

ASSASSINATION RECORDS REVIEW BOARD

Summary Checklist: Key Privacy Issues

Threshold issues:

- Living or dead? Status known?
- Information previously disclosed?
 - Disclosed in government records
 - Disclosed by the individual
 - Publicly
 - With an expectation of eventual public release
 - Disclosed in press reports or in other media writings
 - Unknown whether previously disclosed
- Additional threshold issues:
 - Who has the burden of proving by clear and convincing evidence that release will cause an unwarranted invasion of personal privacy that outweighs the public interest in disclosure?
 - To what extent should the staff engage in research to supplement the record re of clear and convincing evidence?

Nature of privacy information:

- Intimate personal details:
 - Family relationships (e.g., marital status, birth legitimacy, reputation)
 - Personal relationships
 - Sexual conduct
 - Personal habits/characteristics (e.g., religious or political affiliation, character or credibility allegations)
- Medical records:
 - Physical
 - Psychological/mental health
- School records
- Social Security numbers
- Criminal conduct

Official records

Admissions by individual

Allegations re individual

- *Employment-related information*
 - Salary history*
 - Employment background*
 - Evaluations/personal observations*
 - Security clearance issues*
- *Tax returns and financial information*
- *Citizenship issues*

Evaluating the Public Interest Served by Disclosure:

- *Information contributes to the historical record about the assassination*
 - Degree of individual's involvement in the assassination or investigations into the assassination*
- *Information contributes to the historical record about government operations*
 - Investigations into the assassination*
 - Reactions to or actions in response to the assassination*
 - Other government activities with a nexus to the assassination*