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Privacy must find clarity in the law

BY GREG HARTMANN | GUEST COLUMNIST

I am an open records advocate, and I applaud The Enquirer's participation in Sunshine Week. An open government is a healthy government. Ohio's sunshine laws are necessary to ensure that the public is informed and that our elected officials and government agencies are held accountable.

Yet, as a guardian of public records, I believe that openness has its limitations when the protection of private information is in question. This unacceptable gray area of privacy must find clarity through law. The role of technology in government demands nothing less.

I am proud that my office has been able to use technology to improve convenience, increase efficiency and save taxpayer dollars. The Hamilton County Clerk of Courts Web site, www.courtclerk.org, provides a variety of helpful services to those doing business with the Hamilton County courts. Our award-winning site receives more than 3 million visits per year.

The Internet has proven to be an incredible resource for all levels of government and provides information with great speed and ease. However, the responsibility of public record keeping requires renewed vigilance with continuous technological advancement. What information should be made public? What information should remain private? It is good to know that the Ohio General Assembly is debating the issue and has proposed legislation to address the competing issues of public records and privacy. Ohio Senate Bill 6 would modify Ohio's Public Records Law, Ohio Revised Code Section 149.43, to exclude personal information from public records. Defining what personal information is will not be easy.

Clearly, Social Security numbers are private information that must be protected. With that in mind, last June I suspended public access to the records on our Web site.

My office is in the process of selecting a software company to redact all Social Security numbers from our digital records. After all digital records have been cleansed of Social Security numbers, the general public will again have full access to the public records online. It is my goal to have this implemented by the end of this year.

In the meantime, I want to remind everyone that you still have full access to our public records by coming to my office at the Hamilton County Courthouse at 1000 Main St., Room 315. Know that when you request to inspect or obtain copies of the records, my employees must first screen for and redact all Social Security numbers from the records before they can give them to you. The resulting delay may be inconvenient, but it is the necessary cost of providing open access to records while keeping private information safe.

As your clerk of courts, I am doing my best to protect your privacy while providing access to public records. As Ohioans increasingly demand access to public records through the Internet, government offices must craft solutions that will preserve the security of private information while providing the conveniences and achieving the efficiencies that technology allows.