2020 Public Records Committee Annual Report

August 2021

King County

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II.   Executive Summary

The King County Public Records Committee (PRC) is composed of representatives of all King County Executive departments, independently elected officials, and the Superior and District courts. The PRC serves as a collective body of expertise and perspective to consider public records and records management impacts associated with county business. In this role, the PRC promotes employee awareness of public records and records management responsibilities, and advises the King County Council, the King County Executive, King County Information Technology (KCIT), and others, as appropriate, on policy matters associated with the management of public records—both electronic and paper-based—including the development and maintenance of a complete countywide records and information management (RIM) solution.

This report includes a summary of the activities of the committee for the 2020 calendar year, the digital communications technologies report, and the agency reports describing each agency's performance in responding to public records requests.

The PRC met eight times in 2020. The committee's 2020 work plan addressed each of the six goals set out in its charter. The six goals are:

1. Review, comment, and provide advice on county documents regarding public records management, including policies, public rules, ordinances, guidelines, best practices, etc.

2. Collaborate with county agencies and KCIT on technology-based communication tools as they are deployed to ensure matters associated with records creation and management are known and addressed.

3. Provide guidance on the planning and implementation of a countywide records storage management plan and a countywide electronic records management system.

4. Provide guidance on the development of policies and guidelines for the permanent preservation of the County's historical records.

5. Provide guidance for the development of policies and guidelines regarding posting records on county websites.

6. Provide ongoing, two-way communication across the County to ensure employees are aware of issues and responsibilities regarding records creation and management.

III.   Background

On May 21, 2007, the County Council passed Motion 12511, approving the vision, guiding principles, goals, governance, and management structure of the King County PRC as outlined in the PRC Charter. The formation of the PRC came in response to King County Council Ordinance 15608, which called for the creation of a public records committee to advise both the County Council and the County Executive on policy recommendations regarding the management of the County's public records, in all formats. Issues coming under the purview of the PRC include privacy, access to and charges for copies of public records, display of records on county websites, planning and implementation of a countywide records storage management plan, a countywide electronic records management initiative, and the preservation of the County's historical records.

The PRC serves as a collective body of expertise and perspective to consider public records and records management impacts associated with county business. In this role, the PRC promotes employee awareness of public records and records management responsibilities, and advises the County Council, the County Executive, KCIT, and others as appropriate on policy matters associated with management of public records (both electronic and paper-based) including the development and maintenance of a complete countywide RIM solution. Members are designated as Agency Records Officers by their agency leadership. The current membership list is included as Appendix A.

The officers of the committee for January through October of 2020 were Chair Norm Alberg, Director, Records and Licensing Services Division (RALS), Department of Executive Services (DES); Vice-Chair Cynthia Hernandez, Public Records Program Manager, Department of Natural Resources and Parks (DNRP), and Secretary Deborah Kennedy, Manager, Archives, Records Management, and Mail Services (ARMMS), of RALS. Deborah Kennedy retired on October 30, 2020. Cynthia Hernandez, who had been hired as the ARMMS Section Manager in September, became the PRC Secretary, and Shelby Miklethun, Manager of the Public Records Program, became the PRC Vice-Chair.

This report includes a summary of the work plan activities of the committee for the 2020 calendar year, the digital communications technologies report, and the agency reports describing each agency's performance in responding to public records requests. Information about the work plan activities of the committee was pulled from committee minutes and work plan by Cynthia Hernandez. The Records Management Program team developed and administered a Survey Monkey survey to gather the information about for the Digital Communications Technologies section. The Public Records Officers from the Prosecuting Attorney's Office, County Council, Executive Branch, and Sheriff's Office supplied their reports for the public records request section. The voting members of the Public Records Committee approved this report.

