



Judicial Impact Statement

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HB 341 – Address confidentiality for judges

HB 341

Rep. Huffman and Rep. Cera

Title Information

To amend sections 149.43 and 149.45 of the Revised Code to include judges as individuals whose residential and familial information is exempt from disclosure under the Public Records Law, and whose addresses public offices, upon request, must redact from records available to the general public on the internet.

Background

In August 2017, an Ohio judge was shot and injured by a gunman in a targeted attack. Fortunately, the judge survived the attack and is on the path to recovery. Tragic incidents like these cause us to reflect on the effectiveness of the security and safety measures we have in place, and what additional steps can be made to ensure that events like this one do not happen again.

Judicial Impact

House Bill 341 is an item on the Judicial Conference's Legislative Platform. As we are reminded that judges may be targeted and attacked simply for performing their judicial functions, one loophole that legislators can close to promote the safety of the members of the judiciary is to exempt from disclosure under the Public Records Law the personal information of Ohio's judges. Existing public records law exempts from disclosure the personal information of the following public service workers: peace officers, parole officers, bailiffs, prosecuting attorneys, assistant prosecuting attorneys, correctional employees, community-based correctional facility employees, youth services employees, firefighters, EMTs, BCII investigators, and federal law enforcement officers. Judges are not currently included in this list. House Bill 341 would expand this list to include judges as designated public service workers whose personal information is exempt from disclosure under the Public Records Law. The bill also allows judges to request that their home addresses be redacted from public records as well, and that only their names be replaced with initials in county auditor records. It makes little sense that judges are not already included in the list of public service workers, like prosecutors and bailiffs, whose personal residential information may not be disclosed, and HB 341 corrects that oversight.

The Judicial Conference would, however, recommend that the legislature amend HB 341 to include magistrates, so that all judicial officers are afforded the same protections already given to other public service workers.

What is a Judicial Impact Statement?

A Judicial Impact Statement describes as objectively and accurately as possible the probable, practical effects on Ohio's court system of the adoption of the particular bill. The court system includes people who use the courts (parties to suits, witnesses, attorneys and other deputies, probation officials, judges and others). The Ohio Judicial Conference prepares these statements pursuant to R.C. 105.911.

Conclusion

Recent events serve as a reminder to judges, public service workers, and other elected officials that we must ensure adequate steps are taken to protect the safety of others in our positions as well as the public we serve. The legislature has recognized the importance of exempting certain personal information of public workers from disclosure, and HB 341 logically adds judges, and ideally magistrates as well, to that group.