



Ohio Revised Code

Section 2930.07 Privacy of victim's information.

Effective: April 6, 2023

Legislation: House Bill 343

(A) As used in this section:

(1)(a) "Case document" means a document or information in a document regarding a case that is submitted to a court, a law enforcement agency or officer, or a prosecutor or filed with a clerk of court, including, but not limited to, pleadings, motions, exhibits, transcripts, orders, and judgments, or any documentation prepared by a court, clerk of court, or law enforcement agency or officer, or a prosecutor regarding a case.

(b) "Case document" does not include materials subject to the work product doctrine, materials that by law are subject to privilege or confidentiality, or materials that are otherwise protected or prohibited from disclosure by state or federal law.

(2) "Court" has the same meaning as in section 2930.01 of the Revised Code and includes a court of appeals and the supreme court.

(3) "Minor victim" means any person who was under eighteen years of age at the time of the commission of the criminal offense or delinquent act of which the person is a victim.

(4) "Public office" and "public official" have the same meanings as in section 149.011 of the Revised Code.

(B) The victim and victim's representative, if applicable, have the right at any court proceeding, including any juvenile court proceeding, not to testify regarding the victim's address, telephone number, place of employment, or other locating information unless the victim specifically consents or the court determines that the fundamental demands of due process of law in the fair administration of criminal justice prevails over the victim's rights to keep the information confidential.

The court shall make this determination pursuant to an in-camera review. If the court determines that



the information shall be disclosed, the court proceeding shall be closed during the disclosure.

(C) Any public office or public official that is charged with the responsibility of knowing the name, address, or other identifying information of a victim or victim's representative as part of the office's or official's duties shall have full and complete access to the name, address, or other identifying information of the victim or victim's representative. That public office or public official shall take measures to prevent the public disclosure of the name, address, or other identifying information of the victim or victim's representative through the use of redaction as set forth in division (D) of this section. Nothing in this section prevents a public agency from maintaining unredacted records of a victim's or victim's representative's name, contact information, and identifying information for its own records and use or a public office or public official from allowing another public office or public official to access or obtain copies of its unredacted records. The release of unredacted records to a public office or official does not constitute a waiver of any exemption or exception pursuant to section 149.43 of the Revised Code. This section prohibits the public release of unredacted case documents pursuant to division (A)(1)(v) of section 149.43 of the Revised Code and division (D) of this section.

(D)(1) On written request of the victim or victim's representative to a law enforcement agency or prosecutor's office and following a brief explanation from that law enforcement agency or prosecutor's office of the potential risks and benefits of redaction and the ability of the victim to retain counsel, all case documents related to the cases or matters specified by the victim maintained by the entity to whom the victim or victim's representative submitted the request shall be redacted prior to public release pursuant to section 149.43 of the Revised Code to remove the name, address, or other identifying information of the victim.

(2) On written application under seal of a victim or victim's representative to a court, and following a brief explanation from that court of the potential risks and benefits of redaction and the ability of the victim to retain counsel, all case documents related to the cases or matters specified by the victim maintained by the entity to whom the victim or victim's representative submitted the request shall be redacted prior to public release pursuant to the supreme court Rules of Superintendence to remove the name, address, or other identifying information of the victim. The application shall be deemed to be filed under seal and the court shall promptly rule on the application. The court shall not release any unredacted records while the application is pending.



(3) If multiple victims are involved in a single case, the public office or official shall take reasonable precautions to protect the information of the victims from other victims, unless all of the victims consent to the release of information.

(E)(1) This section does not apply to any disclosure of the name, address, or other identifying information of a victim that is required to be made in the statewide emergency alert program under section 5502.52 of the Revised Code, missing person alert system, or other similar alert system.

(2) This section does not apply to any disclosure of the name, address, or other identifying information of a minor victim of a criminal offense or delinquent act that resulted in the death of the minor victim.

(3) Nothing in this section shall prevent a victim, a victim's representative, or a victim's attorney from receiving a copy of any case document with the victim's name, contact information, and identifying information unredacted. A public office's or official's provision of a copy of a case document with the victim's name, contact information, and identifying information unredacted to a victim, victim's representative, or victim's attorney, if applicable, does not constitute a waiver of any exemption or exception under section 149.43 of the Revised Code. A victim or victim's attorney shall receive an unredacted copy of any recorded forensic interview of a minor victim or developmentally disabled victim. A victim's representative may receive an unredacted copy of any recorded forensic interview of a minor victim or developmentally disabled victim on request and with approval of the court, or a redacted copy of the interview on request, subject to section 149.43 of the Revised Code.

(4) Nothing in this section shall affect either of the following:

(a) Any rights of a victim or victim's representative to be provided with notice or to make any written or oral statement under this chapter or other applicable law;

(b) The disclosure of the location where the reported criminal offense or delinquent act occurred.

(5) Nothing in this section prohibits the defendant from including necessary information about the



AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #304690

victim in filings with the trial court, court of appeals, or the supreme court. The victim's name and identifying information in the filings is not a public record under section 149.43 of the Revised Code if the victim has requested that the victim's name and identifying information be redacted from public records.