

CLERK OF THE COUNCIL
Dana Brown-Davis, C.M.C.

COUNTY COURTHOUSE
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Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Carol Frazey
Kathy Kershner

WHATCOM COUNTY COUNCIL

November 23, 2021

Mayor Seth Fleetwood
City of Bellingham
210 Lottie Street
Bellingham, WA 98225

Dear Mayor Fleetwood,

The Whatcom County Council would like to bring to your attention our concern with the termination of broadcasts of County Council meetings on the community public access channel BTV10. We understand this termination to be based on YouTube restrictions on content as they relate to "medical misinformation" (as defined by YouTube). This decision places YouTube's right to censor what our citizens wish to express above their right to be heard. What is worse, it appears the decision to censor is not even being made by a human, but rather, by Artificial Intelligence. The idea that any branch of government is willing to accept a citizen's right to speak can be denied by a computer program, should send a shiver down the collective spine of an open society.

While many of us on the Council disagree with much of the public comment being made and consider it to meet our individual definitions of medical misinformation, we are unanimous in our agreement that our constituents nonetheless have a right to speak, to petition their elected representatives. Furthermore, while the county makes recordings and live streams available online through the Legislative Information Center, the decision of BTV to terminate broadcasts of County Council meetings denies access to many of our constituents who have limited access to a computer and can only view BTV10 via cable television.

We believe not only is the decision to deny our council meeting content on BTV10 likely a violation of first amendment rights, but it sets an extremely dangerous precedent when government is willing to accept a commercial enterprise's desire to control what is said in the public arena. We therefore respectfully request that the City either restores the regularly scheduled broadcasts of County Council meetings or provides an explanation as to why the City believes its actions are both legally and morally defensible.

Sincerely,

A handwritten signature in black ink that reads "Barry Buchanan". The signature is written in a cursive style and is followed by a long horizontal line.

Barry Buchanan, Chair
Whatcom County Council

c: Whatcom County Councilmembers
Whatcom County Executive
AB 2021-696