

This article is not a comprehensive guide to redaction of electronic documents. Practitioners should consult current guidance from the manufacturer of their word processing software for complete information on redaction.

Redaction Guidance

As has been painfully learned by prosecutors, the Justice Department, lawyers for a large corporation and even a federal district judge, the failure to properly redact text in documents can result in sensitive and confidential material being easily revealed to the public.

The most recent example came to our attention in a November 15, 2010, article posted by Josh Gerstein on Politico.com:

{Judge} Damrell's opinion makes reference at various points to testimony presented to the grand jury, including some testimony defense lawyers cited as part of a motion charging prosecutorial misconduct. In the opinion filed Friday as a PDF document in the computerized court docket . . . , black bars appear over the grand-jury-related passages. However, the bars only obscure the text beneath them, they do not erase it. As prosecutors in the baseball-steroids-leak case discovered in 2006 and as the Justice Department found out when redacting a document about an internal survey a few years earlier, a simple cut-and-paste maneuver renders the blacked-out text readable.

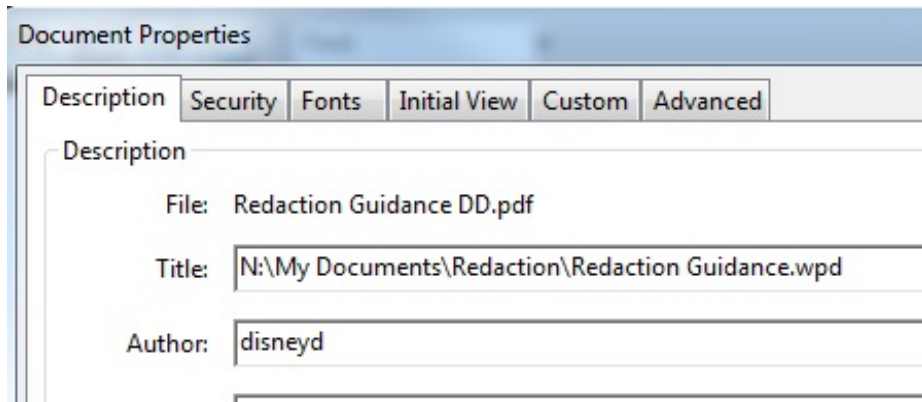
Documents are extremely difficult to redact properly when working directly on the PDF document itself. PDF (Portable Document Format) was primarily developed as a format that could be read on any platform. The creators of the PDF format (Adobe) never intended PDF documents to be directly edited. They intended for editing to be done in a word processing program such as Microsoft Word or Corel WordPerfect.

The introduction of annotation/commenting tools into the Acrobat product has caused problems as people have tried to use those tools to redact documents. A common mistake, as happened in the article referenced above, is to use the highlighting tool or a graphical drawing tool to obscure the text. The result is the text is covered up but not removed from the document.

The best and safest way to redact a PDF document is to edit the original word processing document to remove (not cover up!) the text and then republish the document to PDF.

This assures that the unwanted text never exists in the PDF document to begin with.

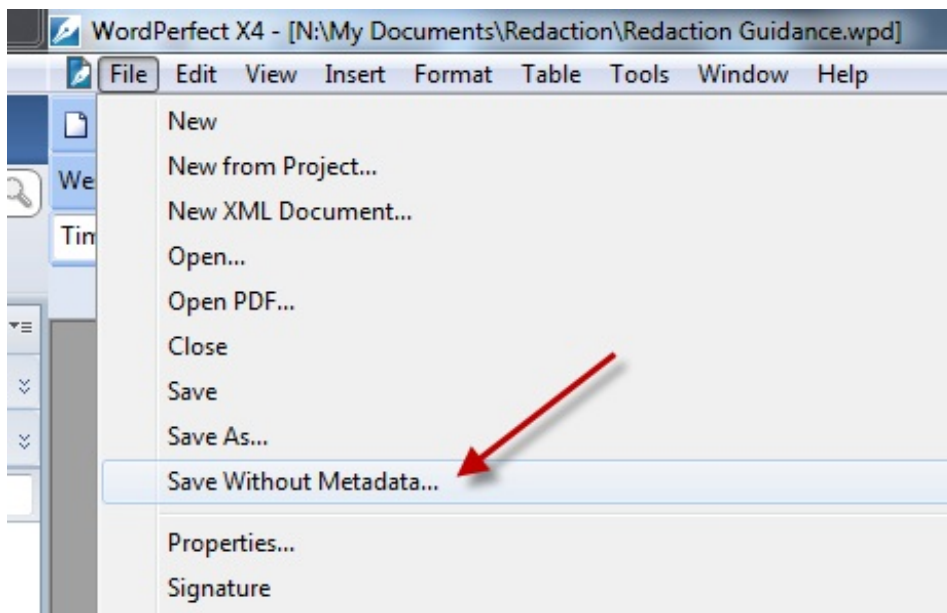
One thing to note about PDF documents is that they contain a few pieces of metadata that are generated automatically. They are: the original file name, including the file path, the author's login name, and the creation date. Care must be taken that directory and filenames not be embarrassing to the author. This information can be viewed (and edited) by opening the PDF document and selecting “File” and then “Properties”.



