

# CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

## Study Session Worksheet

**Presentation Date:** 07/07/2015    **Approx Start Time:** 10:30 AM    **Approx Length:** 1:00 hr

**Presentation Title:** Adoption of three (3) Technology Services' Policies

**Department:** Technology Services

**Presenters:** Dave Cummings, Technology Services CIO  
Dave Devore, Technology Services CTO

**Other Invitees:** Stephen Madkour, County Counsel

### WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Technology Services respectfully requests the Board of County Commissioners to review, consider and approve three Technology Services proposed polices defining the management of Electronic Data Search Requests, Account Terminations and the utilization of the County Exchange System.

### EXECUTIVE SUMMARY:

Technology Services is tasked with the design, implementation, maintenance, regulation and overall direction of technology within the County to meet the business needs of the County departments, management and citizens. Part of this role is to ensure policies are in place to regulate the efficient and appropriate utilization of the technology including adherence to any applicable governance or regulations. As part of this process, Technology Services is consolidating the various technology related policies into a single policy manual. These three policies are part of that developing manual.

These three policies document the processes, utilization and governance related to three key technology services:

- Electronic Data Search Policy (Attachment A)  
This documents how electronic data searches are requested, approved and performed for such requests as Public Records, personnel issues and legal discovery. This policy was previously known as the E-Discovery Policy and was originally approved by the Board on October 25<sup>th</sup> 2012. This is an updated version.
- Account Termination Policy (Attachment B)  
This governs how accounts now longer required by the County are processed including the notification process, review of files, timeline for processing and securing of data for legal holds.
- Exchange Policy (Attachment C)  
This documents the purging schedules and retention folders utilization in the County Exchange (Email) system.
- Appendixes Definitions and Acronyms (Attachments D and E)  
While not part of the polices being proposed in this request; these two appendixes are part of the overall Technology Services Manual and referenced in the three policies. They are provided for reference.

With the approval of these policies, Technology Services will be able to better manage and deliver these services in an efficient and regulated manner. This will also document the approved processes for utilization of these services in accordance with required governance. As technology evolves and the required governance and policies adapt, these policies as part of an

overall Technology Services Manual will set the foundation for policy management to help govern the appropriate and efficient use of technical services within the County. It is the goal of Technology Services to have these policies in place for the upcoming migration of the County Exchange system to Exchange 2013 planned for in the August to September 2015 timeframe.

**FINANCIAL IMPLICATIONS (current year and ongoing):**

Not Applicable. There are no direct costs associated with the implementation of these policies.

**LEGAL/POLICY REQUIREMENTS:**

A significant objective of these three policies is to keep the County in compliance with various legal requirements. County Counsel has been a key partner with Technology Services in the development of these policies to ensure they cover the required legal / governance issues relative to the technical issues being covered in each policy:

- Electronic Data Search Policy
  - o Ensures Public Records requests are appropriately processed
  - o Ensures process is defined to meet legal hold obligations
  - o Ensures searchable electronic data is maintained within retention regulations
  - o Search results are processed appropriately
- Account Termination Policy
  - o Process defined for handling of data / files within retention regulations
  - o Ensures process is defined to meet legal hold obligations
- Exchange Policy
  - o Process defined for email to be maintained within retention regulations
  - o Purging rules defined within retention regulations

**PUBLIC/GOVERNMENTAL PARTICIPATION:**

These three proposed policies are for internal County use only and therefore will not require participation from Public and Governmental Affairs.

**OPTIONS:**

The BCC has the following three policies with options:

Policy 1: Electronic Data Search Policy  
Option A: approve as recommended  
Option B: revise per BCC direction  
Option C: reject proposed policy

Policy 2: Account Termination Policy  
Option A: approve as recommended  
Option B: revise per BCC direction  
Option C: reject proposed policy

Policy 3: Exchange Policy  
Option A: approve as recommended  
Option B: revise per BCC direction  
Option C: reject proposed policy

**RECOMMENDATION:**

Staff respectfully requests the BCC select the following:

Policy 1: Electronic Data Search Policy	Option A
Policy 2: Account Termination Policy	Option A
Policy 3: Exchange Policy	Option A

