



Department of  
Job and Family Services

Ted Strickland, Governor  
Helen E. Jones-Kelley, Director

October 29, 2008

The Honorable Bill M. Harris  
Senator, Ohio Senate, 19<sup>th</sup> District  
Statehouse  
Columbus, OH 43215

Dear President Harris,

Thank you for copying me on your letter to Governor Strickland regarding recently accessed databases at the Ohio Department of Job and Family Services. You and I have always worked well together and while we are gathering the materials you requested in your letter, I wanted to take a moment to assure you that I would never authorize or turn a blind eye to accessing departmentally-maintained databases for any non-governmental purpose.

First, I believe you are aware that no confidential information maintained by the Department was ever released to the media or to anyone outside of ODJFS. Still, I recognize that my brief remarks in one news story have created a misimpression about our practices regarding accessing those databases. I hope, even as we are gathering more comprehensive information for you, you'll allow me to briefly explain the Department's practices and the reasons for them.

At ODJFS, we work hard, everyday, to vigilantly fulfill the department's responsibilities to ensure that court-ordered child support payments are being made, that unemployment compensation taxes are being paid, and that those receiving public assistance are legally entitled to that support. We employ a wide range of strategies to accomplish these objectives and have, in particular, been recognized for our success in increasing child support collections.

Highlighted by this past week's activity is the fact that we have long had the practice of using information that comes to our attention to ensure that we are balancing our dual

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obligations to fulfill our child support, unemployment compensation and public assistance oversight obligations while protecting private information regarding those matters. We regularly get phone calls, letters, and a wide range of other communications suggesting that individuals are avoiding obligatory child support or unemployment compensation payments or improperly receiving public assistance. And we follow-up on those suggestions. Many of them lead nowhere, but when we find something amiss, we pursue the matter with our county partners, the Attorney General, or other appropriate law enforcement organizations.

Among the sources from which we obtain enforcement leads is the public media. When a news story brings to our attention a person who has recently realized a financial windfall or which otherwise suggests that the person may have more financial resources available to them than might have been expected, we take note. When someone of apparently limited means wins a major lawsuit or the lottery, we'll often run a quick check to see if that person is behind in child-support payments or is a public assistance recipient. Not surprisingly, when a person behind in child support or receiving public assistance is receiving significant media coverage which suggests that the person appears to have available financial resources, the Department risks justifiable criticism if it fails to take note and respond.

With respect to Mr. Wurzelbacher, we and our sister agencies had received a range of media requests asking about him. I am told that there were at least 25 media inquiries about Mr. Wurzelbacher across our state agencies. Some concerned information contained in public record databases and some did not. Mr. Wurzelbacher had suggested that he was considering buying a business that would make \$250,000 to \$270,000 a year, but a public records check in response to media inquiries at the Department of Commerce had revealed that he was not a licensed commercial plumber. Our check, at the request of the media, of the public database regarding Ohio's plumbing apprenticeship program revealed that he had enrolled in, but not completed, that program. It was suggested, (and later verified through publicly available filings in the Lucas County Courts and the Office of the Ohio Attorney General), that Mr. Wurzelbacher owed back taxes. Given our understanding that Mr. Wurzelbacher had publicly indicated that he had the means to purchase a substantial business enterprise, ODJFS, consistent with past departmental practice, checked confidential databases to make sure that if Mr. Wurzelbacher did owe child support, or unemployment compensation taxes, or was receiving public assistance, appropriate action was being taken. The results of those checks have never been publicly shared.

I recognize that our well-meaning efforts in the midst of the highly politically-charged environment of the final weeks of a national election were widely misinterpreted and misunderstood. I certainly regret that we were not clear about assuring Ohioans that we have not accessed, and will not access, confidential personal information in our databases for any reason unrelated to our governmental functions and would certainly never do so for any partisan political purpose.

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We, at ODJFS, understand that we work for the people of Ohio and that we must have their trust and confidence if we are going to serve them well. If this incident has shaken their confidence in some way, then we must – and we will – review our procedures regarding access to confidential databases.

I hope you and I will have a chance to talk more about this in the coming weeks and that you will feel free to be in touch with me directly about any additional or continuing concerns you may have.

Sincerely,

  
Helen E. Jones-Kelley