IV.   2021 Work Plan, Activities, and Accomplishments

A. Continuation of Privacy Work- Collaboration with KCIT

In 2020 the PRC continued its collaborative work with KCIT in response to the King County Auditor's report published in July 2019, which focused on the management and safekeeping of records containing personally identifiable information (PII) or sensitive personal information (SPI). The PRC's specific concern and focus was on these 2 of the 14 recommendations made by the County Auditor regarding PII and Privacy:

- *Recommendation 9:* The Department of Information Technology should collaborate with the Public Records Committee to develop and communicate tools for agencies to conduct privacy impact assessments.
- *Recommendation 10:* To comply with county policy, the Department of Information Technology should collaborate with the Public Records Committee and Executive Senior Leadership Team to establish and monitor performance measures to ensure that county agencies purge sensitive personal information in line with relevant records retention schedules.

The PRC/KCIT Privacy Working Group that had been established as a subcommittee of the PRC in 2019 continued to meet in 2020. Alex Harris, PRC Member, continued in her role as the PRC lead and liaison for this effort. In early May of 2020, Lorre Wijelath was hired by KCIT to serve as the County's Privacy Program Manager. Lorre and Alex co-led the Privacy Working Group, which was expanded and continued to work on the development of a Countywide privacy program including: drafting model privacy principles, developing an enterprise-wide privacy impact assessment, and reviewing strategies to assessing privacy maturity at King County. Additionally, Lorre Wijelath, working with Privacy Working Group members provided the Auditor's Office with responses to audit recommendations made in 2019. The Privacy Working Group continues its work on remediating the remaining open and in-progress audit findings.

Membership in the Privacy Working Group was expanded. By the end of 2020 there were 20 members, including agency records officers, agency and department privacy officers, and public records officers. The linkage between the Privacy Working Group and the PRC has been strengthened by inclusion of a standing item on the agenda for the PRC's monthly meetings.

B. Work Plan

The PRC 2021 work plan continued to shift toward enterprise information management and governance, continuing and completing some work in progress, while also responding to rapidly shifting priorities associated with workplace changes as the County adapted to telework and other impacts of COVID-19.

1. **Policies**
   2020 was the final year leading up to a complete overhaul of the Executive Policy System. All Executive Policies and Public Rules enacted prior to January 2016 were set to expire on January 11, 2021, per Executive Order INF-7-3-EO Rescinding Executive Policy System. PRC members provided

updates to their home departments or agencies to help them stay on track with the review and reissuance or rescission of policies in place prior to January 2016.

The PRC worked on the following policies in 2020:

a. Disposition of Public Records in King County, signed and effective May 19, 2020. The purpose of this policy is to set forth required actions to ensure the legal and timely disposition of public records that have fulfilled the required retention period. The policy pertains to records stored and retained in any format

b. Public Records Compliance Policy, signed and effective July 23, 2020. The purpose of this policy is to establish requirements and guidance for ensuring that the Executive Branch's responses to Public Records Act requests are compliant with the law while also balancing the values of customer service, privacy, and transparency.

c. Legal Holds Compliance Policy, signed February 22, 2021. The purpose of this policy is to provide guidance for the preservation and management of records subject to legal holds. This policy, which was completed near the end of 2020 and then sent for review prior to becoming effective in early 2021, also establishes specific roles and responsibilities to maximize legal hold outcomes.

2. **Legal Holds**
Building on the work that had been done by the Legal Holds Working Group, Stephanie Santos, who served as the lead of the working group, continued to meet with Jessica Kozma and other colleagues in the Prosecuting Attorney's Office (PAO) to ensure alignment between how the PAO processes legal holds and what the policy requires from records custodians and impacted departments when legal holds are issued. Stephanie and Jessica also worked with PRC members to create and validate a current listing of legal holds that have been issued and which are still in effect. Through this process, a number of holds that were placed some time ago, were lifted. To round out the work on improving the county's legal hold process, a Legal Holds Compliance Policy was developed by a sub-group of the PRC, working in tandem with the Public Records Program. That policy was finalized near the end of 2020 and became effective on February 22 (see 1.a above for further detail).