**ATTACHMENTS:**

Attachment A: Proposed Electronic Data Search Policy

Attachment B: Proposed Account Termination Policy


Attachment C: Proposed Exchange Policy

Attachment D: Technology Services Policy Manual – Appendix – Definitions

Attachment E: Technology Services Policy Manual – Appendix – Acronyms

**SUBMITTED BY:**

Division Director/Head Approval \_\_\_\_\_

Department Director/Head Approval  \_\_\_\_\_

County Administrator Approval \_\_\_\_\_

For information on this issue or copies of attachments, please contact Dave DeVore @ 503-723-4996  
daviddev@clackams.us





## Technology Services

# Electronic Data Search Request

POLICY: **EDS**  
DATE: **07-01-2015**  
REVISION: **4.0 DD**  
REVIEW: **ANNUAL**  
**3.0 Approved by BCC: 10-25-12**  
**Board Agenda #: D.1.**

## 1. PURPOSE

Clackamas County maintains a large amount of electronic information in many forms and formats. Much of this data is confidential or sensitive and must meet strict regulatory policies as to storage, handling and distribution. This policy addresses requests, both internal and external, for access to or copies of data for purposes other than the intended application by entities outside the Managing Agency. Such requests must be reviewed, processed and completed in such a manner as to ensure data security and appropriate use. This often requires the coordination of multiple County departments. The purpose of this policy is to outline the process for submission and approval of such requests so that the data security is maintained and County liability limited.

## 2. SCOPE

This policy applies to any request for County owned / managed data for the purposes of discovery, searches or review outside the intended utilization of the data or by the Managing Agency. This includes data that is owned by external agencies but stored on County systems or under County stewardship. These requests include any form of electronic data such as, but not limited to: Electronic files, databases, video, Email, Voice Mail, Instant messaging or texting, audio, images, logs etc. This does not apply to paper copies or microfiche— only electronic data. Examples of Electronic Data Search requests covered by this policy include, but are not limited to:

- Email
- Internet Logs
- CCTV Video
- Location Logs
- Security Access Logs
- Network Access Logs
- File System Contents (H, S, C etc)
- Instant Messaging Logs
- Phone Logs

Such use is covered under the Data Utilization Policy. This policy also does not apply to data that is administered by a Managing Agency as part of the normal business operations of the agency or any requests for such data that is normally available without filing a electronic Data Search request.

This policy also does not necessarily apply to other logs not managed by TS (such as Access Control Logs, Vehicle Utilization etc). Such logs / reports are the responsibility of the department managing the source systems. These departments may or may not follow the same policy procedures set forth in this policy. Contact the appropriate department for more information.

## 3. AUTHORITY

This policy applies under the authority of:

- Adoption by the Clackamas County Board of Commissioners.
- The County Administrator

- The County Counsel
- The Clackamas County Chief Information Officer (CIO)

## 4. DEFINITIONS

For use in this policy, terminology is defined in the TS Policy Manual – Appendix for Definitions and Acronyms.

## 5. PUBLIC RECORDS REQUESTS

The following process is to be followed for Public Records Request:

- Normal requests are filed with Records Management as outlined by the instructions defined at <http://www.clackamas.us/rm/request.jsp>. Some requests may also be filed directly with County Counsel, especially those involved in a potential legal action.
- Records Management and/or County Counsel processes the request and reviews it with the required County agencies such as DES and Managing Agencies to determine if appropriate and costs.
- Records Management and/or County Counsel coordinates with TS as required to process the request and produce responsive results. All processing requests need to be made to the Approved Technology Services Management who will coordinate the request.
- TS may coordinate with other required departments as needed to complete the request.
- All results are first sent to County Counsel for review to ensure no inappropriate data are included in the results.
- After review, Records Management and County Counsel coordinates releasing the resulting search results to the requesting source as well as any associated fees for the request. TS will only release the results of the public records request to Records Management or County Counsel unless specifically instructed otherwise by County Counsel.

