

“What does California Assembly Bill 1168 Mean to Me?”

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Today's Presentation

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Audio/Video Issues: Please let us know.

Recording of presentation will be available for download soon after presentation on www.manatron.com.

Assembly Bill 1168

RE: AB 1168 summarized

- Applies to all recorded documents referred to as public “Official Records” only
- Applies to Social Security Numbers only
- Specifies to truncate only – truncation refers to redacting only a portion of the whole number
- Specifies to redact “the first five digits only”
- Requires the truncated record version to be a copy of the original. This truncated copy is to be the Public Version for office and internet (online) access
- All requests for disclosure, to copy, inspect or review any “Official Record” between 1980 and current is to be the “Public Version”

Assembly Bill 1168

RE: AB 1168 summarized

- Applies to any public version of an “Official Record” recorded since January 1, 1980
- All County Recorders must have a Truncation Program in place no later than January 1, 2009
- Counties can assess a \$1.00 fee for recording the first page of each instrument to support the Truncation Program
- Counties can asses this fee until December 31, 2017
- Counties must petition board of supervisors by June 1, 2008 to levy additional fees
- CRAC is to report the truncation status of each county no later than January 1, 2009 and annually there after

What is redaction?

Redaction – What is it?

Redaction is the **masking** or “**blacking out**” of sensitive information from a document

- Redaction protects personal identifying information and helps to prevent identity theft
- Typical fields to be redacted:
 - Social Security Number
 - Bank account number
 - Credit card number
 - Driver license number

Redaction – What is it?

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Marriage License
Valid ONLY in the
Commonwealth of Kentucky

To Any Person or Religious Society Qualified to Perform Marriages per KRS 402.050: You are hereby authorized to join together in the state of matrimony, according to the laws of the Commonwealth of Kentucky

Bride's Full Name	Nicole Hope Paradise	[REDACTED]
Current Residence	[REDACTED]	[REDACTED]
Groom's Full Name	Larry Russell Oldham	[REDACTED]
Current Residence	[REDACTED]	[REDACTED]

	<u>Bride</u>	<u>Groom</u>
Date of Birth (Age)	9/8/1983 (22)	4/29/1982 (23)
Place of Birth	Troy, AL	Elizabethtown, KY
Mother's Full Name		

Why do you need redaction?

What problem does redaction solve?

- **Identity theft:** concern over allowing public access, via public documents, to personal identifying information
- Current efforts are focused primarily on Social Security numbers
- Florida law also requires redaction of bank account, credit card and debit card numbers
- Likely next candidates: driver's license numbers, juveniles' names, maiden names
- Solutions should be flexible and adaptable – straightforward to add new items to be redacted

Current Debate: How “Public” is the Public Record?

- The keepers of the public record are not necessarily responsible for the contents of those records
- Clerks / Registers worked hard to make information more accessible without the necessity of coming into Clerks / Registers office
- Some states may take Florida’s lead in drafting legislation
- Others may recognize that a redaction-based solution is simply good public policy

Where is redaction happening?

Where is this happening?

- Florida is a pioneer in county-level redaction
- Additional states have passed legislation including:
 - California
 - Colorado
 - Florida
 - Indiana
 - Louisiana
 - Michigan
 - Nevada
 - Ohio
 - Oklahoma
 - Pennsylvania
 - Texas
 - Virginia

Florida's Experience

- Government in the Sunshine (1979)
- Chapter 119, F.S.
- Everything** is open and available to the public
- Public has access to all records and able to make copies of anything
- Oh, did we really say everything? We meant almost everything...

