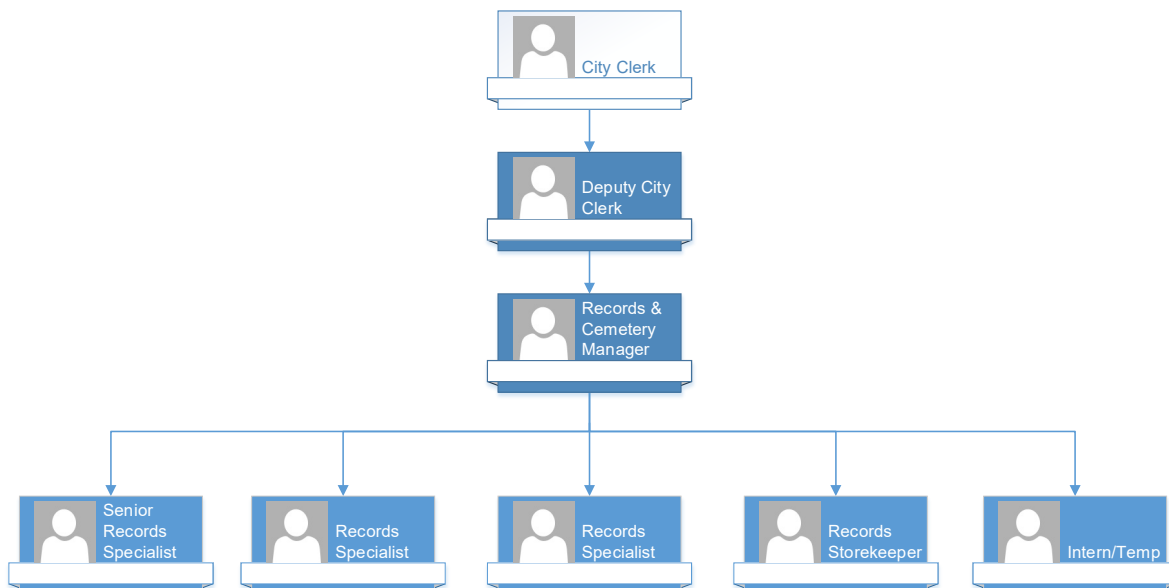
Background - continued

Records Management Department Budget

The Records Management department has a budget of $476,000 for fiscal year 2021. Salaries and benefits represent over 90% of the Department's budget. Staffing vacancies in 2019 and 2020 reduced budget utilization in those years.

Records Management
Overall Budget to Actual Comparison

	FY 2018	FY 2019	FY 2020	FY 2021
Budget	$327,327	$390,238	$437,500	$476,123
Actual	$366,297	$353,028	$317,149	

PRR Process

PRRs are submitted to the City via Next Request web form, mail, telephone, email, and in person. The bulk of PRRs are received via Next Request – a commercial, web-based application used by the City for PRR processing, tracking, and fulfillment. PRRs received by other means are typically entered into Next Request.

Records Specialists, within the Office of the City Clerk, acknowledge PRRs within 48 hours and task the PRRs to the City departments likely to have responsive records. Departmental staff are asked to respond to the initial task within 48 hours to let the Records Specialist know if the department has responsive records and the amount of time needed to fulfill the request.
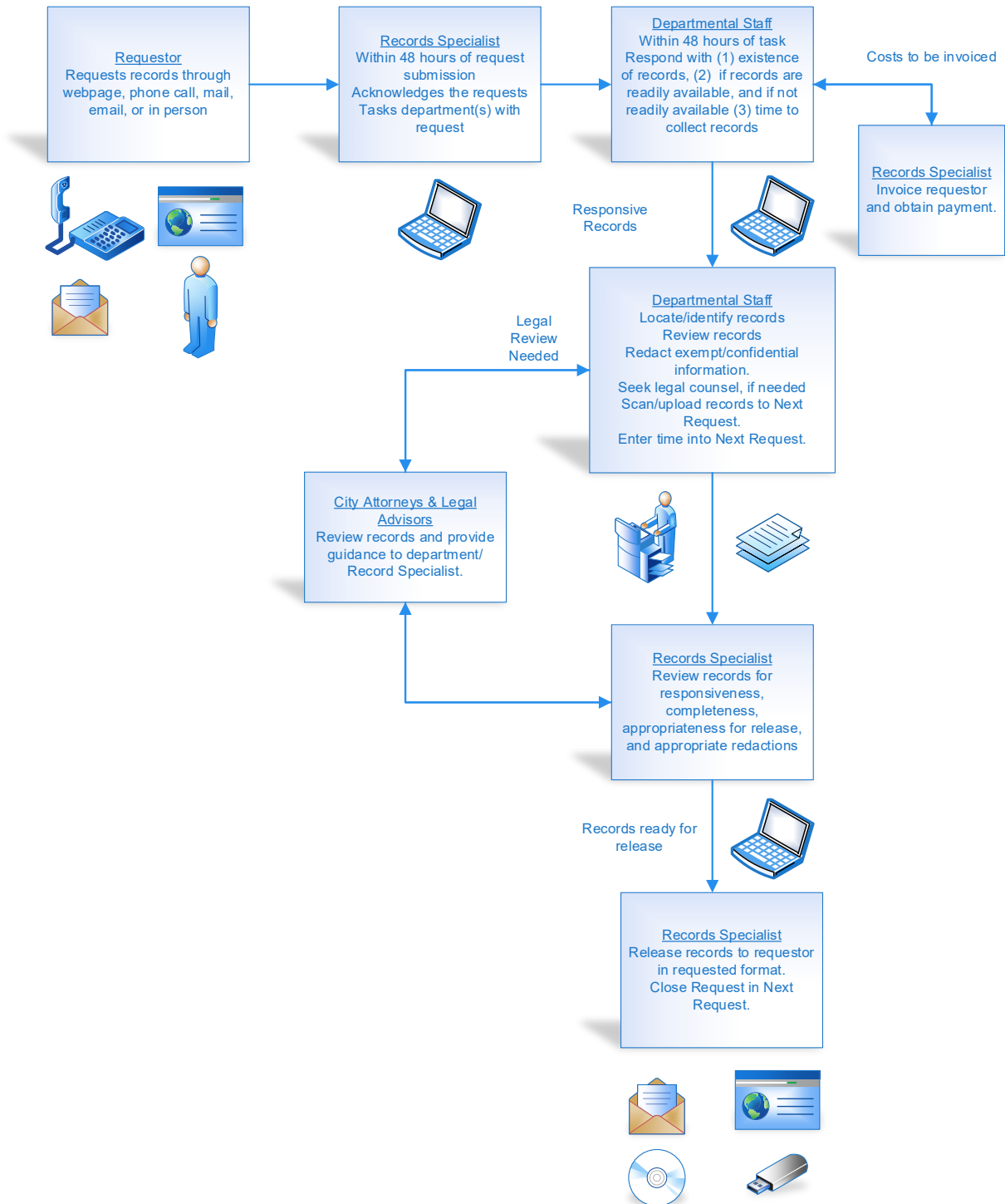
Readily available records – easily retrievable, regularly disseminated, and requiring no additional review or redaction – can be promptly provided to requestors with no labor charges. Records that require more than 30 minutes of research or processing are subject to labor charges. Departmental staff are asked to input the time required to process individual PRRs into Next Request to help the City identify PRRs with labor in excess of 30 minutes (to be invoiced). Material and supply charges may also apply for copying, CDs, and other media used. Requestors are asked to approve and pay estimated charges in advance of work performed by the City.

After estimated costs are paid, departmental staff identify, locate, scan, upload, and redact records, as needed. Consultation with City Attorneys may be needed for requests of complex or potentially exempt records. Records Specialists review the uploaded records to ensure they are responsive to the PRR and have been properly redacted. Records are then released to the requestor via Next Request, mail, email or in-person.

OPD also receives walk-in PRRs for readily available records maintained by OPD. These requests are not processed through Next Request.

Public Records Request Process

Requestor
Requests records through webpage, phone call, mail, email, or in person

Records Specialist
Within 48 hours of request submission
Acknowledges the requests
Tasks department(s) with request

Departmental Staff
Within 48 hours of task
Respond with (1) existence of records, (2) if records are readily available, and if not readily available (3) time to collect records

Costs to be invoiced

Records Specialist
Invoice requestor and obtain payment.

Responsive Records

Legal Review Needed

Departmental Staff
Locate/identify records
Review records
Redact exempt/confidential information.
Seek legal counsel, if needed
Scan/upload records to Next Request.
Enter time into Next Request.

City Attorneys & Legal Advisors
Review records and provide guidance to department/ Record Specialist.

