

ORDINANCE NO. _____

An ORDINANCE amending Thurston County Code, section 2.130.030, providing for charges for body worn camera recordings and other charges for records set by law.

WHEREAS, the Thurston County Sheriff's Office is implementing a program in which deputies will be equipped with body worn camera recording devices; and

WHEREAS, RCW 42.56.240(14)(f) provides that an agency may require requesters not identified in RCW 42.56.240(14)(e) to pay costs of any redacting, altering, distorting, pixelating, suppressing, or otherwise obscuring any portion of a body worn camera recording; and

WHEREAS, pursuant to RCW 42.56.240(14)(f)(ii) an agency that charges redaction costs must use redaction technology that provides the least costly commercially available method of redacting body worn camera recordings, to the extent possible and reasonable; and

WHEREAS, the Board held a duly noticed public hearing on August 2, 2022 at 3:00 p.m.

NOW, THEREFORE, the Thurston County Board of County Commissioners hereby ordains as follows:

Section 1. Thurston County Code, section 2.130.030 is hereby amended to read as follows:

2.130.030 Public records index and costs for providing copies of public records.

- A. The board of county commissioners finds that it would be unduly burdensome and costly to Thurston County taxpayers, and would interfere with effective and timely county office operations, to develop an index of all current records as specified in RCW 42.56.070(3). County office operations are complex, diverse, and changeful, and the board and its departments and divisions receive and produce volumes of correspondence, reports, surveys, studies, and other records. The board and its departments and divisions will make available for public inspection and copying all indexes prepared pursuant to other authority. Many county offices and departments do actually maintain some type of an index, which generally changes frequently as documents are created or disposed of. Upon request, a copy of the index can be printed.
- B.
 1. The board of county commissioners finds that calculating the actual costs for providing public records would be unduly burdensome. The county is composed of numerous offices and departments which maintain separate data storage and record-keeping systems and copying equipment. The complexity of county operations and changing circumstances make calculating countywide costs for public records unduly burdensome.
 2. The charges for public records set forth in RCW 42.56.120(2), as may be amended, are adopted as the fees and costs charged for providing public records requested under the Public Records Act, ch. 42.56 RCW. The charges for body worn camera recordings

shall be the actual costs authorized in RCW 42.56.240(14), as may be amended. These charges for public records shall be published on the county's web site.

- 3. Each county office and department retains discretion to waive any charge for providing public records.
- 4. Where state or federal law other than the Washington Public Records Act, chapter 42.56 RCW, sets a different fee for searching records, research, or providing a copy of a record, the provisions of that other law shall govern.

Section 2. Severability. If any provision of this ordinance is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, illegal or unenforceable by any court or agency of competent jurisdiction, the remainder of the ordinance and its applicability to other persons and circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall take effect immediately upon adoption.

ADOPTED this _____ day of _____, 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
Thurston County, Washington

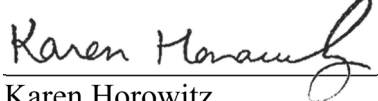
Jamie Caldwell
Clerk of the Board

Chair

APPROVED AS TO FORM:

Vice Chair

JON TUNHEIM
PROSECUTING ATTORNEY

By: 
Karen Horowitz
Deputy Prosecuting Attorney

Commissioner

CODIFY