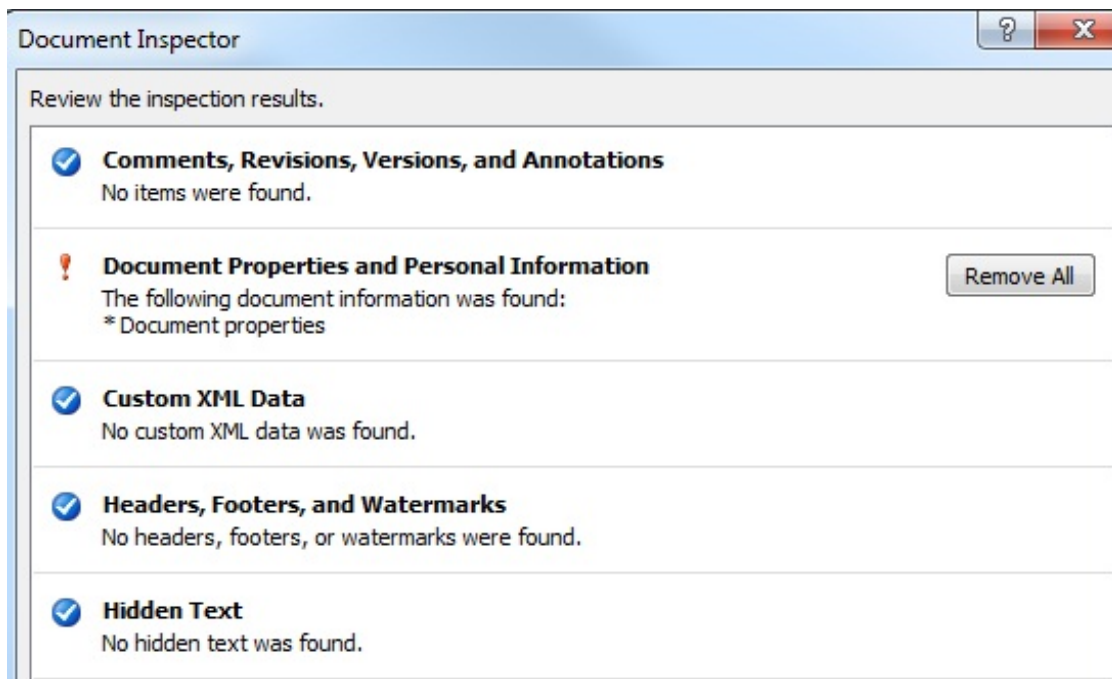
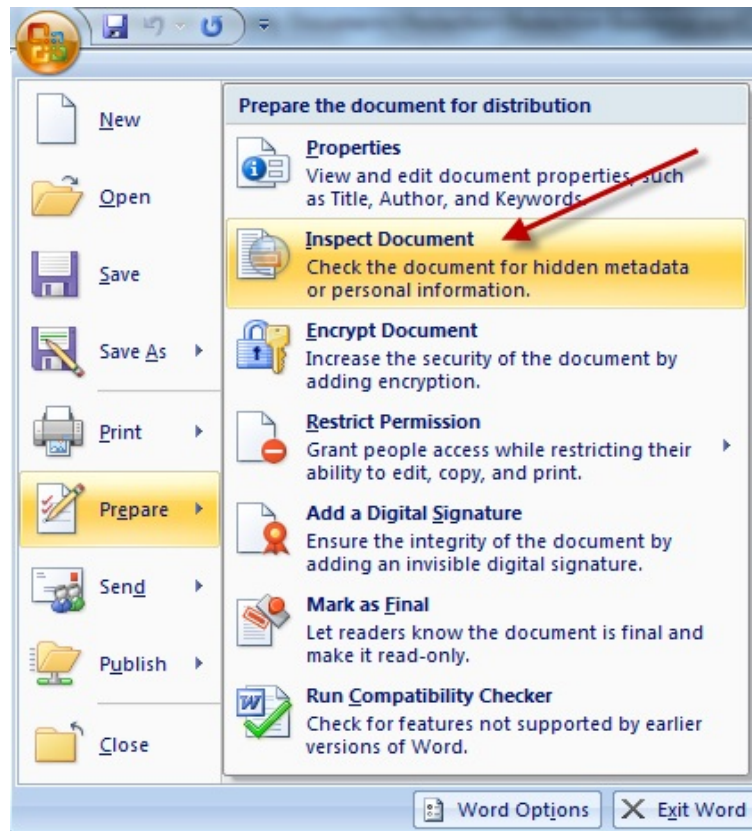
By default WordPerfect does not retain editing history in WPD files. Older versions of Microsoft Word could retain editing history by default, but since at least Office 2007, “track changes” must be turned on for the history to be saved in DOC files. Either way, the editing history does not appear in documents printed to PDF. The best practice is to always print documents to PDF and do not give out the original WPD or DOC files.

There are steps that can be taken to ensure any editing history and most other metadata have been removed from Word and WordPerfect documents.

In WordPerfect versions X3 and above, use the “Save Without Metadata” option from the “File” pull down menu.



The process is a little more complicated with Microsoft Word. For versions 2007 and up, use the “Prepare” and “Inspect Document” option to invoke the Document Inspector option that will allow you to clean any unwanted data from the document:



If you would like to read more on this subject, check out the following resources:

Redaction Tips from the US District Court, Northern District of California

<https://ecf.cand.uscourts.gov/cand/faq/tips/redacting.htm>

NSA Document: Redacting With Confidence

www.nsa.gov/ia/files/support/I733-028R-2008.pdf

Both of these references are older documents, but the information they contain is still relevant.