Records Specialist
Review records for responsiveness, completeness, appropriateness for release, and appropriate redactions

Records ready for release

Records Specialist
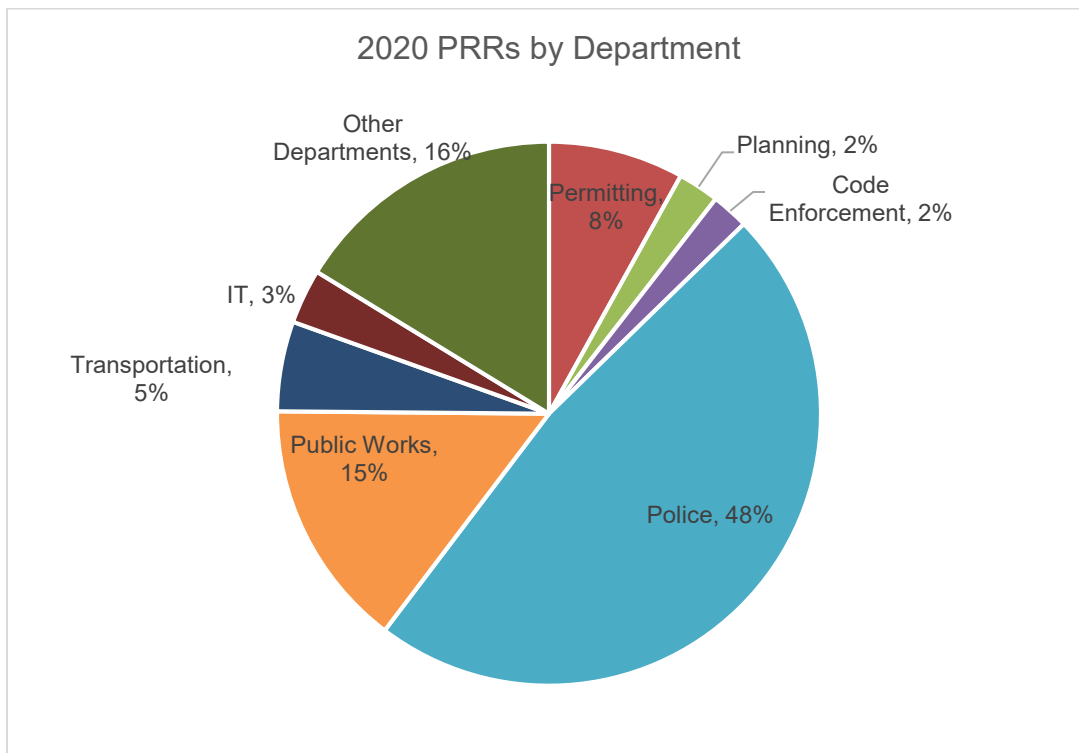Release records to requestor in requested format.
Close Request in Next Request.

Background – continued

Selected Statistics

The City received 10,842 PRRs in 2020. This was a 40% increase in PRRs as compared with 2018.

PRRs Received

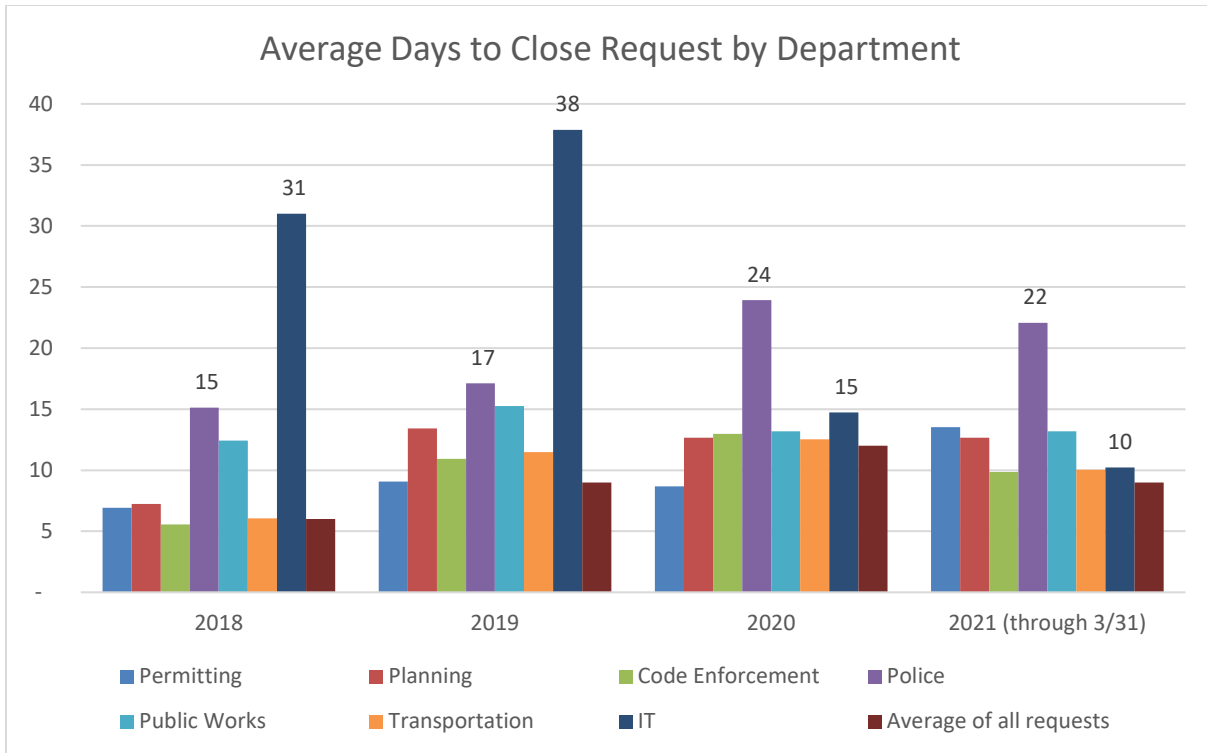|	2018	2019	2020
PRRs	7,761	9,916	10,842
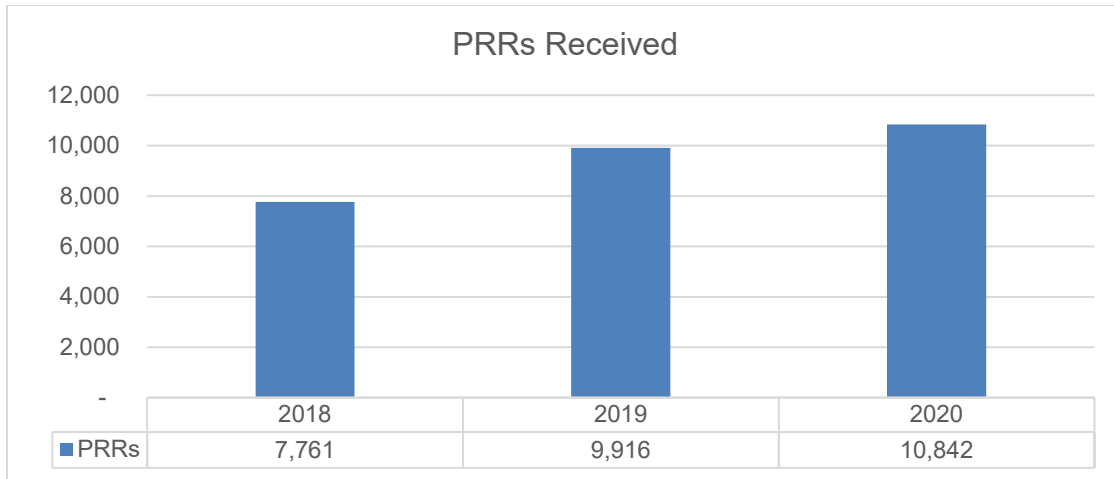
During 2020, 48% of PRRs were tasked to the police department. Public Works, Permitting, Transportation, IT, Planning, and Code Enforcement received significant PRRs.

2020 PRRs by Department

- Other Departments, 16%
- Permitting, 8%
- Planning, 2%
- Code Enforcement, 2%
- Police, 48%
- Public Works, 15%
- Transportation, 5%
- IT, 3%

Background – continued

The average time to close a PRR was 12 days in 2020 and 9 days for the first quarter of 2021. There was substantial variation in the time required to close PRRs tasked to different departments. Overall, PRRs tasked to IT and OPD required more time to close. However, these departments are often involved in the most sensitive, extensive, or technically complex requests so longer time to fulfill a PRR is not unexpected.


