



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

October 9, 2006

Ordinance 15608

Proposed No. 2006-0441.1

Sponsors Dunn and Gossett

1 AN ORDINANCE relating to the management of public
2 records; amending Ordinance 12550, Section 1, and K.C.C.
3 2.14.010 and Ordinance 12550, Section 2, and K.C.C.
4 2.14.020 and adding a new section to K.C.C chapter 2.14.

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6

7 **STATEMENT OF FACTS:**

- 8 1. Identity theft is a public concern prompting records agencies to seek
9 methods for protecting personal identifying data on public records.
- 10 2. According to the Federal Trade Commission, five thousand eight
11 hundred ten victims of identity theft were reported in Washington in 2005.
- 12 3. Public records may contain personal identifying data such as social
13 security numbers, driver's license, dates of birth, bank account information
14 and credit cards.
- 15 4. The King County recorder's office is established to perform the
16 function of county recorder in accordance with chapter 36.22 RCW, and is
17 charged with the responsibility of recording instruments in county records.

- 18 5. Since 2001, the King County recorder's office has posted selected types
19 of documents, including deeds of trust, on its web site.
- 20 6. In 2005, the state of Washington passed Chapter 134, Laws of 2005
21 establishing that documents presented to the King County recorder's office
22 may not include social security numbers, date of birth or maiden name.
- 23 7. As noted in a Seattle Post-Intelligencer article on June 27, 2006, Social
24 Security numbers can be found on some records posted on the King
25 County recorder's office web site.
- 26 8. There is a need to remove deed of trust documents from the King County
27 recorder's office web site until a plan is submitted to and approved by the county
28 council by motion that ensures that deed of trust documents with personal
29 identifying data will not be displayed on the county recorder's web site.
- 30 9. King County is responsible for the management of a multitude of
31 different types of records as defined in K.C.C. 2.12.005.A. and
32 2.12.050.B. in accordance with state and county law.
- 33 10. As noted in the 2006 Strategic Technology Plan, King County has
34 varying management systems and practices related to records management
35 across county government. The lack of a centralized system is resulting in
36 inefficiencies related to the management and long term accessibility of
37 these records.
- 38 11. In 2004, the King County auditor found in its "City-County Records
39 Storage Operations Partnering Opportunities" report that the King County
40 records storage capacity for paper records is ninety-nine percent full and

41 recommended developing a long-range plan to assess the county's future
42 records storage requirements and available resources.

43 12. In 1996, the metropolitan King County council adopted Ordinance
44 12550 establishing a task force in code to assist the county in managing its
45 electronic information as a countywide resource and in a manner that: is
46 efficient and economical; promotes open government and an informed
47 citizenry; protects individual privacy; and meets county record retention
48 and disposition standards. This task force has not been in operation for
49 some time.

50 13. The 2006 Technology Business Plan identified the need to develop an
51 electronic records management system in the records, elections and
52 licensing services division to manage the increasing quantity of
53 electronically generated documents created on personal computers across
54 all agencies of King County. These documents are generated by all
55 agencies in administering their departments and include e-mail, Microsoft
56 Word documents, Microsoft Excel documents and similar documents.

57 The electronic records management system will also include the county
58 records center inventory database for the management of paper records in
59 inactive storage and a digital imaging program for King County archives.

60 14. The 2006 budget appropriated funds to develop a countywide
61 electronic records document management system.

62 15. As the countywide electronic records management system is
63 implemented, more records may be available in electronic format on King

64 County web sites. To the extent that those records are available on county
65 web sites, the ease of access to the records and thus the risk of misuse can
66 increase.

67 16. In January 2006, the chief information officer created an electronic
68 records and electronic document subcommittee of the business
69 management council. The subcommittee, which is not created by
70 ordinance, serves in an advisory capacity to the electronic records
71 management system project. In addition, the subcommittee will review a
72 consultant's document management systems assessment report requested
73 by the chief information officer. The consultant's report will assess the
74 demand for document management systems and software.

75 17. King County has not established consistent, countywide guidelines or
76 policies related to all records (paper and electronic) that address issues
77 such as privacy, access, charges and the display of records on county web
78 sites.

79 18. There is a need to create a public records committee to ensure the
80 development of consistent paper and electronic records policies for county
81 agencies.

82 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

83 SECTION 1. Ordinance 12550, Section 1; and K.C.C. 2.14.010 are each hereby
84 amended to read as follows.

85 For the purpose of this chapter, the ~~((following))~~ terms ~~((shall))~~ in this section
86 have the following meanings ~~((set forth below))~~:

87 A. "County agency" means any office, division or department of the county
88 assessor, the office of the prosecuting attorney((;)) or the executive, legislative or judicial
89 branches.

90 B. "Personal data" means any information concerning a citizen ((which)) that,
91 because of name, identifying number, mark((;)) or description, can be readily associated
92 with a particular individual, including information contained in printouts, forms, written
93 analyses or evaluations.

