

## 12.16. Notes

Link to Meeting Recording: [City of Seattle-20211216 2012-1](#)

The meeting agenda is as follows:

- Introductions (10 mins)
- Charter Review (5 mins)
- Baseline Review (5 mins)
- Recommendations/Insights/Ideas/Thoughts (70 mins)
- Next Steps

This meeting will be a recorded and open to the public, though we are not inviting public comment. A link will be available to you all after the meeting. This meeting will be using Webex, which works better for us for public meetings, but may be (yet another!) new online meeting tool for you. You should have all received an email invitation but please let us know if you have not. You can also access the meeting here: <https://seattle.webex.com/seattle/j.php?MTID=m204a822edc7deb6520d1952fb16cdbc8>

Attendees:

- Norman Dizon, City of Seattle
- Julie Kipp, City of Seattle
- Ginger Armbruster, City of Seattle
- Eleonor Bounds, City of Seattle
- Bill Downing, Judge (Ret.)
- Jonathan Martin, Seattle Times
- Poppy MacDonald, USA Facts
- Morgan Damerow, Washington State Attorney General Office
- Michele Earl Hubbard, Attorney
- Rowland Thompson, Allied Daily Newspapers
- Eric Stahl, Attorney
- Keith Shipman, Washington State Association of Broadcasters
- Ramsey Ramerman, City of Everett

Notes:

- Introductions (10 mins)
- Charter Review (5 mins)
- Baseline Review (5 mins)
- Recommendations/Insights/Ideas/Thoughts (60 mins)
  - Jonathan: how we can do better (and how we can improve) got insight from reporters working on requests.
    - Estimates for installments/deliveries are extremely long. Multiple months and then a new date. Reasonable time limits. Some have been v. problematic (i.e., SPD) can even be up to a year.
    - Extending initial deadlines- were told recently months after a delivery date that it's too much under the staffing load.

- Grouping policy- is troublesome. It feels like it punishes frequent requesters/reporters who are on a beat to prioritize own requests
  - Recently asked for all comms on a topic. This seems to be interpreted as just emails. Standardizing methods of comms. Heard that in the city of Seattle some ppl were using Signal/internal modes of communication. But we want all of it – text/teams/etc.
  - Seen that political staff might be reviewing records responses, find it concerning and not appropriate
  - Broad application of AC privilege. Have asked for things that are even publicly posted so would like that to be applied appropriately
  - Follow the federal govt model with two tracks as that could encourage more targeted records:
    - Simple track: for targeted, specific records
    - Complex track: for broader requests
  - Question: related to staffing. What internally does this mean. Does staffing reflect the volume. Do you have internal targets regarding response times?
    - Clarity around this requested: if your goal is to have 50% of records requests completed within a month. Is there a process by which you assign resources to hit this target?
    - Is this where a centralized office would come into play
  - Mainly the length of time this is taking.
- Keith: echoing what Jonathan said. It's important to act on good faith. The media serves as a check and balance system. Media is not the enemy and it is incumbent upon govt. officials to behave transparently to the tax payers they are here to serve.
  - Freedom of information act request shouldn't take 6 months to turn around and raises suspicion
  - Hoping we can clean this up a little bit.
  - Glad you're taking the time to go through this exercise. It's the first step.
- Ramsey: challenges for agencies in receiving some media requests but also many large non-media requests so we need best practices to address all requesters
  - Grouping policy- if we want to make a difference, we have to look at any abuse of the system that exists. And we can't take identity of requestor into account.
  - Rowland mentioned records creation- we can really work on how to code records and figure out how to identify records that don't need additional review. A lot of fed agencies can do that we need a tech approach with this.
- Michele:
  - Originally suggested that consolidation impacted the records because it gets broken up. It also means siloing
  - I think the way I would look at it is as end use. The records created by City of Seattle should be assumed to end up on the front page of the Seattle Times.
  - Assume everything is a public record. Think of it so you don't have to go to a user to ask for these records.
  - Approach it as any investigation. Remove human error as much as possible.
    - With email – central server with the ability to centrally search terms. The issue I've seen is that depts and individuals develop code words.

- Automatic retention (i.e., you shall not use your personal cell or email for agency business and if you do, you need to move it over to central servers
      - Can't allow for manual retention
      - Look at Kirkland - policies are already in existence that the City should use to capture these records.
    - When we talk about things like apps and cell phones, we need a central approach and things like the mayors texts should never have been able to be altered.
    - Kind of looking at the Fed govt does, if one person asks for something assume someone else will ask for the same thing.
    - All of these things should be saved somewhere and searchable. One thing I've seen Citys do: have a central place where all of these records are kept, and people can search these themselves in order to limit the need for human intervention.
  - Rowland:
    - Managing an intake. In the long term for data management and retrieval it would be good to have ppl flag their content.
    - Would echo that ppl creating the records shouldn't weigh in on whether the record is released.
  - Judge Downing
    - Shared mission of transparency.
    - PDC in Olympia as an example. People take pride in their work.
    - Centralization and training sounds like a good idea.
  - Eric:
    - the City has earned some level of distrust and has almost invited scrutiny.
    - Agree with the above
    - Doesn't matter whether requester unreasonable
    - Requests escalate with public distrust, and it invites more scrutiny
    - Recommendation: public records training needs to be more robust (general awareness not just for PDOs) and should be geared toward incoming elected
    - Incoming administrations need to be appropriate about comms
    - Centralize the administrative part of the public records function if done correctly. All funnels thru central office.
      - At the outset it should have baked into it an external review (civilian)
      - Need to preserve institutional knowledge
    - The City needs to do something with criteria around 3<sup>rd</sup> party notice and when ppl can weigh in and object to requests.
  - Poppy:
    - Our goal is similar – want to make data accessible to the public.
    - How do we centralize. Having one point of contact – it's the people's data as it's public funded.

- Would love to see City of Seattle more accessible to people. How do we make it easier for PDOs to even access the data.
  - Morgan:
    - Whatever you put in writing is public information.
    - Who tags the records as being protected or privileged. There is an inherent tension in there.
    - Biggest concern I see: the time delay. How has this changed over time? Staffing models?
    - Easy to get the 5-day acknowledgment done but the work is on the searching and review- What does it take to review all the records?
    - Which tech are you using to make this as expeditious as possible – but paralegals still have to review
    - What is the most effective way to get the data out there.
  - Question for Media Folx:
    - Comment around it would be great to put out open data. What does this mean?
      - i.e., vax. If we are being more proactive in saying here are the numbers and then media looks for the stories.
      - Public records can be reactive. i.e., an event has happened. Should we be focusing on certain types of things?
        - Jonathan: there are different types of requests. You will see the frequent requests (payroll info for example) other agencies do that (dept of health)
        - Central database of records – think about which large requests you get.
        - Looking at what comes through the portal.
  - Rowland: Think about the psychology of the building dept. They treat everything as though it's disclosable.
  - Ramsey: the thing that slows down requests are emails. The building dept doesn't have the same issue (i.e., doesn't have the same comms). If we can start coding records at creation (level of sensitivity) but as that stands the creator of the record will be the one to identify level of confidentiality.
  - Jonathan: Eric's point about third party notice is extremely important. Singlehandedly means extremely high amount of money in attorney fees and this is something being raised next year with the legislature.
- Next Steps
  - Meeting Cadence: SRT (Monthly 8 / Quarterly 4) (TAG: Matt / Aimee / Evan)
  - Deliverables for end of the year
  - Might put a questionnaire out to the group and see if this makes sense to the group.
    - Input – put meeting in Jan (mid)
    - Aim to share notes out within a week