Average Days to Close Request by Department

Legend: Permitting, Planning, Code Enforcement, Police, Public Works, Transportation, IT, Average of all requests
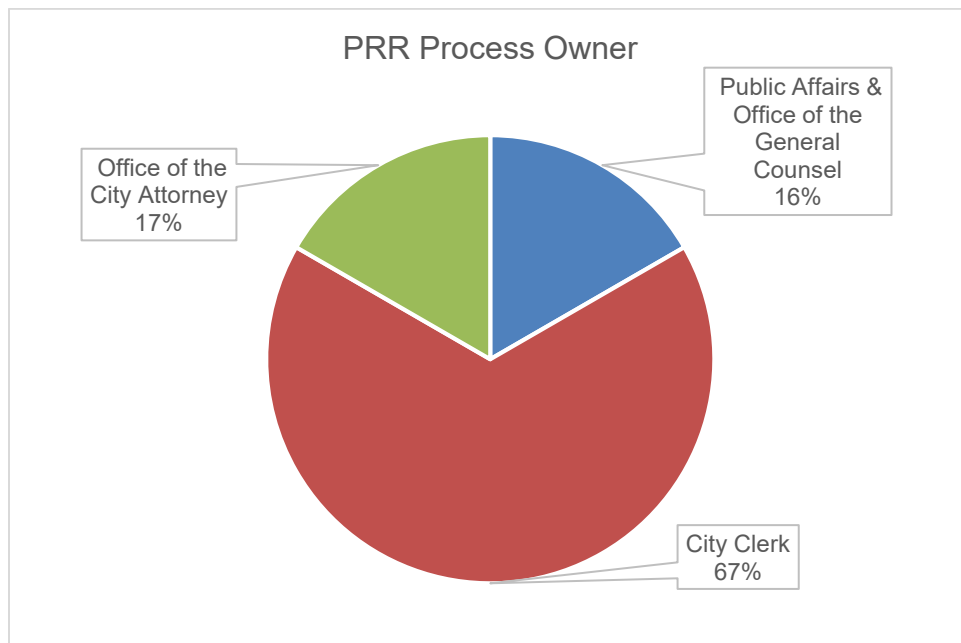
Benchmarking

Benchmarking

We surveyed six cities in Florida to identify best practices and potential opportunities for improvement in PRR processing. Selected results are summarized below. Refer to Appendix II for more data.

The cities we benchmarked were comparable to the City in population, greater metropolitan areas, and overall complexity. The City had an estimated population of 281,000 in 2020.

Populations of Benchmarked Florida Cities

- 50,000 - 100,000: 17%
- 100,000 - 250,000: 33%
- 250,000+: 50%
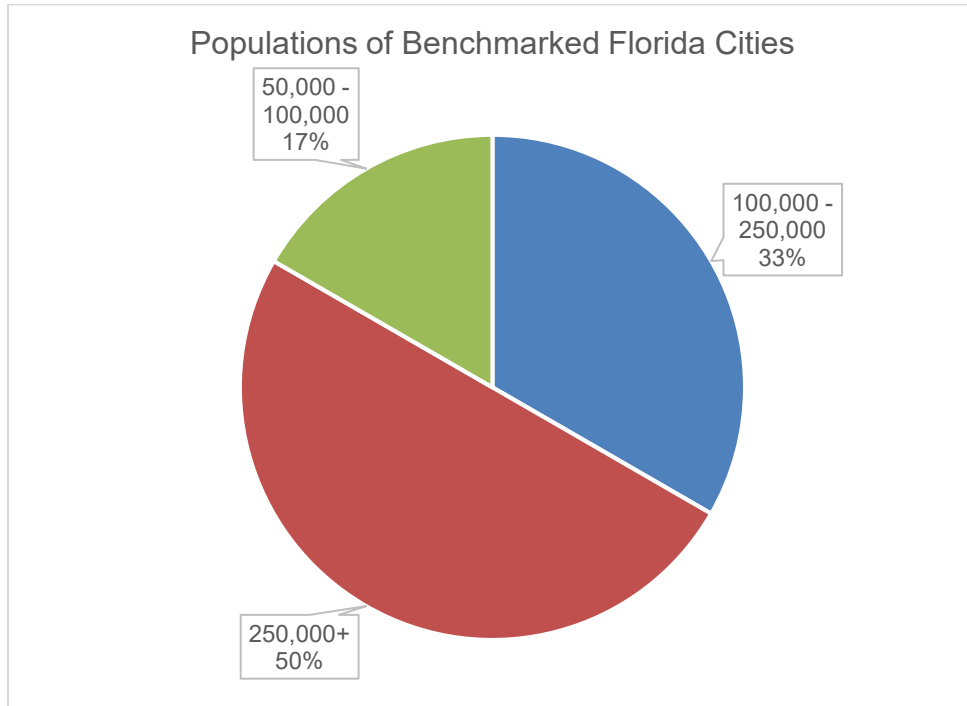
The City Clerk is the PRR process owner at the City which is consistent with the approach at two-thirds of the cities benchmarked. Other cities relied on legal counsel as the process owners.

PRR Process Owner

- Public Affairs & Office of the General Counsel: 16%
- Office of the City Attorney: 17%
- City Clerk: 67%

Benchmarking - continued

The City has a centralized process for PRRs. Most of the cities benchmarked also employed a centralized approach.

PRR Processing Centralization

Decentralized
17%

Centralized
83%
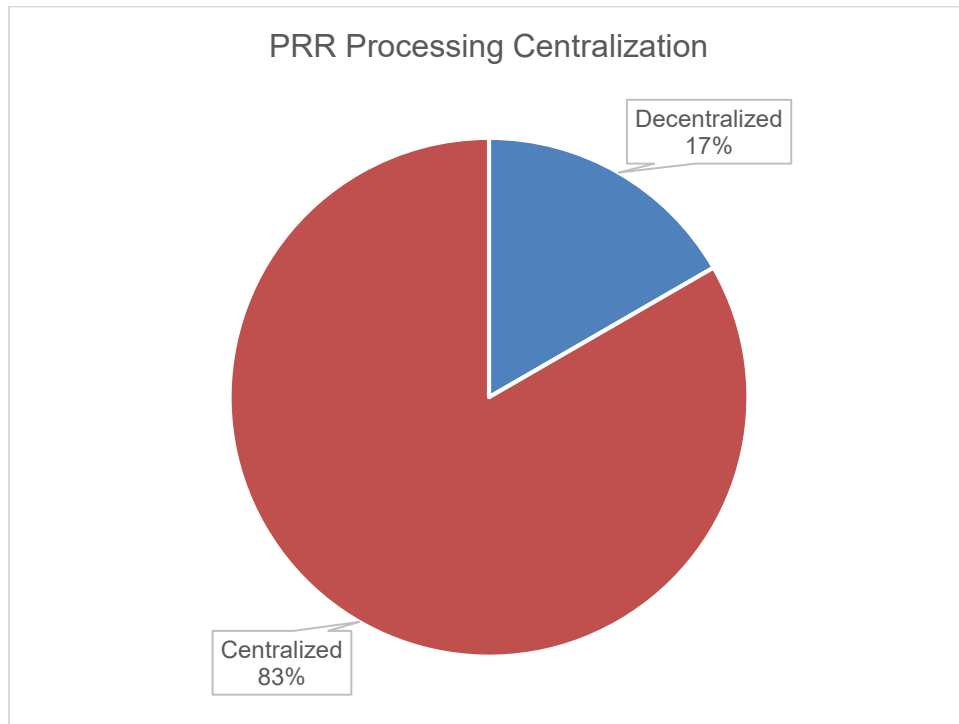
The City uses the Next Request application for PRR tracking and fulfillment. We noted one other benchmarked city also used Next Request. GovQA was the application used most frequently for PRR processing at benchmarked cities.