## 6. INTERNAL ELECTRONIC DATA SEARCHES

The following process is to be followed for Internal Electronic Data Search Request:

- For all requests:
  - Requests are filed with County Counsel or assigned designate.
  - County Counsel reviews the request and determines if appropriate.
  - If the request is potentially related to a personnel action, County Counsel will coordinate the request and resulting search results with DES.
  - County Counsel coordinates with the requesting agency and TS to process the request and produce search results. County Counsel will process the requests through the Approved Technology Services Management who will coordinate the request within TS.
  - Search results are sent to County Counsel for review and distribution.
  - Depending on the request / data specifics, County Counsel coordinates with the requesting agency as required to review the search results, remove inappropriate data, and determines eligible data for release.
- TS may coordinate with other required departments as needed to complete the request.
- Unless otherwise instructed by County Counsel, all request are considered confidential and handled as such with all appropriate regulations regarding handling of the data enforced (such as protecting personally identifiable information).

## 7. SPECIAL REQUESTS

There are special conditions and situations for requesting and distribution of electronically stored information. Such situations can include, but not restricted to:

- Warrants or subpoenas issued in conjunction with criminal investigations by the District Attorney or other Law enforcement agency;
- Civil subpoenas;
- Various investigations as required by County Counsel;
- Legal holds due to court mandates or potential litigation;
- Requirements to also confiscate and secure physical storage of Electronic data (such as hard drives, physical copies of storage onto devices, PCs etc)

While flexible to respond to the situation, all Special Requests must follow the process:

- All processing requests need to be made to the Approved Technology Services Management who will coordinate the request.
- All requests must be in written / email form from the approved authority of the requesting agency / department outlining the specific requirements, the coordinating authority, and the process to deliver the results.
- All requests are considered confidential and handled as such.
- Any circumstances or issues that require special processing / handling of results will be coordinated directly between TS and the requesting agency with direction from County Counsel.
- If the request includes the handling of physical storage / equipment:
  - The equipment must be County owned and managed, TS will not process or handle privately owned equipment. Such equipment must be processed via an approved external resource (such as law enforcement or computer forensic contractors)
  - If the equipment is staff assigned for work, TS will confiscate the required equipment (and as available, provide loaner replacement equipment) and process the equipment as required by the request. Equipment will be held in a secure area in TS unless otherwise instructed OR sent to the requesting agency for handling and storage.
  - If the request is outside the technical capabilities of TS or requires special handling, TS will assist in transportation of the equipment to an approved external resource (such a law enforcement or computer forensic contractors)

## 8. EXCEPTIONS

The following are exceptions to the processes defined in this policy:

- Processing the contents of a County PC drive, Email and File System as needed by the Managing Agency as part of the normal Account Termination Process.
- Unless specifically required by County Counsel or an official investigation, all forms of Location Services are neither logged nor recorded.

## 9. RETENTION

Electronic information covered by this policy may have retention schedules that can impact the request. The following schedules are followed for the retention of the various types of electronic information:

FILE TYPE	RETENTION	NOTES
Electronic Files	Variable	Depends on retention rules for particular files. TS does not maintain a version history, only the current version is on backups.
Email	10 years	Available for 10 years prior to origination date
Web Logs	90 Days	Logs usually stored for 90 days depending on storage, longer periods of time <i>may</i> be possibly available
Security Video	30 Days	Some variable, most set to 30 day over-write
Security Logs	90 Days	Logs purged after 90 days
Location Logs	NONE	Unless instructed, TS does not store Location Logs
Instant Messages / Texts	NONE	Personal IM accounts are not tracked nor logged. County IM usage is currently held for 1 year

## 10. QUESTIONS

For any questions related to this policy or Electronic Data, please contact the Office of County Counsel at (503)-655-8362. For more information on Public Records Request, please go to the web site: <http://www.clackamas.us/rm/request.jsp>





# Technology Services **Account Termination Policy**

POLICY: **EOL**  
DATE: **07-01-2015**  
REVISION: **2.0 DD**  
REVIEW: **1 Year**

## 1. PURPOSE

The purpose of this policy is to define the process by which accounts are processed for termination by Technology Services (TS) when the accounts are no longer needed by the County. This includes the default time periods for processing of terminated account data / files / email before final deletion.

