

Date: January 28, 2016

Present: Eric Finch, Chief Financial and IT Officer
Martha Norberg, Seabold Group

Location: City Hall HR office

The purpose of the interview was to make introductions and to discuss the PRR process, and the plan for the City's response to Seabold's information requests.

Mr. Finch said he had a "huddle" with the folks tapped by Seabold about how they were going to respond to Seabold's document requests. He said IT will coordinate the responses, and everyone will funnel their responsive documents through him. Present at the meeting were Eric Finch, Terri Pfister, Heather Lowe, and Pat Dalton. Theresa Sanders was not present. The meeting lasted 15 minutes.

Mr. Finch presented three concerns regarding the process for responding to Seabold's requests.

1. Mr. Finch said they had discussed handling this like their normal PRRs, but this is different because they anticipated that the Seabold list would expand as the investigation continued. Mr. Finch said that if Seabold is asking for documents from other departments directly, IT won't know about it if they are not in the loop. If Seabold wants IT to coordinate and have one centralized log, he asked that we let him know. He said if IT is not included, any information provided by other departments or individuals won't be included in their log.
2. The group is concerned that how to handle confidential information is not defined for them in regards to the Seabold requests. For example, a Civil Service personnel file contains confidential information such as a medical condition, social security number, etc. In a normal PRR that information would be redacted. If those confidentiality rules won't apply to Seabold, Mr. Finch said there has to be some process put into place to handle that, such as some kind of permission from Legal that allows Seabold to look at otherwise confidential information.

Additionally, Mr. Finch said drafts and transient documents are not subject to PRRs. If those are to be provided to Seabold, Mr. Finch said the City needs an agreement about this.

The concern is that they want to keep documents from becoming public record, which would normally be exempt, if they give them to us. He said they need to get this figured out with Legal.

Mr. Finch said they will separate responsive documents that are confidential and normally not subject to a PRR, such as drafts and others that contain personal exempt information, until there is a process for handling these concerns. They will follow their normal PRR process and they need Seabold to tell them if Seabold needs a full unredacted version. If so, these questions will have to be answered.

In addition to drafts and other confidential information, Mr. Finch said that regarding requests for texts and emails, IT can direct an employee to submit their City phone to IT for a search. But they can't direct an employee to submit their personal phone. The City can ask the employee to review their texts and emails for responsive information. The employee signs a document stating that there was no responsive documentation on their personal phone.

3. From three to five FTEs handle PRRs. The challenge might be how to get the information to Seabold in a timely manner. The City Clerk's office, Police Department and IT will all be responding. In IT, there are two Enterprise Services Sr. Analysts, and one of those will be handling it for IT.

Mr. Finch said they would put Seabold's list on a spreadsheet. And he said that the quickest way they could respond is to provide the original PRRs and responsive documents, e.g. what was already provided to the PRR requestors. The question is whether Seabold wants to expand the dates, because that is not defined in Seabold's request. He asked that Seabold determine if the dates of the original PRRs are sufficient or whether we need to expand the dates.

In summary, the Clerk will provide Seabold with what was provided in response to the PRRs. He said it would be best if they could give Seabold documents already gathered first, and then identify what additional documents we need, and with the confidentiality issue.

Mr. Finch said the challenge is that this is a different circumstance than their normal PRR process. Normally, the PRR comes in to the City Clerk. If it comes in directly to SPD, the SPD crew handles the response. Mr. Finch added that both the Police and City coordinate the PRR responses through the Clerk.

Mr. Finch continued, saying when the PRR comes in to the Clerk it is logged. The scope is determined by the Clerk, with help from a subject matter expert if necessary. IT technical staff and others are brought in to determine the scope and identify what is responsive. If the request is for emails or documents, IT conducts the searches using Barracuda software. This is a Microsoft software that allows searches across all document folders.

Mr. Finch said IT keeps logs of their search results and the criteria they used in their searches. They record how many "hits" they get on the searches. They print out or digitally capture the responsive documents and send to the Clerk. Legal looks at it too for potential confidentiality issues.

Mr. Finch said Terri Pfister maintains copies of the documents provided in response to a PRR, and those copies are kept for a period of time. He said Ms. Pfister would know. She logs the PRRs and determines scope, and also determines who should be notified. He said the Police Department PRRs are handled by the Police Records Division. They have a legal representative assigned to them that is parallel to the City. They don't necessarily send the PRRs they receive to Ms. Pfister. The Police Records Division also keeps a log.

IT has people who handle the various devices for text and email requests. They log the hits they get in their searches.

Mr. Finch said they can access Outlook calendars. He was not sure how they are stored over time, but thought probably the same as emails. He thought emails were kept five to seven years, but said he would have to look at the Washington state statutes for record retention. He said the only challenge is if there are responsive documents on personal devices.

Mr. Finch did not know how many PRRs are filed annually, but he said it was a high number.

Mr. Finch said if they are asked for emails, they only search for emails. If Seabold wants drafts, texts, other documents, we need to ask specifically for them.

Mr. Finch said Mike Sloan, the IT Director, usually handles this kind of thing. He is manager of the Enterprise Services Team. Mr. Finch said if we deal directly with Mr. Sloan in this process, we should copy Mr. Finch. He added that Legal will probably look at everything they send us, as that is their normal process. He said they would follow the normal process until they get some kind of agreement about the confidentiality piece.