94 C. "Personal identifying data" means social security number, date of birth or
95 mother's maiden name.

96 SECTION 2. Ordinance 12550, Section 2, and K.C.C. 2.14.020 are each hereby
97 amended as follows:

98 A. King County is committed to managing its ((electronic information)) public
99 records as a county-wide resource and in a manner that is efficient and economical;
100 promotes open government and an informed citizenry; protects individual privacy; and
101 meets county record retention and disposition standards.

102 ~~(A. The executive shall establish a standing task force to develop information~~
103 ~~system planning, operating and acquisition guidelines and criteria to assist county~~
104 ~~agencies in meeting this commitment. The task force shall also develop strategies to~~
105 ~~preserve records of historical or legal value and establish content related indexing~~
106 ~~standards for electronic access to pre and post charter legislation. The task force shall~~
107 ~~develop these guidelines, criteria and strategies in accordance with the county's~~
108 ~~commitment to protecting privacy as outlined in K.C.C. 2.14.030 and with consideration~~
109 ~~of the following:~~

110 1. ~~Establishing appropriate and fiscally responsible levels of public access that~~
111 ~~are reflective of agency missions;~~

112 2. ~~Balancing broad and equitable public access with the protection of personal~~
113 ~~privacy and information security;~~

114 3. ~~Maximizing efficiency by utilizing existing systems and promoting~~
115 ~~information exchange and system compatibility;~~

116 4. ~~Avoiding duplication of information;~~

117 5. ~~Creating a means to recover records vital to the continuance of government in~~
118 ~~the event of a disaster.~~

119 ~~The task force shall present for county council review its guidelines, criteria and~~
120 ~~strategies by June 30, 1997. The task force shall also provide assistance to Information~~

121 ~~Resource Council's Technology Sub-Committee as needed.)) B. A public records~~

122 committee is hereby established. The public records committee shall advise the council
123 and the executive on county public records policies, including both paper and electronic

124 records. These policies must include policies for posting records on county web sites.

125 The public records committee shall also provide guidance on the planning and

126 implementation of a countywide records storage management plan and a countywide

127 electronic records management system.

128 ~~((B.))~~ C. The ((executive shall advise the county council of the individual

129 designated as the lead for the task force within thirty days of the designation)) manager of

130 the records, elections and licensing services division shall be the chair of the public

131 records committee. The ((task force)) public records committee shall involve a broad

132 membership of county (~~((agencies))~~) departments and elected agencies, including at a
133 minimum the following:

- 134 1. (~~((County))~~) The council;
 - 135 2. (~~((Office of t))~~)The prosecuting attorney's office;
 - 136 3. (~~((Department of public safety))~~) The sheriff's office;
 - 137 4. ~~Department of judicial administration~~ The assessor's office;
 - 138 5. (~~((Office of financial management))~~)The office of management and budget;
 - 139 6. (~~((Office of emergency management))~~)The office of information resource
140 management;
 - 141 7. (~~((Division of information and telecommunications services))~~) The department
142 of executive service's public disclosure officer; ((and))
 - 143 8. (~~((Division of records and elections))~~) The department of executive service's
144 chief of information security and privacy officer and;
 - 145 9. The department of executive services and other departments.
- 146 (~~((The department of information and administrative services shall provide staff~~
147 ~~support to the task force and will coordinate and assist agencies in information resource~~
148 ~~management.))~~)

149 C. The executive shall submit to the council for approval by motion by March 1,
150 2007, a document detailing the vision, guiding principles, goals, and governance and
151 management structure of the public records committee.

152 SECTION 3. The manager of the records, elections and licensing services
153 division shall remove all deed of trust documents from the county recorder's web site
154 until a plan is submitted by the executive and approved by the council by motion that

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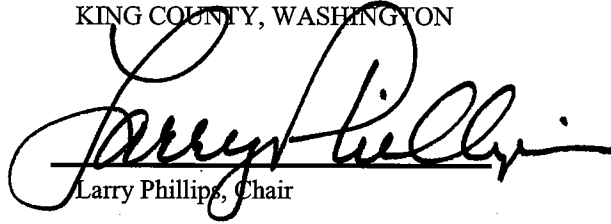
155 ensures that deed of trust documents with personal identifying data will not be displayed
156 on the county recorder's web site.

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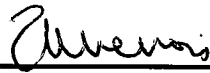
Ordinance 15608 was introduced on 9/25/2006 and passed by the Metropolitan King County Council on 10/9/2006, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Ms. Lambert, Mr. Dunn, Mr. Ferguson, Mr. Gossett, Ms. Hague, Mr. Constantine and Ms. Patterson
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 20 day of OCTOBER, 2006.



Ron Sims, County Executive

Attachments None

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CLERK
KING COUNTY COUNCIL