Florida's Experience

- Section 28.2221 enacted 2000
- State law intention: “a proper and legitimate state purpose is served...” = OR Index and images should be more accessible
- Index data 1/1/1990 to present must be placed on Internet by 1/1/2002
- Images of all document on index to be placed on Internet by no later than 1/1/2006

Florida's Experience

- Don't want information so accessible; changed the laws in May 2002
- Created Section 28.221(5)(a): categories of documents which are not to be viewable on the Internet (but may be seen in office)
 - Death Certificates
 - Military Discharges
 - Court papers from juvenile, mental health, domestic relations, or probate cases
- Created Section 119.07(3)(ff): no social security, bank account, or credit card numbers on the Internet
 - You can ask to have your number's) removed; no fee for service may be charged

Timeframes

- Gave recorders until 1/1/2006 (and then extended twice until 1/1/2008) to mask, or redact, the numbers
- As of 1/1/2008, applies to both in-office and on Internet copies of documents
- All 5 number types must be redacted (masked): ss#; bank account; charge, credit and debit card numbers

Orange County FL Experience

- 25 million images back to 1970; has now grown to nearly 30 million images
- No time for staff to review images (refinancing boom, hot housing market, etc.)
- Decided to go to outside contract instead
- Chose software AND human eye
- Cost estimated at just over \$700,000 for 30 million images
- We export images; they run software; then human review; then we import images back into system

Orange County FL Experience

- Based on 1998 – 2005 (7 years)
- Roughly 13 million image pages reviewed for masking/redaction = (or 50% of the pages)
- Note: overall % is not increasing as go back in time; there are fewer pages even as the occurrence of numbers to mask increases

What is required of you in California?

Implement a Truncation Program

Program should address Backfile & Day- Forward

- The plan must address the redaction of private/sensitive information from both historical records and records to be created into the future or “Day Forward”.
- A Truncation Program can be any one or combination of the following approaches:
 - Manual redaction capability native to recording products
 - An Automated Redaction product integrated into your recording product’s workflow
 - Turnkey services approach for outsourced model
 - “Day-Forward” Automated and/or Manual Redaction Product
 - Outsourced Backfile Redaction featuring “state-of-the-art” software and well-trained service bureau for redaction services (secure, on-shore)

What are considerations of an “Automated Redaction Software” tool?

1. Will it operate within the current workflow of your existing recording system?
2. Will it recognize a wide range of your instruments to be recorded on a daily basis?
3. Is the product versatile enough to comply with new regulations for additional redactions?
4. Does it provide the ability to “manually” redact incorrect results (i.e. false positives, in-accurate coverage of positive results)
5. Is the review process a software driven “workflow” function?
6. Is the application .Net allowing for remote access if required? (work from home application)

What a Backfile Redaction Project look like?

Step 1.

County A

Export images to be processed.

Provider must have sufficient technical knowledge for the extraction of the proper legacy data from your recording system. Only "Public" records need to be harvested for redaction.

Step 2.

Redaction

(Using Software)

Examine 100% of images
Process Redaction Rules:
Found Regions (Review)
Didn't find, expected to find (Review)
Didn't find, didn't expect to find (Spot Check)

SSNs will be located via multiple rules: product should use both context (business rules) and content (OCR) to locate potential redaction fields. (SSNs)

Step 3.

Validation

(Provider Data

Verification Specialists)

Verify document images.
Assist with fine-tuning software.
Escalate to Supervisor for conflict review.
Return redacted images.

Verification should be a software driven workflow process with blind comparison and auto cued for Supervisory review. County should require a accuracy rate for the project.

