

Voice from the Vault

By Gregory Sanford, State Archivist

No Whine Before Its Time

I may have mentioned (whined about?) the range of legislatively-mandated projects that the Archives is currently engaged in. Well, as they say, "no whine before its time," so let me forego the pleasuring of kvetching and instead summarize the status of some of these projects and some of the issues they raise.

Municipal scanning pilot projects. This project was established by the capital construction bill (Act 121, Section 9). The project participants have met twice. They decided to focus on scanning records that have to be kept ten years or less since the recently created Municipal Land Records Commission is charged with examining permanent records in an electronic environment (see below). The goal of the pilot projects is to identify technical scanning standards, offer model requests for proposals, and then test these standards and models on records within the five participating municipalities. The group has to report to the legislature by January 15, 2005. Commissioner Tom Torti of Buildings and General Services is the chair of the group.

Municipal Land Records Commission. This project was established by the appropriations act (Act 122, Sections 78a through 78e). The commission was given a range of responsibilities including standards for digitizing land records. The Governor hopes to have all members of the commission appointed by early August. The commission must report to the legislature by January 15, 2006. There is no chair yet, but I am to convene the first meeting.

Records law/privacy study. Act 158 mandated that the Legislative Council conduct a "study of public records law, technological advances, and associated privacy concerns." No report date was included, though the act sunsets on June 30, 2005. This law temporarily exempts from disclosure social security numbers that may appear in certain municipal tax records. There is a separate study, created by Act 155 (identity theft), that will look at the use of social security numbers in general. There has been one public meeting so far at which general concerns were discussed and some specific topics were recommended for study. Mike O'Grady of the Legislative Council is the chair of the study.

The Archives is also working on projects involving early court records and digitizing legislative committee tapes dating back to 1985. Though these are somewhat disparate projects there are certain common threads woven through them. One is how to keep the focus on records

and recognize technology as a recordkeeping tool. For example, while it is true that electronic record and communication systems can create greater access, with a concomitant rise in privacy concerns, the core issues remain defining what is a public record, making sure that any personal information collected by governments is essential to the purpose for which it was collected, and understanding the public or operational goals in making information broadly available in electronic form or otherwise. These are primarily record, not technology, questions though our answers should shape system design when implementing technology projects.

Another thread is the costs of not managing records. As we examine pre-1845 court records, for example, it has become clear that there is no existing guide to what records are where or, once located, how to find specific cases.

This creates a Catch-22 that complicates developing adequate resources. Since it is extremely difficult to access older court records they are under-utilized. Lack of use detracts from the importance of the records, making competition for limited resources difficult, further contributing to neglect and under use. This also raises difficult choices for each project about balancing retrospectively addressing the consequences of neglect, and prospectively avoiding the duplication of inadequate recordkeeping.

Projects involving public records on audiotape illustrate many levels of the problem. Tape recordings were an early example of using a technology to enhance recordkeeping. Minute taking, however, often declined once tape recorders were used since the tapes captured all conversation. Frequently even basic indexing, such as using the rotation counter to identify when a particular speaker or issue was being recorded, was ignored, complicating access and discouraging use. Like computer-based records, tapes are dependent on changing technologies in order to be accessed. Yet few sustainable management plans were in place; no migration occurred when cassettes replaced reel to reel players; back-ups were not consistently made; tapes were not periodically refreshed (copied to new tapes) and began to suffer bleed through, stretching, and a host of other threats. Retrospective efforts to digitize analog tapes turns out to be very expensive, in part because the transfer can only take place in real time (it takes one hour to transfer a one hour tape to digital form); when, as in the case of legislative tapes, there is a backlog of over 40,000 hours of tape, the costs are overwhelming. The implementation of digital recordings of public hearings appears to be duplicating past problems (lack of sustainable management plans, for example).

For all the disheartening aspects of these projects, this is a time of tremendous opportunity for recordkeepers. These projects, by developing baseline information and providing concrete illustrations of the consequence of poor recordkeeping, are providing us with tools for

giving effective voice to our concerns. The opportunity is there to improve recordkeeping; it is up to us to take advantage of it.