PRR Processing Applications

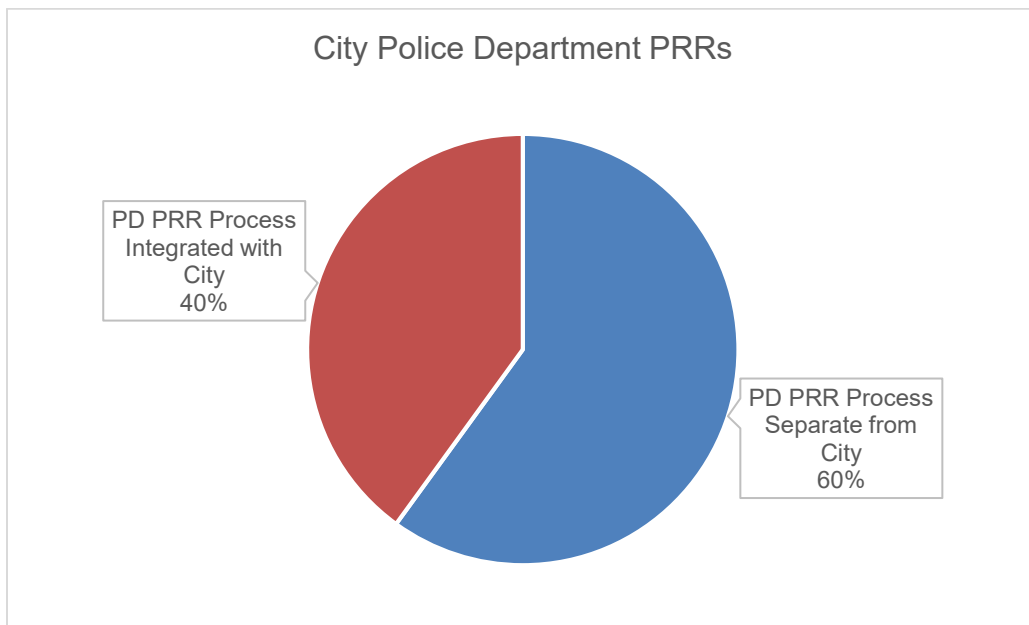| Application	Count
Gov QA	4
Next Request	2
Internally Developed	2
SIRE	1
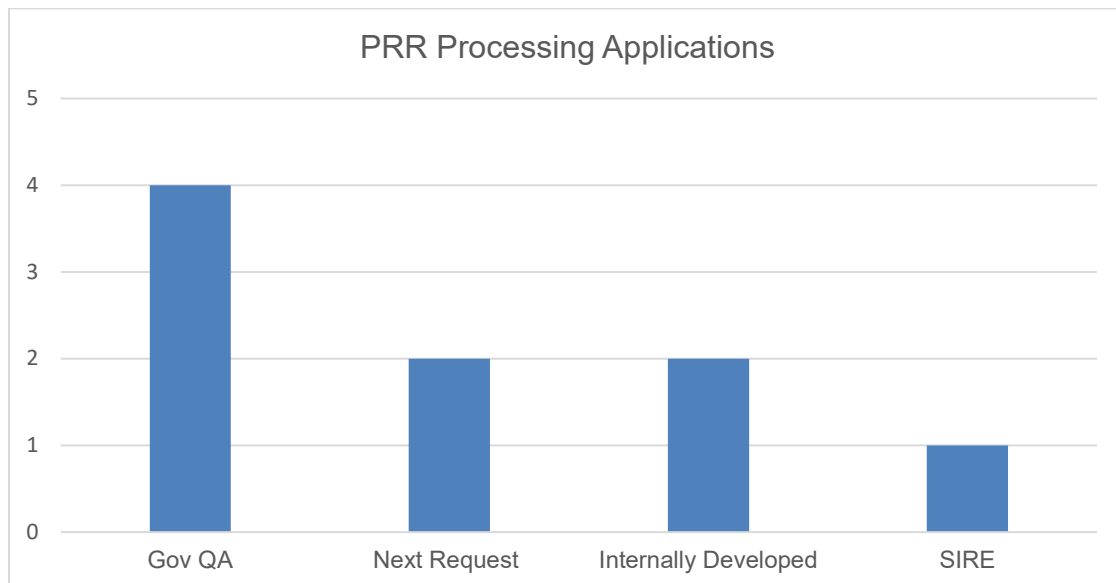
Benchmarking - continued

The City received over 10,000 PRRs in 2020 which was the second highest of all the cities benchmarked. However, four of six cities segregate their police department PRRs from the rest of the PRR processing. The City processes PRRs, including those pertaining to OPD records, in a central system. However, walk-in OPD PRRs are not processed in Next Request or included in the PRR total.

Number of PRRs Received per year
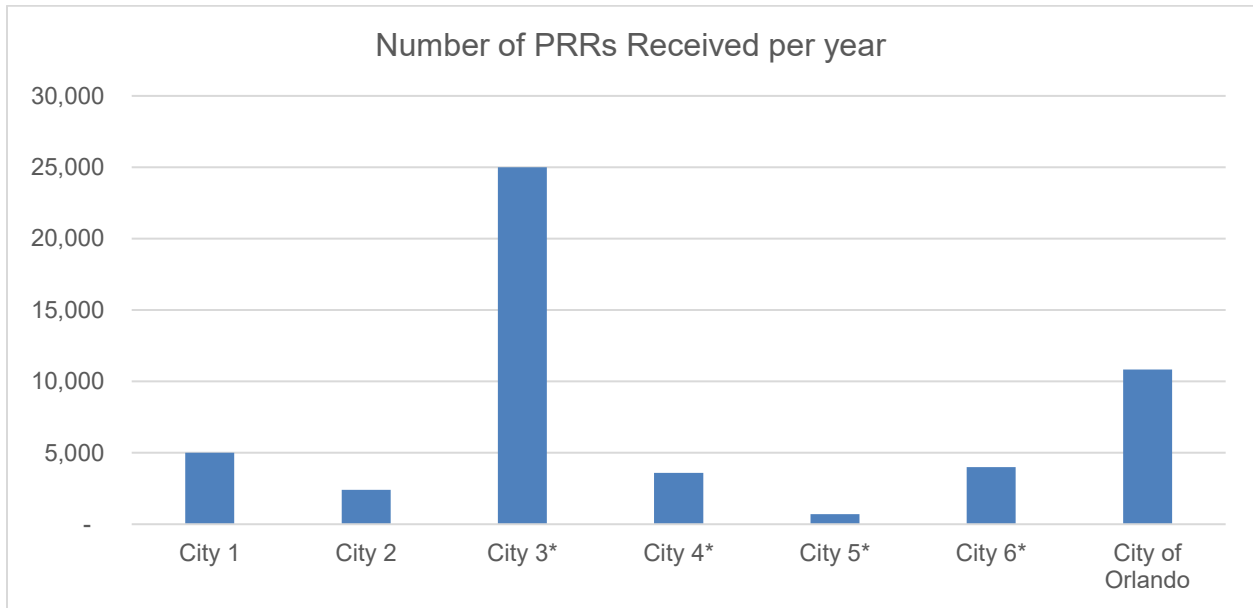
* Police Department PRRs are segregated from the remainder of city PRRs.

City Police Department PRRs

PD PRR Process Integrated with City 40%

PD PRR Process Separate from City 60%

Objectives and Approach

Objective and Approach

Objective

Our primary objective was to assess the City record management system process in order to develop and provide recommendations for improvement.

Approach

Our approach consisted of four phases:

Phase One –Assessment and Understanding

We held an entrance conference with key personnel involved with the Records Management function to discuss the scope and objectives of the internal audit work, obtain preliminary data, and establish working arrangements. We reviewed Florida Statutes, administrative orders, City policies/procedures, and other relevant resources.

Phase Two – As-Is Analysis/Documentation

We gained an understanding and documented the related PRR process. We conducted interviews with management and staff and documented their respective roles in the processes. We updated our understanding of the processes and relevant controls.

We obtained PRR data from Next Request and performed analytics and trend analysis to obtain an understanding of the volume and type of PRRs processed by the City, the departments receiving the most requests, the amount of time needed to complete various types of requests, and historical trends in PRRs submitted to the City.

We performed inquiry, walkthrough and/or testing of the City's response to individual PRRs.

We interviewed and solicited survey responses from departmental staff to obtain an understanding of the PRR process works at various City departments. Survey results are summarized in Appendix I.

Phase Three - Benchmarking

We contacted comparable Florida cities to gain an understanding of how these cities are managing PRRs and complying with applicable Florida laws and administrative rules. Benchmarking results are summarized in the Benchmarking section above and in Appendix II.

Phase Four – Reporting and Recommendations

At the conclusion of our procedures, we documented our understanding of the PRR function and summarized our observations related to this function. We conducted an exit conference with management and have incorporated management's responses into our report. We provided copies of our report to appropriate City personnel.

Observations Matrix

Observations Matrix

Rating: Moderate	1. *PRR Processing*

Observation

Overall, we noted that the City has effective policies and controls for PRR processing. The observations and related recommendations are to help the City become more efficient and effective in PRR processing.

We tested 30 PRRs processed between 10/1/20 and 3/31/21 for 24 attributes of compliance with City policies and procedures, Florida Statutes and the Florida Constitution. Refer to Appendix III for all attributes tested. **There were no exceptions related to 19 of the attributes tested.**

Exceptions for the remaining attributes are summarized below:

Attribute	Exceptions	Notes
Appropriate department(s) assigned to task.	1	A request was tasked to the incorrect department initially which resulted in delayed processing and fulfillment. (Records SOP)
Request due date is updated.	4	Request due dates were not kept updated based on departmental responses and Records Specialist workloads/availability which resulted in delayed processing and fulfillment. (Records SOP)
Tasked Department responds within 48 (business) hours	9	Departments did not respond to initial requests within 2 days, as required by City policies, which resulted in delayed processing and fulfillment. (Records Business Process)
Exempt and confidential information properly redacted; citations are provided for redactions.	2	Records were released with incomplete redactions (Article 1, Section 16 of the Florida Constitution) 20-10318; 1 PRR was released without citations for the redaction (Section 119.071, F.S.)