3. **Email Management Improvement Plan**
After deferring the development and implementation of an enterprise email management policy to ensure that any solution found would be compatible with the new electronic records management program, Content Manager, consideration of a solution was reinvigorated in 2020. An ad-hoc workgroup came together to discuss current state, desired future state, and steps to consider for moving between those two points. The workgroup included Deborah Kennedy, Norm Alberg, and Cynthia Hernandez, Shelby Miklethun, Ellie Browning, County Records and Information Manager, Ryan Wadleigh, Business Analyst and Content Manager Lead, and Mike Kaser, Chief Information Security and Privacy Officer. Meeting were initially focused around an opportunity to engage with a Microsoft consulting group on the topic, but for a variety of reasons, including competing priorities that resulted from COVID-19 impacts, the workgroup's efforts were on hiatus, though Ryan continued to gather information from other jurisdictions about their experience with automated email management solutions.

4. **Information Governance Evolution**
   The goal of this workplan item is to develop a plan for County information governance. This has been an ongoing conversation between KCIT, the PRC, and RALS and its ARMMS section for some time. Due to reprioritization of work that resulted from the workplace impacts of COVID-19, this effort was put on hiatus in 2020, but by year end, a plan was in the works to constitute an Information Governance Group to accelerate progress in 2021. As of this writing, that work is underway.

5. **Database Guidance**
   Informed by learning in conversation with KCIT and in hearing from PRC members about their experiences with databases and records and information held within them, consideration was given to a variety of approaches. The first effort, which was started in 2020 but not completed until 2021, is development of written guidance for considering public records management and disclosure in the context of databases. This guidance will also touch on the importance of minimizing the gathering of PII and improving protections of PII through process improvement.

6. **Standardization of Human Resources Records Management**
   After members of the PRC met with Department of Human Resources (DHR) leadership to propose a collaborative effort to standardize the records retained in personnel files; to digitize personnel files in this standardized manner from department to department/workgroup to workgroup; to standardize an enterprise-wide personnel files related retention schedule, 2020 saw real progress as the county expanded use of Laserfiche to one of an enterprise digital personnel file management system. This work became especially important to DHR and to business units due to the county's telework mandate. Having hardcopy personnel files proved more challenging and risky than helpful, and having digitized personnel files became much more attractive. Funding was secured to expand Laserfiche as an enterprise solution. Dedicated staffing resources were identified and began working on the preliminary steps to establish a policy for personnel file management, including a definition of what's in an official personnel file, as well as an enterprise-wide retention schedule, and standard organization of documents in Laserfiche. The prospects for having the enterprise solution and standards is very positive.

7. **Centralized Search and Records Production for Public Records Request Responses**
   While decentralized searches are most often the most effective and efficient means to ensure a thorough and meaningful response to public records requests, there are times when a centralized search is needed. Protocols have been developed by the Public Records Program to aid in the centralized search process. Centralized searches are often conducted by Public Records Program staff, who have access to search Microsoft Office 365 (O365) resources. These processes are continuously being refined as more practice is gained and as more is known about the features of the O365 search tool (eDiscovery). Further consideration will be made by PRC members, the Public Records Program, and the Records Management Program to ensure that we have a clear and consistent centralized search process as well as adjacent

processes, such as notifications to employees and protection of PII, PHI, or other private or protected information.

8. **Microsoft Teams**

Already on the radar of the PRC, Microsoft Teams (Teams) became a front and center business solution for the King County Enterprise, when it became necessary to conduct meetings and collaborate with team members while working remotely in response to COVID-19. PRC members had the opportunity to consider and inform governance and implementation of the unified communications features of Teams, when those features were activated after a decision to discontinue using Skype for meetings and instant messaging, favoring the set of features and reliability of Teams. By year end, KCIT had started a mass migration from Skype to Teams for unified communications, and along the way, the PRC was notified and helped inform what was needed in the communications and implementation efforts being led by KCIT.

