



Records Management Guidance

Text Messages for County and Personal Cell Phones FAQs

This guidance is intended to be a supplement to two additional guidance documents: [Guidance for Text Messages on County Issued Cell Phones](#) and [Guidance for Text Messages on Personal Cell Phones and Devices](#).

Aren't all text messages considered transitory and can I just delete them? NO – Text messages are a *format* of records, but the messages themselves may have unique content and function and could have different retention requirements depending on their function. Some text messages are clearly transitory and can be deleted. Examples of transitory text messages are: “I will be a little late to the meeting,” or “I picked up some donuts for Jane’s birthday.” However, some messages may document official county business and have retention value, such as “I approve the time off you requested,” or discussions county employees may have such as those related to the state of a county construction worksite and how to proceed with work, discussions about program work planning or products, or sending procedural information in text, etc.

Are text messages public records? If a text message relates to the conduct of public business (which means it is about the work of King County), and it was sent or received within the scope of employment, that is, if (1) the job requires it, (2) the employer directs it, or (3) it furthers the employer’s interests, then it satisfies the definition of a public record in chapter 40.14 RCW and chapter 42.56 RCW. State law requires such records to be retained and managed properly. Unless the content of the text message is exempted by statute or prohibited from public access, the records are subject to disclosure under the Public Records Act, chapter 42.56 RCW.

What about text messages on my personal cell phone? If the text messages relate to the conduct of public business, then it does not matter who owns the phone – the records are still public records. If you are conducting public business – it’s a public record.

What about records on a tablet? Does that count too? Yes, all records that fall under the definition of a public record are subject to disclosure if they are located on devices like a cell phone, tablet, and/or personal computer. It does not matter whether it’s a personal or county issued device – if it contains public records, it is subject to disclosure.

How long do I need to keep text messages on my county or personal cell phone? It depends. Retention of the messages depends upon the content and function of the text. Transitory messages can be deleted once they are no longer needed. Keep in mind, if transitory messages are not deleted, they are subject to disclosure. To determine how long non-transitory records must be retained, visit King County [retention schedules](#), or contact the Records Management Program, records.management@kingcounty.gov.

Is there a way to get my text messages off my personal cell phone and stored somewhere else? Depending upon the content and function of the texts, the retention may be lengthy, and another storage option may be preferred. Some cell phone messaging applications have the ability to forward text messages to an email account. If this is an option in your messaging app, it is recommended to forward the messages with retention value to your county email and from there they may be filed into Content Manager and kept for retention and disposition. Alternatively, you may



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get a screen capture of your messages and email them from and to your county email account. From there, you may save the screen captures in another appropriate location for retention.

Can't my texts just be exported from my cell phone to be stored in a county storage system, such as Teams or SharePoint? There is no enterprise-wide tool specifically for this, however, your department may have software and process for this. Check with your Agency Records Officer or supervisor to see if this is an option. Alternatively, you may get a screen capture of your messages and email them from and to your county email account. From there, you may upload the screen captures to Teams, SharePoint or another county storage system.

Will my personal cell phone be searched if there is a public records request or legal hold and my messages are responsive? The Public Records Program and Public Records Officers will never request you to turn over your personal phone to be searched for responsive records. The Public Records Officer may ask that you search your own phone for responsive records and provide them. This may be forwarding them to your county email or a screen capture. Contact your Public Records Officer or the Public Records Program for assistance.

I don't know how to move my text messages. Can't I just leave them all on the phone? This is not advised. Keeping all of your text messages makes searching and retrieval of messages much more difficult. It is recommended that all transitory messages are deleted as soon as possible. Those with retention value should be dispositioned as soon as the retention is up.

My job often requires me to be away from a computer, but I still need to communicate with other employees, and phone calls don't always work. How else could I communicate? Instead of text messaging, Outlook and Teams may be a better option. The Outlook and Teams applications may be downloaded from the App Store or Google Play and you can link your King County email account. This will allow all of your communications to be retained within Outlook, Teams, and on County servers and prevents the communications from being stored locally on your cell phone in a text messaging app.

Doesn't the cell phone company save the text messages? NO – cell phone companies do not retain message details, such as the content of the text message. Cell phone companies only retain text messages sent/received logs for a limited time. A subpoena is often required to retrieve older text message logs.

Is there guidance regarding text messages on personal and county-issued devices? YES – below are the links to guidance regarding text messages on personal and county devices.

[Personal Device Text Messages Guidance](#)

[County Device Text Messages Guidance](#)



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3/2023