Recommended Action

We recommend the following:

a. Records Management should continue to monitor PRR volume as compared with staffing resources. During our testing period of 10/1/2020 through 3/31/2021, the City was receiving unprecedented volumes of PRRs and Records Specialists were working large numbers of requests each day. In March 2021, the City Clerk's office added a third Records Specialist to address this sustained PRR volume.

b. Records Management should enhance departmental staff understanding of public records law requirements and City PRR processes by developing procedural documentation for departmental staff to include guidance for timeliness of responses, input of staff time, redaction requirements, legal review, how to estimate costs, and who to contact with questions. *(continued)*

Observations Matrix - continued

Rating: Moderate	1. *PRR Processing (continued)*

c. Records Management should quarterly communicate with Next Request users with any updated expectations and refreshers regarding policy changes and common errors noted by Records Specialists.

Management Response

a. We agree with the auditor's comment and will continue to quantify workload to anticipate need and allocation of future resources.

   Responsible party: Records & Cemetery Manager

   Estimated completion date: Completed. Note reporting and monitoring of the queue is a continuous function.

b. We agree with the auditor's comment. Records Management has updated Next Request training material to include more public records content. Records Management is in the process of updating resources available to City staff.

   Responsible party: Records & Cemetery Manager (in conjunction with the City Attorney)

   Estimated completion date: End of 2021 calendar year

c. We agree with the auditor's comment and will look at utilizing communication tools to provide updates.

   Responsible party: Records & Cemetery Manager

   Estimated completion date: End of 2021 Calendar Year completion to distribute in 1st quarter 2022 Calendar Year.

Observations Matrix - continued

Rating: Moderate	2. *Records Management – City-Wide*

Observation

We conducted interviews and surveys of various departments and staff regarding the PRR process.

Common positive feedback included:
- The current City Clerk has made significant progress in creating a more efficient and consistent PRR process.
- Records Specialists are good communicators and foster working relationships with departmental staff.
- Records Specialists are helpful on complicated/large PRRs.

Common constructive feedback about the PRR process included:
- Responding to PRRs is time-consuming and takes staff away from their departmental priorities.
- Locating and scanning the requested records poses a significant barrier for departments to provide timely, accurate, and complete responses to PRRs.
- Providing a digital data warehouse for City records would be a substantial improvement in records management practices.

The City does not have a city-wide records management policy. Each department manages their records as they can to be in compliance with state records retention schedules. There are no requirements across the City to maintain records in certain formats or use the City's physical records warehouse. There is not a centrally accessible digital data warehouse. Per Section 92.29, F.S., records do not need be retained in their native format. Photographic reproduction or electronic records can be used to support the City's operations and respond to PRRs.

Recommended Action

We recommend the following:

a. Records Management should develop City-wide policies for systemic records organization and retention encouraging digital formats, scanning of historical records, and use of central records depositories for paper records.

b. Records Management should collaborate with City Departments to identify additional tools/resources Records Specialists can use to ensure PRRs are in the City's jurisdiction and are sufficiently specific. Procedures should be developed to identify duplicate requests or multiple requests for the same records, and respond to these requests with records already provided by the department.

c. Records Management should collaborate with departmental staff to develop information collection forms for requests that require specific data to perform records searches. *(continued)*

Observations Matrix - continued

Rating: Moderate	2. *Records Management – City-Wide (continued)*

d. Records Management should continue efforts in its proof of concept electronics records project (limited roll-out of LaserFiche) and, should it prove successful, dedicate resources for a more extensive implementation. Implementation of a City-wide electronic document management system would result in efficiencies in the PRR response as well as efficiencies across many other City processes.

Management Response

a. We agree with the auditor's comment and are in the process of revising and proposing policy changes.

  Responsible party: Records & Cemetery Manager

  Estimated completion date: 1st quarter 2022 Calendar Year

b. We agree with the auditor's comment.

  Responsible party: Records & Cemetery Manager

  Estimated completion date: 1st quarter 2022 Calendar Year

c. We agree with the auditor's comment and in some instances, such as technology services, have already implemented this format.

  Responsible party: Records & Cemetery Manager

  Estimated completion date: On-going collaboration/as-needed

d. We agree with the auditor's comment and have been implementing Laserfiche.

  Responsible party: Records & Cemetery Manager

  Estimated completion date: Target dates proposed and working towards are Records Management Plan – end of 2021 Calendar Year, Laserfiche buildout – FY 2021-2022, Digitizing/Preservation – FY 2022-2023

Observations Matrix - continued

Rating: Moderate	3. *Benchmarking – Other Cities*

Observation

We surveyed six Florida cities to identify innovative strategies successfully employed at peer municipalities (Benchmarking Section) that might provide potential improvement opportunities for the City. Overall, the City's PRR processes and performance are consistent with peer cities. None of the practices at the City are significantly different however we noted the following practices in comparison to the City:

a. Open Data Model
   All the cities surveyed are experiencing an increasing volume of PRRs and seeking ways to be transparent and fulfill PRRs quickly and completely with the staffing they have.
   - One City has a PRR search function that allows the public to search and access all PRRs (for non-exempt records) and the associated records that were released.
   - One City has developed an open data portal with significant data available for download including GIS data.
   - Two cities have fee-based search functions, outside of the PRR process, for information including code violations, property liens, building plans, and permits.

   Open data and online search tools leverage City resources to meet the needs of the public for commonly requested data that can be vetted and formatted on the population level.

   The City is in the process of developing tools for public access/search of GIS utility and code enforcement data.

   These are both forward-looking initiatives that will increase transparency and accessibility for the public as well as reducing PRR workload for the City. As with all such initiatives, the need to shield exempt information for public safety and compliance with Chapter 119, F.S. are important considerations.

b. PRR Application
   The City uses Next Request which has limitations in reporting, redaction, identification of duplicate requests, automated workflow design, and prescribed responses to inquiries. City staff have also reported technical performance failures – crashed pages, unresolved IP addresses, and file upload errors. Performance problems and application limitations create inefficiencies, confusion, and slower response times. As the City receives an increasing volume of diverse and complex PRRs, the functionality and efficiency of the PRR application is even more important.

c. Public Record Liaisons
   Some cities have designated public records liaisons in each department. These liaisons had frequent communication with Records Management in their cities, helped train and educate other members of their departments, were the subject matter expert in their department's records, and facilitated timely and complete responses to PRRs. *(continued)*

Observations Matrix - continued

Rating: Moderate	3. *Benchmarking – Other Cities (continued)*

The City's department point of contact listing has 470 contacts in 51 areas which make tasking requests more time-consuming and labor-intensive for Records Specialists as well as increasing the likelihood that requests are sent to the wrong staff member. It is also difficult to keep that many users trained on the City's PRR policies.

Recommended Action

We recommend the following:

a. Records Management should consider other open data models for public self-search data tools including, but not limited to building plans and permitting in addition to their present development of public search tools for GIS utilities and code enforcement data.

b. Records Management should consider other PRR process applications, such as GovQA. Four of six cities benchmarked use GovQA for PRR processing and praised this system for creating efficiencies through automated workflows, redaction tools, and robust reporting.

   Additionally, prior to and in concert with b. above, Records Management should work with the City IT Department to investigate Next Request performance issues and determine if system configurations can be adjusted to optimize Next Request performance.

c. Records Management should consider working with City Management to develop a Records Liaison position at City Departments.

Management Response

a. We agree with the auditor's comment.

   Responsible party: Records & Cemetery Manager in conjunction with departments that have open data tools.

   Estimated completion date: On-going as identified

b. Future discussions on this topic should be considered. Records Management has been in contact with IT to investigate Next Request issues. IT has deployed changes in August 2021 to improve performance.

   Responsible party: Records & Cemetery Manager

   Estimated completion date: Completed. Evaluation of IT resources and records management applications will be an ongoing process. *(continued)*

Observations Matrix - continued

Rating: Moderate	3. *Benchmarking – Other Cities (continued)*
	c. We agree with the auditor's comments and are including this within the Records Management Plan. **Responsible party:** Records & Cemetery Manager **Estimated completion date:** Propose plan outline 1st quarter 2022 Calendar Year

Observations Matrix - continued

Rating: High	4. *OPD Records Management*

Observation

For requests initiated during 2020, the average time for the other City departments overall to close a Next Request PRR was 12 days, while the average time for OPD to close a request was 24 days. One of the contributing factors to slower processing is that OPD maintains some of the City's most complex, diverse, and sensitive records. Additionally, OPD does not have a comprehensive and consistent process for maintaining centrally accessible incident and investigative records which creates confusion, inefficiency, and delays in responding to PRRs.