9. **PRC/KCIT Working Group**

The PRC and KCIT formed a working group in December 2018 to focus on KCIT's data modernization initiatives which includes elimination of PST files, Outlook Public Folders, Outlook, and Shared Network Drives. The members of the working group initially included a number of PRC members: Deb Kennedy, Cynthia Hernandez, Gail Snow, Norm Alberg, Aaren Purcell, Alex Harris, Stephanie Santos, Andrea Williams, and some KCIT managers: Ashley Boyd, Harry Clark, Katie Suvlu, Patrice Frank, and Kimberly Peters. By working together, many interests were represented, and issues resolved. PRC was well informed, and by early 2020, KCIT representation at PRC meetings had become a constant, so the working group was discontinued in favor of a more integrated PRC.

The 2020 impacts of COVID-19 reprioritized work for KCIT and many others in the County. It impacted the PRC's work as well. By creating a standing item on the PRC agenda for KCIT updates, and by having reliable and expert KCIT representation on the PRC, IT-related issues are heard, known, and discussed as needed.

C. ARMMS and the Records Management Program (RMP)

Updates from the ARMMS and the Records Management Program are a PRC standing agenda item.

Throughout the year RMP staff updated the Committee on the progress of user adoption of Content Manager, which in 2020 was still relatively newly in use as an enterprise electronic records management system. Early in the transition from the former system to the new system it was clear that users found the new system easier to use than the prior system. In a matter of months, the number of records filed into Content Manager exceed those field to the prior system in all of its years in place. The work to encourage and support user adoption continued through 2020 and beyond, with continuous improvement to training, customer engagement, job aids, and the technology itself. Ryan Wadleigh now provides quarterly data sets to agencies and departments so that they can see successes in system use, as well as room for focused improvement on system use.

2020 and the move to a workforce that was primarily teleworking brought a renewed interest and emphasis on the importance of records management. This resulted in a number of impacts to the RMP. After an initial customer survey was conducted, the RMP established some records management guidance specific to teleworkers. In order to expedite processing digitization requests for records, the RMP initiated a blanket Disposition of Documents after Digitization (DAD) process to permit the digitization and destruction of an array of records categories common across the enterprise. Program staff also worked with customers (many of whom are PRC members) on agency/department-specific DADs and served as active consultants to the Department of Natural Resources and Parks (DNRP) as the Green Where We Work project was rolled out, shifting 800 DNRP workforce members from county office spaces to home offices.

The other ARMMS workgroups (Archives, Mail Services, and the Records Center) all saw fluctuations with customer needs due to COVID-19 impacts. Sometimes demand was greater and more urgent. Sometimes service requests waned. Sometimes services were requested that were outside of the usual ARMMS service catalog. These service requests were met with creative solutions and/or with clear communications when there were limitations to fulfilling requested services. PRC members were informed of service revisions as they happened.

D. Public Records Program

Shelby Miklethun, Manager of the Public Records Program, and Vice Chair of the PRC as of 2020, provided regular updates to the PRC regarding Public Records Act impacts. In 2020 the most significant of these included:

- Coordinating a multitude of COVID-19 related public records requests, searches for which yielded over 80 million records. Many responses were published on the county's web site as well as provided directly to requesters.

- Moving the Executive Branch public records tracking from Microsoft Dynamics (formerly CRM) to Gov QA, which offers customers interface via a web form, automated customer acknowledgements in addition to more customized communications, better data collection and reporting, improved workflows within the system and among and between public records officers and coordinators, and a reliable retention-in-place option for all records associated with fulfillment of a request – including the records produced to the requester.

- Continuing work on the analysis of equity impacts to charging for public records request fulfillment and exploration of charging structures that improve access to all. The pace of this work was slowed due to COVID-19 priorities, but there was a commitment by the committee working on this to ensure that the work continued to make progress in a year that demonstrated so loudly how racial disparities and inequities harm communities of color.