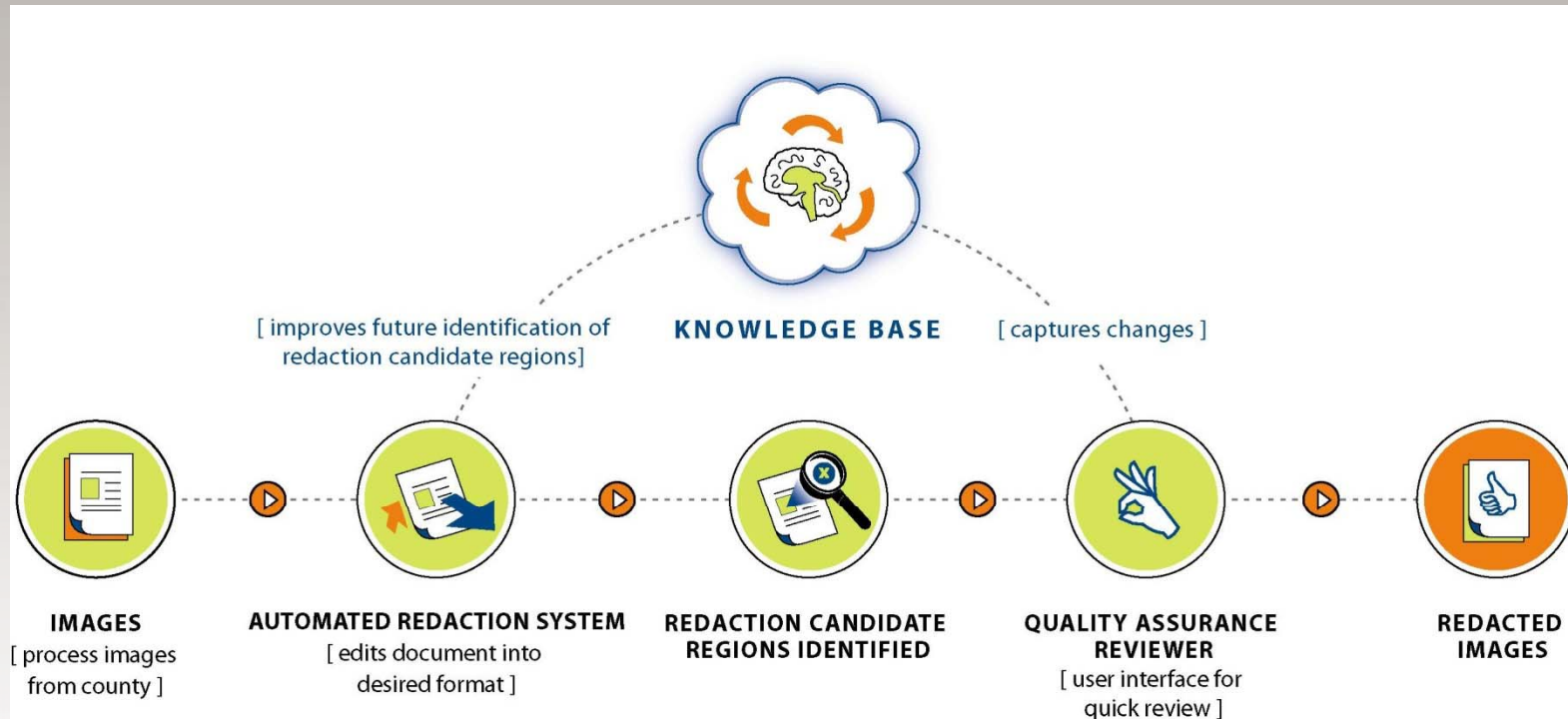
Step 4.

County A

Review redacted images.
Accept or Deny redacted images (within pre-defined acceptance period).

County should be given sufficient time to review the project and submit found errors for remediation.

Sample Backfile Redaction Project



How do you assess a backfile redaction provider?

- Accuracy Rate
 - A written “GUARANTEED” accuracy rate is provided.
 - The contractual language commits the vendor to remediate all redaction errors until the “GUARANTEED” accuracy rate is achieved.
- Reports/Statistics
 - A detailed list of instruments redacted
 - Total images reviewed for redaction
 - Total images containing redactions
 - Total number of redactions
- Who does the work?
 - Must be in the United States - in-house, “on-shore”

Wrap Up

Important Dates and Key Items

- June 1, 2008 – last day to petition board of supervisors to assess additional \$1.00 per instrument “redaction” fee
- January 1, 2009 – date the Truncation Program plan must be in development and submitted to CRAC for review
- December 31, 2017 – final day for collecting redaction fees
- January 1, 1980 – from this date forward all public records must have every Social Security Number truncated. (only last 4 digits visible)
- Backfile Redaction Providers must provide GUARANTEED accuracy and Redaction Reports

Q & A