Many investigative and incident records begin as paper records and must be scanned at the station by Officers, uploaded to the OPD shared network drive, reviewed, and uploaded to Mobile and merged with LERMS. Officers are busy and have many responsibilities in the field which are prioritized over this clerical process.

Other records, media, and documents generated by investigations are not stored in LERMS. Per inquiry of OPD and City Clerk staff and review of PRR documentation, when case records are requested, OPD staff must research with all the officers, investigators, OPD attorneys, and other staff involved in the case to determine if any responsive records are held outside of LERMS.

- Investigative records may be retained in paper format by officers and detectives.
- Records may not be scanned in consistent formats or scans may be multiple records combined together.
- Scanned or electronic format records may be uploaded to the officer's local computer or network drive.

Recommended Action

We recommend the following:

a. OPD Management should investigate tools and applications to make it easier to scan documents in the field or initiate investigative and incident records in electronic format. *Repeat Finding Report No. 20-05, #1&#2*

b. OPD Management should investigate the establishment of central file storage systems for media and documents not stored in LERMS.

c. OPD Management should enhance current policies requiring timely and consistent upload of all records of the investigation to central secure file storage. *(continued)*

Observations Matrix - continued

Rating: High	4. *OPD Records Management (continued)*

Management Response

Records Management Response:
Records Management concurs. There is an extensive effort to adequately respond to public record requests using the existing process/system.

OPD Response:

a. OPD management has created a Technology Committee to enhance the digitization of the Department. This committee is looking into the process of making most forms into electronic forms through the Mobile program, as well as the ability to electronically sign and notarize such documents. This includes initial police reports, supplemental reports, witness statements, with the potential to add additional forms, such as victim's rights forms, trespass authorization and notice, etc.

Responsible party: OPD Information Technology and OPD Support Services Manager

Estimated completion date: September 2022

b. & c.
All OPD records should be stored in LERMS. OPD users currently have the ability to store all electronic records in LERMS, but are only limited by the current levels of security, server space, and user acceptance. As a benefit to continuing the use of LERMS, the City of Orlando controls the servers for this application, and as such, only has to incur the actual costs of storage, rather than be subjected to price increases or long-term control of evidence when utilizing third parties, such as Tyler Technologies or Axon.

To that end, OPD management recommends that a study be conducted to determine the additional server requirements for LERMS to become a fully centralized storage solution. Should such study show viability, OPD management will work with IT to implement such solution, and then develop policies and procedures to formalize this process with all OPD members.

Responsible party: City of Orlando IT and OPD Support Services Manager

Estimated completion date: FY 2022/23

Observations Matrix - OPD

Rating: Moderate	5. *OPD Tracking - Walk-In PRRs*

Observation

OPD Records accepts records requests from walk-ins at the police headquarters as well as those submitted to the City Clerk's office via Next Request. PRRs for records maintained by OPD represent 48% of the 2020 PRRs processed in Next Request and are some of the most sensitive information maintained by the City.

Walk-in PRRs for readily available records are not separately; as such, OPD does not know how many records requests are fulfilled or what records are being released to walk-in requestors. Further, without a separate tracking process, it is challenging for the City or OPD to know if there are adequate resources allocated to the OPD Records unit or have an understanding of the information released.

Recommended Action

We recommend the following:

a. OPD Management should begin tracking walk-in PRRs to determine the volume of requests fulfilled outside of Next Request.

b. Based on the volume of requests processed, OPD Management should collaborate with the City Clerk's office to determine if walk-in PRRs should be recorded in Next Request.

Response

Records Management Response:
Records Management concurs and has provided OPD Records a proposal to process walk-in PRRs directly in Next Request.

OPD Response:
a. & b.

Currently, OPD Records is prepared to implement a change in procedure requiring that all requests generated outside the NextRequest Portal (walk-in, phone, email, fax, U.S. mail) be entered into NextRequest and then closed immediately upon production of the responsive records. This action requires coordination with the City Clerk's Office to provide account authority to OPD Records staff the ability to close all such requests.

Responsible party: OPD Support Services Manager and City Clerk

Estimated completion date: January 2022

Rating: Moderate	6. *OPD Records Request Queue Workload*

Observation

OPD Records staff work the Next Request open PRR queue in a weekly rotating schedule which results in inefficiency and lack of continuity in fulfilling PRRs. In addition to responding to PRRs in Next Request, OPD Records staff answer questions, take background requests, and provide walk-in requestors for readily-available public records. For workload distribution, the OPD Records Supervisor rotates the staff working the Next Request queue on a weekly basis. For any PRR that crosses weeks, there is a learning curve for the newly assigned staff and an increased risk of loss of information and duplicated work.

Based on the OPD departmental surveys, several employees noted that the volume of PRRs has been increasing and there is insufficient staffing to respond in a timelier manner.

Recommended Action

We recommend the following:

a. OPD Management should create work schedules and responsibility assignments that promote continuity and efficiency of PRR fulfillment.

b. OPD Management should consider:
  - Dedicating employees to Next Request queue work or having employees take ownership of PRRs and work the requests from initiation to fulfillment.
  - Adding staff and/or redistributing workload for OPD Records staff.

c. OPD Management should consider creating or reclassifying a position to create a Records Liaison position(s) within OPD to coordinate between OPD (Records, Media Relations, Legal, investigative staff, Internal Affairs, Forensics, and other departments that generate public records) and the City Clerk's office. The Records Liaison will need expertise in records management, public records law, and police procedure. The Records Liaison would own the PRR process from initiation to fulfillment, and provide final approval for the release of records.

Management Response

Records Management Response:
Records Management concurs on all parts.

Records Management has previously identified delays in service due to the existing staff workload delegations and has proposed alternative delegations for OPD Records to consider implementing. *(continued)*

Rating: Moderate	6. *OPD Records Request Queue Workload (continued)*

In addition, Records Management agrees that a Records Liaison position in OPD is highly needed to coordinate within all the OPD areas. We have experienced that not all employees or sections of the department are following a standardized process. For example, a request for records requiring "entire investigative file" can require documents from multiple OPD sections and at this time, there is no person designated to coordinate this among the various sections and ensure a standardized management of the records process.

OPD Response:

a., b., & c.

OPD Proposes exploring the idea that a dedicated Records Manager be hired or assigned to the records unit. The current Records Manager has multiple other assignments and priorities and therefore is unable to be involved in the day-to-day operations of OPD Records. The appointment of a dedicated Records Manager with either legal or records management expertise would allow the unit to be reorganized in a more efficient manner in line with the skills and experience of current staff. This position should require an individual with legal training (attorney/paralegal) or extensive records management experience (5+ years), as well as an understanding of the police department. The Records Manager, as a full-time records unit member, will be able to serve as a records liaison between OPD, City Hall, Media Relations, and other city departments, in addition to their responsibilities as the primary person responsible for running OPD Records on a day-to-day basis.

Additionally, this would allow the Records Supervisor to focus on implementing the best workflow for the Office Assistants as they are assigned to records management. The Records Supervisor would be able to review records prior to release for completion and accuracy, keep better statistics on the volume and nature of each request, and work with the Office Assistants to promote continuity of the records fulfillment process.

Next, OPD proposes reorganizing the workflow and assigning two members of the Records Staff to work exclusively at the front, customer-facing window for walk-in requests and telephone calls. The records members at the front counter would then be able to enter all walk-in and telephone call requests to the NextRequest system, fulfill the ones that do not require extensive resources immediately, and then close the requests in NextRequest. This process frees up the other members of the staff to primarily focus on more extensive requests. Additionally, based on the description of the member's responsibilities, there is no reason why all members of the records staff should not be classified as Records Specialist, rather than Office Assistant. Records Specialist is the more appropriate title for the work performed, and this would add an extra incentive as records is reorganized going forward.

Finally, OPD Management proposes that a uniform Records Specialist training be either created or outsourced, so that new hires understand not just the legal aspects of records redaction and retention, but the actual workflow and best processes that allow for a records office to function efficiently and effectively. The Records Manager & Records Supervisor should also attend trainings to learn the most up-to-date records practices. All records staff should also spend a full week in rotation with the City Hall Clerk's Office so that we can ensure that the City is fully integrated in terms of our records management approach. This additional interaction will also provide for report building between units, and allow additional members of the City to have the opportunity to evaluate staff members for effectiveness and make sure that best practices are being followed.