E. Committee Resources

Chair: Norm Alberg, Director, RALS, DES
Vice-Chair: Shelby Miklethun, Public Records Program Manager, Office of Risk Management, DES
Secretary: Cynthia Hernandez, Archives, Records Management and Mail Services Manager, RALS, DES

Minutes and agendas along with the meeting schedule are available on the PRC website, Public Records Committee

V. Digital Communications Technologies

The Digital Communications Technologies section of the PRC Annual Report includes:
1. description of the forms of digital communication that are in use by each respondent;
2. description of the methods used to retain records of digital communication to meet applicable records retention requirements; and
3. description of the methods used to search records of digital communication to meet applicable public record disclosure requirements.

The PRC used Survey Monkey to gather information for this report. Responses were consolidated by department or agency where possible and received responses from the following:

Adult and Juvenile Detention
Assessments
Clerk of the Council
Executive Services, Office of Risk Management
Executive Services, Records and Licensing Services, Archives, Records Management, and Mail Services
Information Technology
Judicial Administration
Local Services
Natural Resources and Parks
Public Defense
Sheriff's Office

The technologies reported as being used include:

Office 365	Yammer
Microsoft Teams	Flickr
Zoom	CAD Messaging
YouTube	MyState USA now AlertSense
Facebook	Proprofs
GovDelivery	Snapchat
DoodlePoll	LocalScape
WordPress	KCInform/Code Red
Granicus	Eventbrite
Nextdoor	Insight/Legisearch
KCTV	Instagram

KC Road Alerts	Twitter
Periscope	Vimeo
Prezi	WordPress
Skype	LinkedIn

Technologies mentioned in the comments that were not included among survey options included: Slido, PublicInput, GovQA, and SiteCore.

Digital Communications Used in King County Government

County agencies use many different digital communication methods in a variety of ways to engage with and provide services to community members. Specialized applications enhance service delivery by facilitating business processes, gathering customer input and feedback, and providing access and transparency to legislative materials and other public records. Some common communications tools, such as digital voicemail, email, and various software programs and technology resources are used to:

1. communicate with, educate, and inform residents, internal and external customers, partners and stakeholders;
2. notify residents and employees of emergency situations;
3. conduct county business;
4. engage the public and promote public involvement;
5. distribute general information, news, advisory messages, alerts, and emergency communications;
6. market county services;
7. facilitate media relations;
8. conduct investigations;
9. recruit for open positions; and
10. share photographs, historical documents, posters, and graphics.

Retention of Digital Communication Records

A variety of records retention methods are used to retain records generated by digital communications technologies, including social media. These methods range from contracting retention through a social media vendor, relying on tools native to the social media site or digital communication technology, storing copies of social media entries as electronic or paper copies, or using an off-the-shelf product/service like ArchiveSocial to capture daily snapshots of web and social media sites. Agencies that use the records management system, Content Manager, can and often do retain copies of social media and digital communications there.

Producing Records from Social Media and Digital Communications Technology Tools

In order to search for, gather, and produce records from digital communications technologies or social media sites, departments and agencies report either using the search functionality available on those sites, the tools native to the repositories used to store those records or manually searching through the posts. In instances of enterprise-wide technology solutions, central searching is available using eDiscovery, or Content Manager for instance. Copies of web pages or social media communications stored in ArchiveSocial are either searched manually or using the system search functionality.

Observations and Learnings

Records Retention
Records Management Program staff continue to provide trainings, job aids, governance documentation, standard work documentation, and individual coaching and consultation on employing records management best practices when using digital communications technologies. The records retention issues identified in this report are being addressed in an ongoing basis by training and other educational materials used by the RMP and Executive Policy, INF-15-4-1-EP Management of King County Public Records. The results of this survey help us pinpoint the need for specific training, guidance, or governance content.

Public Records Disclosure/Production
Over time, and as a result of training, guidance, and governance, there has been increasing awareness among King County departments and agencies of the responsibilities for properly organizing and retaining public records created using social media and digital communications technologies and for producing record responsive to requests made under RCW 42.56: the Public Records Act.

