

**AS-13246**

**Timed Items 10.**

**BOCC Agenda**

**Meeting Date:** 12/19/2023

Adopting a Resolution Establishing Body Worn Camera Redaction Fees for Cowlitz County

**Submitted For:** Bailey Silva

**Submitted By:** Bailey Silva

**Department:** Commissioners Office

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**Information**

**Subject and Summary Statement**

Adoption of a Resolution Establishing Body Worn Camera Redaction Fees for Cowlitz County

**Will Staff Attend - NAME OF STAFF**

Yes - Bailey Silva (Commissioners Office) and Julie Harris (Cowlitz County Sheriff's Office)

**Department Recommendation**

For the Board of Commissioners to Adopt the Resolution Establishing Body Worn Camera Redaction Fees for Cowlitz County

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**Attachments**

Resolution Establishing Body Worn Camera Redaction Fees

Cowlitz County BWC Cost Study

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**Form Review**

Form Started By: Bailey Silva

Started On: 12/13/2023 07:49 AM

Final Approval Date: 12/13/2023

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF COWLITZ COUNTY, WASHINGTON**

In the Matter of Adopting a Resolution  
Establishing Body Worn Camera  
Redaction Fees for Cowlitz County

RESOLUTION NO. 23-091

**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 records; 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 records to the extend possible and reasonable; and

**WHEREAS**, the Board held a noticed public hearing on December 18<sup>th</sup>, 2023 at 9:45 a.m.

**NOW, THEREFORE, BE IT RESOLVED** the Cowlitz County Board of County Commissioner adopts the attached Resolution Establishing Body Worn Camera Redaction Fees for Cowlitz County effective the 18<sup>th</sup> of December, 2023.

DATED this 19 day of December 2023

BOARD OF COUNTY COMMISSIONERS  
OF COWLITZ COUNTY, WASHINGTON

DocuSigned by:

*Richard Dahl*

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Richard R. Dahl, Chairman

DocuSigned by:



DocuSigned by:

*Kelly Dombrowsky*

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Kelly Dombrowsky, Clerk of the Board

DocuSigned by:

*Arne Mortensen*

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Arne Mortensen, Commissioner

DocuSigned by:

*Dennis P. Weber*

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Dennis P. Weber, Commissioner



# Cowlitz County Body Worn Camera Records Redaction Cost Study Narrative

December 2023

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## 1.1 Background

The Cowlitz County Sheriff's Office is implementing a Body Worn Video (BWV) program. The cameras will capture recordings that are public records subject to the Washington Public Records Act, Chapter 42.56 RCW ("PRA"). The PRA allows a law enforcement agency to charge certain requestors the reasonable costs of redacting BWV videos prior to disclosure RCW 42.56.240(14)(f)(i). Allowable redaction costs are in addition to copying costs that agencies are legally allowed to charge requestors RCW 42.56.120(2). The purpose of this cost study is to determine those reasonable costs, including determining reasonable estimated redaction charges to provide to requestors.

## 1.2 Introduction

With the exception of the following requestors, the PRA allows an agency to charge a requestor the reasonable costs of redacting, altering, distorting, pixelating, suppressing, or otherwise obscuring any portion of the body worn camera recording prior to disclosure RCW 42.56.240(14)(e)(i):

- A person directly involved in an incident recorded by the requested body worn camera recording;
- An attorney representing a person directly involved in an incident recorded by the requested body worn camera recording;
- A person or his or her attorney who requests a body worn camera recording relevant to a criminal case involving that person;
- The executive director from either the Washington state commission on African-American affairs, Asian Pacific American affairs, or Hispanic affairs; or
- If relevant to a cause of action, an attorney who represents a person regarding a potential or existing civil cause of action involving the denial of civil rights under the federal or state Constitution, or a violation of a United States department of justice settlement.

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 RCW 42.56.240(14)(f)(ii)

## 1.3 Principles

- We charge for redactions based on the parameters provided in the PRA
- We charge staff time directly applicable to redacting videos
- We charge staff time (salary and medical benefits) for no more than the lowest-paid employee assigned responsibility for redacting video
- We have trained staff who apply their expertise to redact video in an efficient and skillful manner
- We use redaction technology that most effectively and efficiently meets the administrative and operational needs of the county

- We do not charge requestors any costs related to the redaction technology
- Cowlitz County incurs substantial costs for video management, processing, storage, and redaction technology
- In addition to allowed redaction costs, we charge requestors the cost of copies of BWV recordings as provided in the PRA

## 1.4 Redaction Process

The cost of redacting video using current technology reflects actual staff time necessary to apply redactions.

## 1.5 Time Studies to Determine Estimated Redaction Charges

Stopwatch style time studies were conducted to determine the amount of time it takes to redact BWV recordings. These studies determined that per each minute of video being redacted, roughly 10 minutes of staff time are needed to make those redactions.

## 1.6 Public Records Staff Salary

Cowlitz County has determined that it will charge requesters a redaction cost based on the salary and average employee medical benefits<sup>1</sup> of a step 1 Records Specialist.<sup>2</sup> This charge is intended to compensate for staff time, including salary and medical benefits, directly applicable to redacting body worn camera videos. The redaction cost does not include additional overhead costs. The PRA allows agencies to charge the actual cost of redacting BWV recordings including the cost of redaction technology provided it is the least costly commercially available method. The employee's salary amount does not include the cost of redaction technology and the county does not intend to charge requestors technology costs at this time. This rate is below the actual cost incurred by Cowlitz County for redacting video.

## 1.7 Estimating Redaction Costs

Based on the results of the cost study, Cowlitz County public records staff will calculate estimated redaction costs as follows:

(Estimated minutes of raw footage needing redactions) x (10 minutes of staff time to make redactions per minute of raw footage) x (per minute redaction cost) = \$ Estimated Redaction Cost

Cowlitz County will require payment of a deposit of 10% of the estimated redaction cost prior to making BWV recording redactions.

An example calculation is below:

15 minutes of raw footage needing redaction x 10 minutes of staff time per 1 minute of raw footage x \$0.55 per minute = \$82.50. The 10% deposit would be \$8.25.

## 1.8 Cowlitz County Will Charge Redaction Costs Based on Actual Redaction Time

Cowlitz County will charge requesters redaction costs reflecting the actual time it takes to redact a particular video at the rate of \$0.55 per minute.

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<sup>1</sup> As of July 1, 2023, the average employer cost for medical benefits for a Records Specialist Position is \$1,650.

<sup>2</sup> As of July 1, 2023, the redaction cost would be \$0.55 per minute based on a step 1 Records Specialist salary of \$3,654 per month and \$1,650 average medical benefit. The redaction cost will be updated as the salary and average employer cost for medical benefits for this position are updated.