## 2. SCOPE

- This policy applies to any electronic account managed by TS, including but not limited to, all Active Directory Accounts, Mobile Access, Persons of Interest (POI) and TS supported applications.
- This policy assumes that the termination of accounts are for individuals / accounts no longer employed or otherwise involved with the County and the account information / files are no longer required by the County once processed by the Managing Agency. For accounts terminated / locked for other purposes please see the section **Special Processing**.
- This policy applies to the management of key data / documents assigned to the account including but not limited to Exchange and Home (usually H:) drives. This does not apply to Share drive data or data on devices (C drive or Smartphones) unless specifically requested.
- This policy does not apply to accounts managed by other County Agencies, (such as the Sheriff) or vendors. TS will assist where possible in coordinating the disposition of these accounts.
- *This policy does not alter the retention schedules of any public records.*  
*\*\* It remains the responsibility of the Managing Agency to which the Account is assigned to manage all data and documents in accordance with retention policies and business needs within the defined processing periods before the data is deleted. \*\**

## 3. AUTHORITY

This policy applies under the authority of:

- Adoption by the Clackamas County Board of Commissioners;
- The County Administrator;
- The County Counsel;
- The Clackamas County Chief Information Officer (CIO)

## 4. DEFINITIONS

For use in this policy, terminology is defined in the TS Policy Manual – Appendix for Definitions and Acronyms.

## 5. PROCESS

Once an account is determined to no longer be required by the County and the Managing Agency by any of the following:

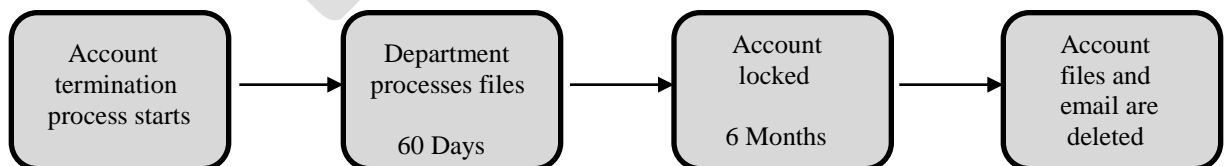
- Processed as terminated (for any reason) in Peoplesoft and notification sent to TS
- Person of Interest (POI) account reaches termination date, or
- Non-Staff account identified to be terminated via notification to TS

Then the TS account termination workflow process occurs as follows:

- 1- Account Termination Request (ATR) created in TS Call Center Web Help by TS Technician.
- 2- TS Technician does initial processing of account including deactivation of the account. (to include all mobile access, email forwarding or any other related access to County systems)
- 3- TS Technician contacts Account Supervisor as identified by the Managing Agency to determine how to process Account or any special requests related to the disposition of the account.
- 4- Account is held for 60 days after the date for the ATR for processing of contents by Account Supervisor or designee.  
(During this time the Account Supervisor is responsible to review all appropriate files and email to assume / move the information as required for management and retention purposes)
- 5- *Unless specifically requested otherwise*, all assigned devices are restaged and redeployed as quickly as possible to maintain utilization . This usually results in the loss of all data on those devices.
- 6- After 60 Days, the account is locked and no further access is available for a 6 month period. (This is a “contingency” period in case the account is reactivated or access is required again)
- 7- After 6 months, the account files / email folders are deleted and Call Ticket Closed. The Account is deactivated and held (not to be recycled) for E-Discovery purposes or if the user returns to County employment.

## 6. RETENTION SUMMARY

From a retention point of view, the process has the following impact on data / files:



## 7. SPECIAL PROCESSING

Special Processing of an account termination may be required, potential situations include:

- **IMMEDIATE PROCESSING:** Accounts that need to be locked from access and termination process begun before processing via PeopleSoft. (Such as concurrent notification to the staff and account termination).
  - DES needs to notify the Approved Technology Services Management prior to the scheduled time of employment termination with the account information & time of termination.
  - At the assigned time, TS will cancel access for the account and put it into a hold condition until:
    - The normal PeopleSoft notification of termination is received and the standard Account Termination Process begins.
    - County Counsel notifies TS of a potential legal hold (such as Tort Claim) and the account is moved to a Legal Hold Status.
    - DES notifies TS that employment has been re-established and the account is reactivated.
- **LEGAL HOLD:** Accounts that are / may be involved in some legal action that involves the County and requires the account to be “frozen” but not deleted.
  - If the potential of a legal hold exist on the account and / or any information, County Counsel will need to notify the Approved Technology Services Management as soon as possible – especially if the account is in the termination process. This is to prevent potential data loss.
  - County Counsel will need to provide the processing requirements to TS such as access restrictions for the Managing Agency, need for copies of data, timelines for holding the account etc.
- **INVESTIGATION HOLD:** Accounts involved in some level of an investigation that require the account to be “frozen” but not deleted.
  - The investigating agency will need to notify in writing / email the Approved Technology Services Management.
  - TS will coordinate with County Counsel to ensure proper processing of the account and any County data / equipment.
  - The investigating agency will need to provide the processing requirements to TS such as access restrictions for the Managing Agency, need for copies of data, timelines for holding the account etc.
  - As required, TS will coordinate with any assigned external investigators and / or computer forensics team (approved by the County) for access to the data / equipment.
- If electronic data of the terminated account is requested, please see **Electronic Data Request Policy** for more information on the process and requirements.

## 8. EXCEPTIONS

The following are exceptions to the processes defined in this policy:

- Accounts managed by County Agencies and / or vendors as approved by TS.

## 9. QUESTIONS

For any questions related to this policy, please contact Technology Services at (503) 655-8346 or via a Help Desk request online at <http://web1.clackamas.us/toolbox/help>



## Technology Services

### **Exchange Policy**

POLICY:	Exchange
DATE:	07-01-2015
REVISION:	2.0 DD
EFFECT:	DRAFT
REVIEW:	ANNUAL

## 1. PURPOSE

In order to maintain efficient management, utilization and retention of County E-mail, Clackamas County utilizes the Microsoft Exchange and its integrated utilities including the discovery journal. Given the large amount of email stored in Exchange and the requirement to meet electronic retention policy requirements, Exchange is configured to follow standard County retention periods via folders within the system therefore allowing users to manage retention requirements directly within their Exchange environment. This also allows for a purge schedule to be followed within the retention guidelines for old email.

This policy defines the requirements for the utilization of the Exchange System to manage the retention and organization of County email. This policy is to be interpreted and applied in conjunction with any County / Departmental Email Utilization Policies. This policy is intended to conform with Records Management Retention Policies.

## 2. SCOPE

This policy applies to all email accounts utilizing the County Exchange System. All County email accounts will be configured to utilize the County Exchange for management of County email and retention schedules. The use of the County Exchange System is regulated under the Clackamas County Technology Services Appropriate Use Policy (EPP # 59).

## 3. AUTHORITY

This policy applies under the authority of:

- Adoption by the Clackamas County Board of Commissioners;
- The County Administrator;
- The County Counsel;
- The Clackamas County Chief Information Officer (CIO)

## 4. DEFINITIONS

For use in this policy, terminology is defined in the TS Policy Manual – Appendix for Definitions and Acronyms.

## 5. UTILIZATION

The following defines the various aspects of utilizing Exchange from a user perspective. Overall, the user will not notice much difference in how retention is managed in Exchange versus any other normal use of Email folders. The Exchange environment is still utilized and email is still processed the same. The main changes are related to the following:

- **Retention Folders**

There will be several added default folders under the Mail Folders to be used for storing email based on retention schedules. See RETENTION FOLDERS below for more information on the actual folders. It is the responsibility of the user to move required emails from the INBOX to the appropriate Retention Folder. Email will not move automatically into the Retention Folders. Which folder to move the email into is based on the retention schedule for the information contained within the email. To support the various business processes of the departments related to email, the user has the ability to add additional folders under these Retention Folders – see ADAPTATION below.
- **Purging**

Exchange is configured to perform auto purging of emails in the following Exchange folders. Emails that are purged are not recoverable.