Conclusions
King County departments and agencies rely on digital communications to engage with, and provide services to, the community it serves. With the County's response to COVID-19 in 2020, it became clear how vital these communications methods are during a crisis. Whether sending mass notifications about vaccine clinics, providing transparency for records, or providing data dashboards to convey COVID-19 trend data, digital communication tools and methods are essential to reach a broad audience of community members and employees.

This COVID-19 context provided greater awareness of and appreciation for the power of these tools in providing continuity of service delivery, critical access to community members, and reliability for employees working from home.

VI.   Public Records Officer Reports
Ordinance 18949 revised Public Records Officer's reporting requirements to mirror those in RCW 40.14.026(5). The PRC has received reports from the Public Records Officers of these four agencies:

- Prosecuting Attorney's Office
- County Council
- Executive Branch
- Sheriff's Office

VII.   Next Steps

Using the collective body of expertise and perspective brought by its members, the PRC will continue working to accomplish the tasks set out in its 2021 work plan, which is managed on the PRC Teams site.

These tasks include:
- Continued engagement with the Privacy Program and the county's Privacy Officer.
- Informing departments and agencies on the records management and disclosure implications of executive policies being issued or revised.
- Continued collaboration with KCIT to identify and implement enterprise-wide email management governance.
- Improving awareness of and enhancing existing guidance regarding email management best practices, managing database records in place, managing records in O365 products, including Teams.
- Furthering the development and practice of information governance. As of this writing, the King County Records and Information Governance Group has been formed and is establishing processes for collaboration with the PRC and others.
- Revisiting and refining best practices for centralized searches of records in response to public records requests.
- Informing, supporting, and informing the work of the Records Management and Public Records Programs as needed.

The work of the PRC supports the Executive's Best-Run Government Initiative by supporting and advising county agencies in their work to manage the County's information assets in compliance with mandates and in the interest of serving all the County's residents following the True North values of solving problems, leading the way, and responsible stewardship. The PRC approaches this work with an equity lens, and with concern for the sometimes competing interests of privacy and transparency.
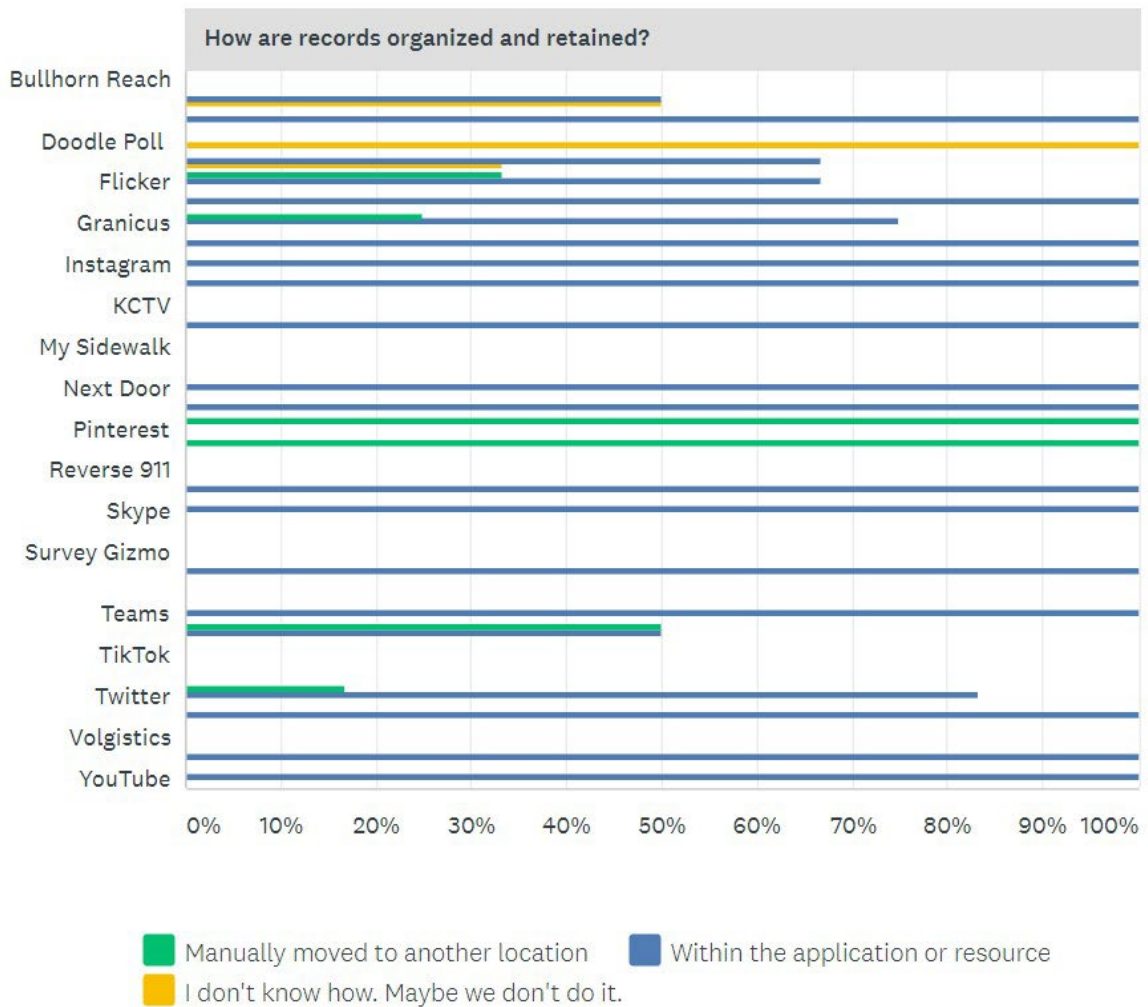
VIII. Appendices

