

IACA Redaction Committee Report

2007 IACA Conference

Seattle, Washington

1. Background:

- a. Many of our filing offices maintain records that contain information that may be considered sensitive or private by others. With the technological advances in computer databases, many jurisdictions have taken steps to control the exposure of what may be considered private information that could be used for illegitimate purposes. Some jurisdictions have enacted legislation to limit this disclosure while others have implemented policies and procedures to accomplish the same ends.

2. Redaction Committee Scope:

- a. The Thursday morning General Session at the 2006 IACA Conference was entitled "Personal Information v. Public Records - The Redaction Case." We discussed the difficulties associated with the disclosure of certain information included in a recorded or filed document that may be personal to the individual involved. As filing officers, we understand that there is a balance between an individual's right to privacy regarding this information and the requirement for public disclosure. Easy access to information contained in the public record has made this issue even more important. This session generated sufficient interest to warrant the establishment of a Redaction Committee to research redaction issues further.
- b. The Redaction Committee plans to focus on discussing the various ways that jurisdictions are currently addressing redaction requests. When personal information is included in a public record, requests come to the filing office to have the information removed. The request may be to remove the information from a personal property secured transaction filing or from a business organization filing. Many of our offices are storing our public records in an electronic form and there are information technology concerns regarding the methods of information redaction. Many jurisdictions have methods of handling redaction requests that work effectively for them. Other jurisdiction may not have an effective redaction method in place. The scope of the Redaction Committee shall be to survey all current methods of redaction in the member jurisdictions, examine effective redaction methods, seek out the best practice, and finally, consider and present that practice as a possible model or uniform approach to the membership of IACA at its 2007 Conference.
- c. Because the redaction issue influences BOS, IRS, ITS and STS, the Redaction Committee shall be organized by the chairs and vice-chairs as follows: Tim Poulin and Mike O'Brien - BOS Chair and Vice-chair, Justin Hygate and Paul Robinson – IRS Chair and Vice-chair, Trevor Timmons and Rene Simmons - ITS Chair and Vice-chair, Kelly Kopyt and Shelley Pitlick - STS chair and Vice-chair.

3. Model Definition of Redaction:

- a.** Redaction is the act of striking out or otherwise removing from the public record or public view any sensitive, private or confidential information not required by law and which may be exempt by law, administrative policy or procedure from disclosure. Sensitive, private or confidential information shall include all nine (9) of the sequential numeric characters of a social security number and may include federal identification numbers.
- b.** Redaction shall be performed upon all forms of documents and data accessible to the public (web images, paper documents, certified copies, metadata, etc.). An original un-redacted version of the document shall remain unaltered and be maintained by the filing office in a manner and location that is not readily accessible to the public. A duplicate copy of the original shall be produced, and any sensitive, private or confidential information shall be removed and redacted from this duplicate. The method of redaction, whether manual or technological, shall be permanent so as to prevent public view of all redacted information. The redacted copy of the document shall be the version open to public view.

4. Redaction Procedures:

- a.** The information shall be redacted from any type of document through the use of search logic able to identify, locate and either automatically, semi-automatically or manually redact information.
 - i.** Automated: The automated application must be able to locate data comprised of nine (9) sequential numeric characters that may or may not be separated by hyphens. The location and number of hyphens shall correlate with both social security and federal identification numbers. The application may consist of a technology that uses optical character recognition (OCR) to highlight and redact information in accordance with the specifications of the filing office.
 - ii.** Semi-Automated: The application of a semi-automated system shall allow the filing office to set its configuration options and identifying phrases or words to locate data comprised of nine (9) sequential numeric characters to be redacted. This process requires acceptance by the filing office before any information may be redacted.
 - iii.** Manual: Filing offices may redact information manually by creating a copy of the filing and manually crossing out or covering the information to be redacted. The redacted copy will then be added to the public record.

Information shall be redacted from all documents during the filing process. Any document filed prior to implementation of a redaction procedure that contains sensitive, private or confidential information, shall also be subject to redaction upon the request of an interested party or as required by law. For good cause shown, which may include a requirement for presentation of a court order, the filing officer may make available the original unredacted version of the document that contains sensitive, private or confidential information.