  - **SENT**

Email left in the Sent Folder is purged after 90 days from date sent.
  - **DELETED**

Email left in the Deleted Folder is purged after 90 days from date deleted.
  - **INBOX**

Email left in the Inbox folder (or any subfolders) is purged 6 months after the date received.
  - **RETENTION (managed) FOLDERS**

Email moved into one of the Retention Folders will remain in the folder until specifically deleted by the user, the Account is terminated, or the termination period for the email has expired. See Retention Folders section for specific retention periods. Any folders created within a Retention Folder will inherit the purge schedule of the parent folder and email will be purged in the same schedule.
  - **All Others**

If not created within a Retention Folder, all other folders including user defined, are not set to auto purge and will remain in the Exchange system until specifically deleted by the user or the account is terminated (See Account Termination Policy).
- **Archives**

The County will no longer allow the generation of Exchange Archive files (.pst files). If there is a particular need for a .pst archive to be generated, please contact the TS Call Center for assistance. The exception is in the processing of Electronic Data Search requests.
- **Training**
  - **Classes**

TS will sponsor periodic Exchange classes in the Technical Learning Center (TLC). These classes are available to any County employee (with departmental approval) to learn more about the County Exchange Email System and the Retention Folders including overall use and best practices.
  - **Records Coordinator**

The Department Records Coordinators are trained to be able to train and support departmental staff as required in the overall use of Retention Folders and associated retention policies.
  - **Online Resources**

TS also has various support documents and videos available online at the TS Call Center Website.

## 6. ADAPTATION

Along with the default Retention Folders provided by Exchange, the user has the ability to add additional folders as needed in the support of the various business functions and practices required by the department. These folders can be named anything to fit the business need. New folders should be added as sub-folders under the default retention folders and will assume the same retention schedule as the parent folder.

For example, if a folder called PURCHASES needs to be added with a 2 year retention, the user would add the Purchases folder under the 2 Year folder and move email into it as required. The email in the folder would be automatically purged after 2 years.

## 7. EXCEPTIONS

There are no exceptions to this policy for County Staff – all County email must be processed within the retention policies of the County via Retention Folders. The only exceptions are for:

- External County users, such as any public use email account or supported agencies utilizing County resources under authorized agreements with the County.

## 8. RETENTION FOLDERS

The County default retention folders that will be available for all users are as defined below. For the retention schedule of any given document type see the department's Records Coordinator or call Records Management for retention schedules. As defined in the ADAPTATION section, additional folders may be added under any of these default folders – emails within these added folders will adhere to the retention schedule of the parent default folder.

FOLDER	RETENTION	NOTES
1 Year	1 Year	Auto Purge (and all subfolders) 1 year after vaulting
2 Year	2 Years	Auto Purge (and all subfolders) 2 years after vaulting
3 Year	3 Years	Auto Purge (and all subfolders) 3 years after vaulting
5 Year	5 Years	Auto Purge (and all subfolders) 5 years after vaulting
10 Year	10 Years	Auto Purge (and all subfolders) 10 years after vaulting
20 Year	20 Years	Auto Purge (and all subfolders) 20 years after vaulting
> 20 years	N / A	Email requiring retention periods greater than 20 years should be processed in accordance with the appropriate Records Management processes and retention schedules. Check with departmental Records Coordinator for required processing. (usually requires printing and micro-fiche)
Journal	10 years	Not accessible by users. Separate E-Discovery specific folder for all email maintained for 10 years.

## 9. STORAGE RESTRICTIONS

Depending on potential storage limitations, technical restrictions or policy constraints; limits on the storage size of Exchange folders may be imposed. The enforcement and size of Exchange limitations will be determined by TS as required to fulfill any technical or policy mandates. Exceptions to storage restrictions will be evaluated on case by case basis.

## 10. ACCOUNT TERMINATION

Email stored in Exchange Folders governed by a retention period will remain in the assigned folder until the user specifically deletes the email or the retention period for the email expires.

The exception to this process is if the Account is terminated. Once the Account is processed as required by the Managing Agency, all email in the user's Exchange is deleted. Please see the Account Termination Policy for more information and the process.

The Exchange Journal is an independent Exchange Folder and not impacted by the Account Termination process. All journal email remains until the retention period for the Journal expires.

## **11. QUESTIONS**

For any questions related to this policy or the use of Exchange, please contact the TS Call Center at (503) 655-8346 or on-line via the Web Help Desk. For more information on Retention Rules, please contact Records Management at (503) 655-8323 or your departmental Records Coordinator.

DRAFT