

Google, states working to ease search of records



With information comes public accountability

By JEAN MANEKE
MPA Legal Consultant



(Jean Maneke, MPA's Legal Hotline attorney, can be reached at (816) 753-9000; jmaneke@manekelaw.com.)

Any time I see an article about access to public information, I admit it gets more than a passing glance. So the news about Google wanting to index state records left me pretty excited.

Google says it has an interest in forming a partnership with states to make searching states' public records easier for the public. Many states make public records available online. However, many times those records are not available in a format that is easily searchable by the main search engines, including Google, Yahoo and Microsoft.

But Google has formed a partnership with Florida, Arizona, California, Utah, Virginia and Michigan to allow it to index their records in a format that will be more user-friendly to Google's search spiders. It is providing free consulting and software to facilitate this information-gathering process. It says this software will make the files "more recognizable."

That's fascinating to me for a number of reasons:

First, I have more than once worked for a client who wanted access to computerized data from local governments in a format that was easily useable for computer manipulation. I've learned a lot about access to computerized data.

One thing I've learned is that data is difficult to use if you don't have the same software. Just getting a back-up of data won't allow you to use it in your program. (And I think I have trouble reading Word files because I work in Word Perfect.)

In fact, Google representatives testified before the Senate Committee on Homeland Security and Governmental Affairs in December. They cited a study they did with OMB Watch, an organization that calls itself a "watch-dog group," which shows that it is rare for what the study calls "basic government information" to show up on Google searches.

Much of the information is imbedded into code in sites that are not visible to search engines. (I am assuming that relates to programs where you click through numerous levels to obtain the results for one search.) That kind of data doesn't tend to be caught by search spiders.

When you search for the amount of taxes I pay on my house in Kansas City, you won't easily find that information online.

But, if you go to the Jackson County website and type in my address, the data will pop right up. Along with it will be the amount of taxes paid by all my neighbors, including the few who are Jackson County judges and businessmen who have what I graciously call Friends In High Places. (It gives me a great level of comfort to know that our taxes are all within the same ball park and that none of these wonderful neighbors seem to have some kind of deal artificially depressing the amount of taxes they pay. That's the beauty of open records, folks.)

Now, of course, the first thing we're going to be hearing is that when this data becomes more easily searchable online, then it'll be an invasion of your privacy.

But wait, isn't this public information to begin with? How can there be privacy interests?

Well, the response is that it's okay for it to be public, but we don't want it TOO public. And then I'll find stories being written about how the public is at high risk of having their identities stolen because this public information is too public.

When you see those stories, just remember that we gain information through this public access. With information comes public accountability. With accountability comes knowledge that our government is operating properly, fairly, and responsibly. Rep. Margaret Donnelly, a Democrat running for attorney general, is litigating an openness issue in Cole County involving candidate hardship hearings.

The Missouri Ethics Commission has ruled that candidates must refund donations in excess of state limits unless doing so would pose a hardship. Those hardship hearings are closed.

When a court denied Rep. Donnelly's motion that hardship hearings take place in the open, she noted in an interview with The Kansas City Star, "This is the first step in a long process. I'm going forward because I think people are fed up with government operating behind closed doors."

I hope she's right. I hope the public is indeed fed up with closed-door government. What a breath of fresh air that would be in Jefferson City this coming session.