Responsible party: OPD Deputy Chief and Support Services Manager

Estimated completion date: Fiscal Year 2022/23

Rating: Moderate	7. *OPD Self-Service Records*

Observation

During our benchmarking survey we noted that many cities are providing self-service options which make it easier and faster for members of the public to obtain information and reduces the number of the PRRs processed by City staff. Opportunities for self-service include:

- Traffic crash reports available through Florida's Official Crash Portal
- Arrest affidavits available through the Orange County Clerk of Courts
- Florida Department of Law Enforcement background checks

Recommended Action

We recommend the following:

a. OPD management and the City Clerk should collaborate to add these self-service options (and related links) to the City's PRR web page.

b. OPD management should set up self-service kiosks in the lobby of the police department to enable requestors to input PRRs in Next Request and access self-service options for public records.

Management Response

Records Management Response:
Records Management concurs to work on adding self-service options to the website.

OPD Response:

a. OPD Management proposes that the City's website be updated to clarify self-service access points, including links to partner agency's records unit when they may be the most efficient source of information for the requester.

Responsible party: Information Technology, OPD Support Services Manager, and Records & Cemetery Manager

Estimated completion date: March 2022

(continued)

Observations Matrix – OPD continued

Rating: Moderate	7. *OPD Self-Service Records (continued)*

b. OPD Management believes a dedicated records kiosk in the lobby of OPD may assist requesters who are unaware that they may make requests online for public records. By creating a dedicated kiosk for this process, it may alleviate the need for OPD staff to manually enter the request into NextRequest, as well as provide quick service when the Office Assistant who is handling the window is otherwise unavailable. This proposal requires an expenditure of funds, which will likely reoccur periodically as hardware gets outdated or otherwise can no longer perform its functions.

Responsible party: Information Technology and OPD Support Services Manager

Estimated completion date: September 2022

Appendix I – Survey Results

Public Records Request Process Survey

In May 2021, we emailed a Microsoft forms survey to Directors, Department Heads and key staff throughout the City.

We received survey responses from 81 employees in the following departments across the City:

Audit Services & Management Support	Office Business & Financial Services
City Attorney's Office	Office of Sustainability & Resilience
City Clerk	Orlando Fire Department
Economic Development	Orlando Police Department
Executive Offices	Orlando Venues
Families, Parks and Recreation	Public Works
Housing and Community Development	Real Estate Management
Human Resource	Risk Management
Labor Relations	Transportation
	Treasury

How frequently does your department receive public records requests?

Thirty-six percent of respondents stated they receive public records requests daily.

How frequently does your department receive public records requests?

- Never 4%
- A couple times a year 20%
- Daily 36%
- Weekly 21%
- Monthly 19%
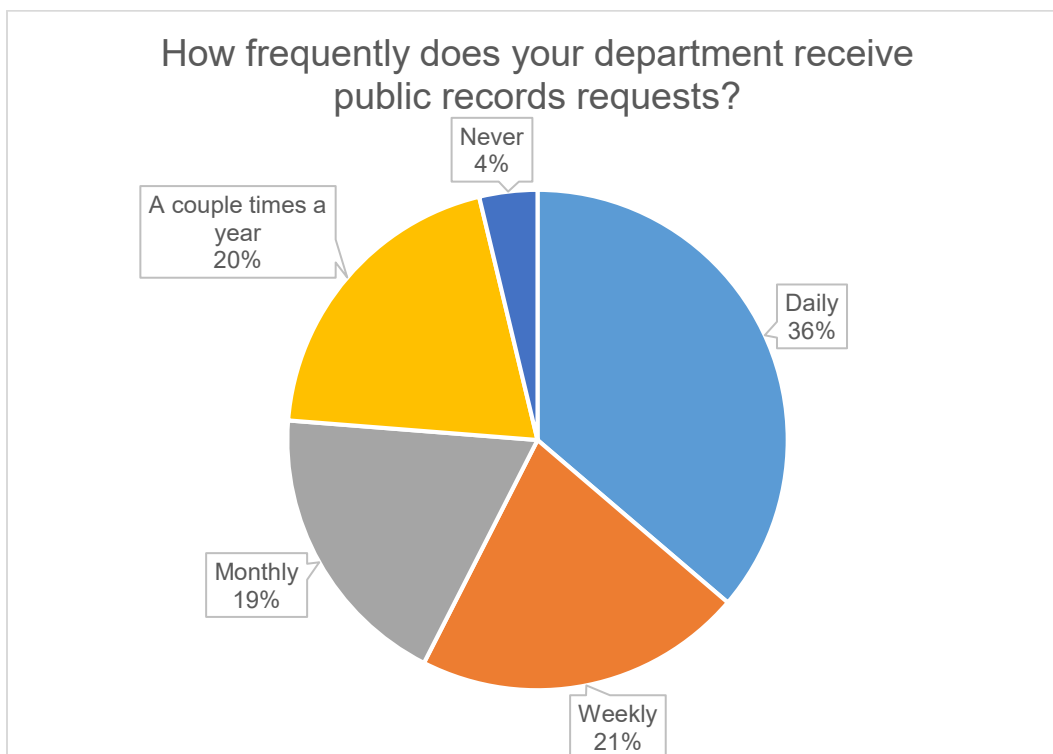
How would you characterize the level of effort required to respond to a public records request?

Two-thirds of respondents stated public records requests take more than 30 minutes to fulfill.

Appendix I – Survey Results

Time Needed to Fulfill PRRs

Category	Number of Responses
More than 5 hours	6
2 - 5 hours	6
1 - 2 hours	11
30 minutes - 1 hour	24
30 minutes or less	21

Number of Responses
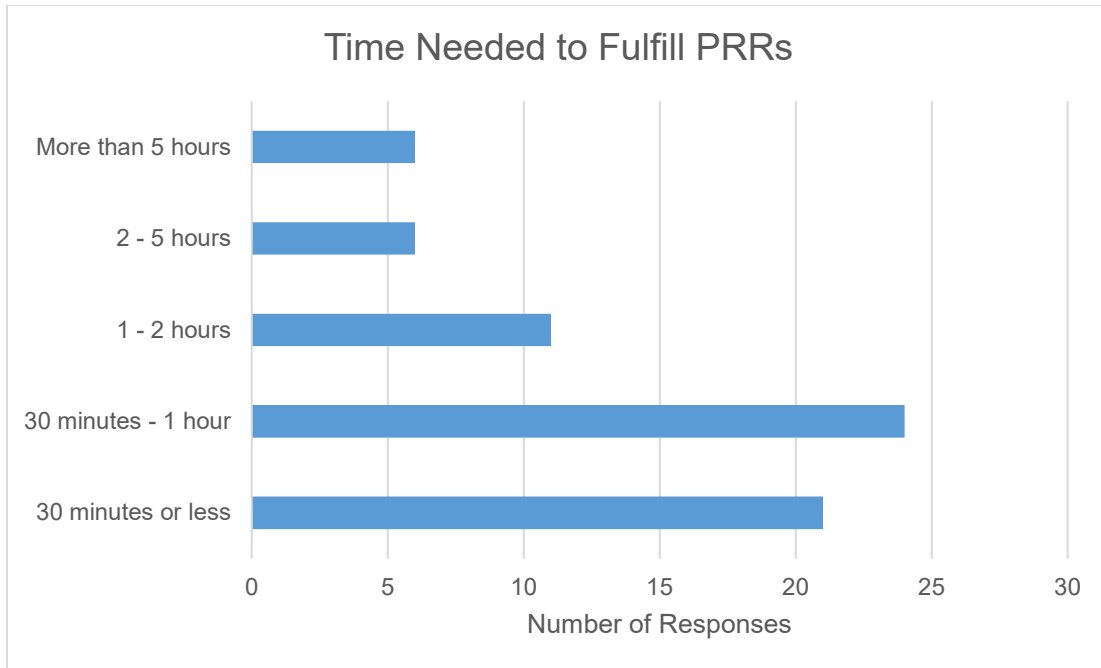
What are the challenges to quick, accurate, and complete public records responses?

Eight percent of respondents stated there were no challenges for their department. Among other respondents, overall workload, request tasking/routing, and locating/scanning records were identified as the biggest barriers to records request fulfillment.

Challenges to Quick, Accurate, and Complete Public Records Request Responses

Category	Number of Responses
no challenges - the current process works well for our department	18
job duties/workload do not allow time to respond quickly	23
lack of guidance or support from the City Clerk's office	8
requests routed to the wrong staff members	26
time scanning records	22
difficulty locating responsive records	22
lack of knowledge about Next Request	11

Number of Responses

Appendix I – Survey Results

What would help your department provide a quicker and more accurate and complete Public Records request response?

Seventeen percent of respondents did not identify any additional resources that would help their department respond to Public Records Requests. Amongst other respondents, training in the public records request process, training in Next Request, and development of a City digital data warehouse were identified as key resources.