Appendix A
Public Records Committee
Membership List
Current as of December 31, 2020

Organization	Name[s]	
	Voting Member	Alternate
Adult & Juvenile Detention	Andrea Williams	
Assessor's Office	Rich Watson	Alicia Warren
Community & Human Services	Amber Hebert	Eva Haney
Council	Janet Masuo	
District Court	Troy Brown	Peggy Wang
Elections	Janice Case	
Executive Services	Cindy Cawaling	
Executive Services/RALS	Norm Alberg (Chair)	
Executive Services/RALS/ARMMS	Cynthia Hernandez (Secretary)	Danielle Boucher; Ellie Browning
Executive's Office	Bailey Bryant	
Human Resources	Jeff Scheeringa	
Information Technology (KCIT)	Syrena Ogden	
Judicial Administration	Danielle Anderson	Denise Fuseini
Local Services	Cheryl Binetti	Margo Christianson
Natural Resources & Parks	Sara Fitzgibbons	
Prosecuting Attorney	Kristie Johnson	Meghan Moore
Public Defense	Alex Harris	
Public Health	Tyler Entrekin	
Public Records Officer	Shelby Miklethun	
Sheriff's Office	Kimberly Petty	
Superior Court	Linda Ridge	Malinda You
Transit	Tiffani Duncan	

Appendix B (continued)
Digital Communications Survey Key Visuals

How are records gathered and produced for public records requests?

Legend:
- Screen shots are taken (green)
- Records are printed as PDF (dark blue)
- Data is copied and saved elsewhere (yellow)
- I'm not sure. (teal)

Categories (top to bottom): Bullhorn Reach, KCInform/Code Red, Eventbrite, GovDelivery, Insight/Legisearch, KC Road Alerts, LocalScape, MyState USA, Periscope, Prezi, Road Alerts, Storify, Survey Monkey, Teams, TikTok, Twitter, Volgistics, YouTube