

GRAMA Updates for 2014

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The 2014 legislative session resulted in 352 new laws going into effect. Included in these laws, enacted in the annual Legislative session, are two that impact the Government Records Access and Management Act (GRAMA).

One law is [Senate Bill 88](#), which provides that a video or audio recording of an interview or transcript of a video or audio recording that is conducted at a Children's Justice Center is not a record under GRAMA. Children's Justice Centers (CJC) are established regionally in the state to interview children who are the victims of sexual or physical abuse and children who are the primary witnesses of crime. Children's Justice Centers are designed to provide a single interview for a multi-government response and to mitigate further trauma to affected children. In the past Children's Justice Center interviews were protected records under GRAMA. The Legislative intent in identifying the interviews as not records is to further protect the privacy of interviewed children. Because GRAMA specifically states that CJC interviews are not records, they are no longer restricted by a "protected" classification. They are not subject to request under GRAMA. Utah Code Section [77-37-4](#) identifies the individuals who can access CJC interviews and outlines the circumstances in which access is to be provided. Since CJC interviews are no longer government records subject to the requirements of GRAMA, they are presumably no longer subject to records retention schedules. The Archives and the Department of Child and Family Services are working with the Attorney General's Office to determine how these interviews will be managed.

The second law is [Senate Bill 36](#) which amends the Election Code. It amends GRAMA by making birth dates private in voter registration records. Voter registration records are public with the stated exception that a person's Social Security number, driver license number, and email address which are part of the voter registration record, are private. All of these elements remain private, but now the list of private elements additionally includes a voter's birth date. Also added as a private record under GRAMA is an individual's entire voter registration record when that person has notified the Lieutenant governor's officer or a county clerk that releasing their voter registration record is likely to put someone's life or well-being in jeopardy. Future voter registration forms will include these words,

Utah Code [20A-2-104\(1\)](#)

"If you believe that disclosure of any information contained in this voter registration form to a person other than a government official or government employee is likely to put you or a member of your household's life or safety at risk, or to put you or a member of your household at risk of being stalked or harassed, you may apply to the lieutenant governor or your county clerk to have your entire voter registration record classified as private."