Resources to help departments provide quicker, more accurate, and complete PRR Responses

Category	Number of Responses
We don't need any additional help or support	17
Additional information provided on the City or department website for public self-service	13
Guidance from legal advisors	6
Digital data warehouse for City Records	17
Sunshine Law training (including exempt/confidential information)	14
Public Records Response process training	21
Next Request training	14

Number of Responses

Do you have any other public records request input you would like to share? Any parts of the process that are working well for your department? Any part of the process that you feel could be improved?

Selected Comments:

Open communication with the records department has been great.

I like the fact that we can gather the documents and upload directly to the system.

The system is intuitive and meets our needs.

Our communication with the City Records Clerk is optimal. We discuss on a daily basis any questions about specific requests.

The Orlando Next Request login screen does not always come up properly when I click on it. Most times it comes up as a form-fill and does not work, so that I have to hunt around for a link to the official page. This issue needs to be addressed so that people using Next Request do not waste time.

Overall, I feel the process works well. I believe the request that are not within our jurisdiction should be removed prior to being assigned to staff.

Appendix I – Survey Results

Overall, I feel Next Request works well. There is a systematic process flow for everyone to follow for consistency. My experience has been that the program is easy to use. There are times in the past where I'm inappropriately added to a request for which I have no knowledge or I see a request has taken awhile to reach me because it was initially assigned to others inappropriately.

The Clerk and, when necessary, the Attorney's Office, have been helpful on complicated/large PRRs. Sometimes the nature of the request simply requires review and input, and often clarifying details from the requestor. Time spent can vary widely, e.g., when redaction is required on a large amount of documents it can take hours; others can be as quick as 20 minutes. I generally like Next Request for tracking and it keeps the reminders flowing.

A high volume of records come out from OPD. OPD records are often lengthy and complex. Allowing only 2 days for OPD Media Relations to review hours of body worn camera footage and dozens of paper docs is largely insufficient.

Responding to public records requests is inherently time consuming, tedious and frustrating. But I think our process works pretty well. Next Request is pretty easy to use, and the City Attorney's Office provides excellent advice.

More personnel are needed, and the data is spread out and there is no easy way to know what documents exist in a given case. For example, a request for all records would lead to a scavenger hunt for those records.

Records Specialists are great! They fostered a great working relationship with us when we came on board, helping us navigate records challenges and helping us understand why certain things work the way they do. My office is eager to help find new ways of improving records collection and release.

Need more personnel working in OPD records or have someone responsible for only PRRs. Making sure the request is in fact for our department and providing enough information in the request for accurate search.

Data resides in multiple software platforms or hard copy files.

Requests for police records are sometimes straightforward (e.g. video, 9-1-1 call, crash report...) however, many requests for police records will require research and coordination with numerous departments within the agency.

Compiling mostly digital archives does make things easier, but it is still time-consuming to get it all together.

I was never trained on how to use Next Request.

Appendix II - Benchmarking Results

Self-reported responses compiled by CRI. Not subject to verification.

	population	Process Owner	Centralized or Decentralized	2020 PRRs	PRR trend
City of Orlando	**281,000**	**City Clerk**	**Centralized**	**10,842**	**Increasing year over year**
City 1	100,000 - 250,000	City Clerk	Centralized	5,000	Increasing year over year
City 2	50,000 - 100,000	City Clerk	Centralized	2,400	Increasing year over year
City 3	250,000+	Public Affairs & Office of the General Counsel	Centralized	25,000*	Increasing year over year
City 4	250,000+	Office of the City Attorney	Centralized	3,600*	Increasing year over year
City 5	100,000 - 250,000	City Clerk	Centralized	700*	Increasing year over year
City 6	250,000+	City Clerk	Decentralized	2,000 - 4,000	Increasing year over year

* Does not include City Police Department requests which are processed in a separate system.

Appendix II - Benchmarking Results

Self-reported responses compiled by CRI. Not subject to verification.

	System	Are requests manually routed to departments or via automated workflows?	Are any requests handled outside the central process?
City of Orlando	**Next Request**	**Manual**	**OPD walk-in requests** **Limited departments respond outside the Next Request process**
City 1	GovQA	Automated workflow	no
City 2	Internally developed	Manual	Code violations/lien searches are obtained through a separate process and fee schedule.
City 3	GovQA	Automated workflow	Police Department has a separate PRR process.
City 4	Next Request GovQA	Manual	Police Department has a separate PRR process. Building plans and permits are requested via a separate process and fee schedule.
City 5	Internally developed	Manual	Police Department has a separate PRR process.
City 6	SIRE GovQA (implementation in progress)	n/a	n/a

Appendix II - Benchmarking Results

Self-reported responses compiled by CRI. Not subject to verification.

	Departmental Contacts	Fulfillment Response Time	Charges for PRR response
City of Orlando	**Multiple departmental contacts for each department are trained in public records laws and the City's PRR process.**	**Acknowledge request within 48 hours** **Averaged 10 days to close a request in 2020**	**Labor in excess of 30 minutes + materials**
City 1	Departmental contacts for each type record established in workflow implementation	10 days or less	Labor in excess of 30 minutes + materials
City 2	Records liaison on each department is trained in public records laws and the City's process to ensure timely and complete response to PRRs. This staff member is responsible for researching and identifying responsive records throughout their department and working with other staff to fulfill PRRs.	4 days or less	Labor in excess of 15 minutes + materials
City 3	Departmental contacts for each type record established in workflow implementation	4 days or less	Labor in excess of 30 minutes + materials
City 4	Multiple departmental contacts for each department are trained in public records laws.	30 days or less	Labor in excess of 20 minutes + materials
City 5	Records liaison on each department is trained in public records laws and the City's process to ensure timely and complete response to PRRs.	5 days or less	Labor in excess of 120 minutes + materials
City 6	Departmental contacts are trained in public records laws and the City's process to ensure timely and complete response to PRRs. As there is limited central oversight, these staff has significant responsibility for timely, complete, and appropriate fulfillment of PRRs.	2 days or less	Labor in excess of 60 minutes + materials

Appendix II - Benchmarking Results

Self-reported responses compiled by CRI. Not subject to verification.

	Innovative approaches
City of Orlando	**The City is developing site for GIS utility data download and code compliance search tool.**
City 1	
City 2	
City 3	The City is working to implement search tools for code compliance, permitting, and planning documents maintained by the City.
City 4	All (non-exempt, non-police department) public records requests are published and searchable upon release to requestor.
City 5	
City 6	Open data model for significant data sharing without Public Records Requests. GIS data available for download.

Appendix III - Public Records Request Testing Attributes

During testing, we evaluated a sample of public records requests for compliance with the following attributes.

	Attribute	**Authoritative Guidance**
1	Initial response to requestor was within 48 hours.	City Policy 141.5
2	Records Specialist determined how request should be processed.	Records Business Process
3	Records Management point of contact assigned.	Records Business Process
4	Requests related to elected officials, Pulse, media requests, and subpoenas were assigned to the Senior Records specialist.	Records Business Process
5	Appropriate department(s) assigned to task.	Records Standard Operating Procedure
6	Additional support staff tasked, if needed.	Records Standard Operating Procedure
7	Requests related to a claim against the City tasked to Risk Management.	Records Business Process
8	Applicable tags were used.	Records Business Process
9	Request due date was updated, as needed.	Records Standard Operating Procedure
10	Tasked Department responded within 48 (business) hours.	Records Business Process
11	Escalation procedures followed if tasked department did not respond within 48 (business) hours.	Records Business Process
12	For records with costs associated, requestor agreed to pay costs.	Records Standard Operating Procedure
13	For requests with costs associated, invoice was generated.	Records Standard Operating Procedure
14	For requests with costs associated, invoice was paid within 48 hours.	Records Standard Operating Procedure
15	For requests with costs associated, invoice was paid prior to departmental work on request.	Records Standard Operating Procedure
16	For requests with costs associated, requestor was refunded if overpayment occurred.	Records Business Process
17	For requests with overpayments, refunds were approved by Records Manager.	Records Business Process
18	Exempt and confidential information was properly redacted.	Article 1, Section 16 of the Florida Constitution
19	Department provided citation for redactions.	Section 119.071, F.S.
20	Citation for redactions was included with records release.	Records Standard Operating Procedure
21	Records were responsive to the request.	Records Standard Operating Procedure
22	Request closure reason was correct.	Records Standard Operating Procedure
23	For requests relating to Elected Officials, the official was notified after fulfillment and records were provided to the official.	Records Standard Operating Procedure
24	Requests from Media outlets were reviewed by the Public Information Officer prior to release.	Records Standard Operating Procedure