



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

July 24, 2012

Ordinance 17382

Proposed No. 2012-0256.1

Sponsors Ferguson

1 AN ORDINANCE related to the county's use of digital
2 communication technology; amending Ordinance 12550,
3 Section 1, as amended, and K.C.C. 2.14.010, and
4 Ordinance 12550, Section 2, as amended, and K.C.C.
5 2.14.020.

6 PREAMBLE:

7 1. During the past several years the county council has adopted a series of
8 legislative measures designed to promote transparency and accountability
9 in county government. Most recently, in December of 2010, the council
10 adopted Ordinance 17008, which focused on the county's use of social
11 media, such as Facebook and Twitter, for communication with county
12 residents.

13 2. Ordinance 17008 encouraged the use of social media by county
14 agencies and called for the creation of a Social Media Advisory Group for
15 the following purposes, among others: to suggest policy options for the
16 use of social media, to identify legal and policy requirements applicable to
17 social media and potential issues that social media might give rise to, and
18 to identify cost-effective ways of addressing the public records retention
19 requirements for social media.

20 3. In its report to the council, the Social Media Advisory Group
21 suggested, among other recommendations, that “the Council may wish to
22 direct certain agencies or departments to consider clarifying existing
23 policies to ensure compliance” with existing policies and requirements,
24 such as records retention. Another such requirement is responding to
25 public record disclosure requests.

26 4. In his letter transmitting the Social Media Advisory Group report to the
27 council, the county executive suggested to the council that the advisory
28 group be reconvened to continue its examination of the county’s current
29 and potential use of social media and to broaden the scope of its work to
30 include other forms of digital communication, such as smart phone
31 messaging, text messaging, and automated voicemail transcription.

32 5. The existing Public Records Committee, created in 2006 by ordinance
33 15608, has agreed to serve in the role suggested by the county executive
34 for a reconvened advisory group.

35 **BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:**

36 SECTION 1. Ordinance 12550, Section 1, as amended, and K.C.C. 2.14.010 are
37 each hereby amended to read as follows:

38 For the purpose of this chapter, the terms in this section have the following
39 meanings:

40 A. “County agency” means:

- 41 1. The executive branch;
- 42 2. The legislative branch;

- 43 3. The superior court;
- 44 4. The district court;
- 45 5. The department of public safety;
- 46 6. The department of assessments;
- 47 7. The office of the prosecuting attorney;
- 48 8. The department of elections;
- 49 9. The forecast council and office of economic and financial analysis;
- 50 10. The board of appeals; and
- 51 11. The personnel board.

52 B. "Digital communication technology" means technology that is used to
53 transmit information in digital form, including email, text messaging, blogging, social
54 media and digital voicemail.

55 C. "Personal data" means any information concerning an individual that, because
56 of name, identifying number, image, mark or description, can be readily associated with a
57 particular individual, including information contained in printouts, forms, written
58 analyses or evaluations.

59 ~~((C-))~~ D. "Personal identifying data" means social security number, date of birth
60 or mother's maiden name.

61 ~~((D-))~~ E. "Social media" means the Internet-based technologies, tools and
62 practices that people use to share opinions, insights, experiences and perspectives. Social
63 media can share information in many different forms, including text, images, audio and
64 video.

65 SECTION 2. Ordinance 12550, Section 2, as amended, and K.C.C. 2.14.020 are
66 each hereby amended to read as follows:

67 A. King County is committed to managing its public records as a countywide
68 resource and in a manner that:

- 69 1. Is efficient and economical;
- 70 2. Promotes open government and an informed citizenry;
- 71 3. Protects individual privacy; and
- 72 4. Meets county record retention and disposition standards.

73 B. A public records committee is hereby established. The public records
74 committee shall:

75 1. ~~((a))~~ Advise the council and the executive on county public records policies,
76 including both paper and electronic records((-)); ((F)) these policies must include policies
77 for posting records on county web sites((-));

78 2. ~~((The public records committee shall also p))~~ Provide guidance on the
79 planning and implementation of a countywide records storage management plan and a
80 countywide electronic records management system;

81 3. Advise county agencies on their use of digital communication technology and
82 serve as a forum for sharing and discussing information about the county's use of such
83 technology; and

84 4. Submit a report containing the following information by March 1 of each
85 year in the form of a paper original and an electronic copy to the clerk of the council,
86 who shall retain the original and provide an electronic copy of the report to all
87 councilmembers, the council chief of staff, and the lead staff for the council's

88 government accountability, oversight, and financial planning committee or its successor.

89 The report shall include:

90 a. a description of the forms of digital communication that are in use by each
91 county agency;

92 b. for each form of digital communication that is in use by an agency, a
93 description of the methods used by the agency to retain records of digital communication
94 to meet applicable record retention requirements; and

95 c. for each form of digital communication that is in use by an agency, a
96 description of the methods used by the agency to search records of digital communication
97 to meet applicable public record disclosure requirements.

98 C. The ~~((manager))~~ director of the records and licensing services division or the
99 director's designee shall be the chair of the public records committee. The public records
100 committee shall ~~((involve a broad membership))~~ include representatives of a broad range
101 of county departments and elected agencies, including at a minimum the following:

102 1. The council;

103 2. The prosecuting attorney's office;

104 3. The sheriff's office;

105 4. The assessor's office;

106 5. The department of elections;

107 6. Office of performance, strategy and budget;

108 7. The ~~((department of))~~ executive ~~((services's))~~ branch's senior public
109 ~~((disclosure))~~ records officer;

110 8. The department of information technology's (~~chief information security and~~
111 ~~privacy officer~~) director of web-based services technology; and

112 9. Each executive department.

113 SECTION 3. Each county agency shall develop and submit a policy governing
114 the agency's use of digital communication technology no later than March 1, 2013, in the
115 form of a paper original and an electronic copy to the clerk of the council, who shall
116 retain the original and provide an electronic copy of the policy to all councilmembers, the
117 council chief of staff, and the lead staff for the council's government accountability,
118 oversight, and financial planning committee or its successor. Agencies may use as a
119 model the executive's social media policy, including any attached guidelines, except that
120 each agency's policy should cover all forms of digital communication that the agency is

121

122 using and each agency's policy should be adapted to the structure and operations of the
123 agency. Each agency shall thereafter maintain its policy and shall notify the council by
124 letter if the policy is materially amended.
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Ordinance 17382 was introduced on 7/9/2012 and passed by the Metropolitan King
County Council on 7/23/2012, by the following vote:

Yes: 8 - Mr. von Reichbauer, Mr. Gossett, Ms. Hague, Ms. Patterson,
Ms. Lambert, Mr. Ferguson, Mr. Dunn and Mr. McDermott
No: 0
Excused: 1 - Mr. Phillips

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Larry Gossett, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 3 day of Aug., 2012.



Dow Constantine, County Executive

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KING COUNTY COUNCIL

Attachments: None