

Idaho State Historical Records Advisory Board (SHRAB)

Serving the present and future generations of Idaho by providing expertise in archival and information management to encourage the preservation of historical and significant records.

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Agenda June 9, 2006 9:00 am - 5:00 pm

University of Idaho, Administration Building Conference Room
Moscow, Idaho

9:00 - 9:15

Welcome to SHRAB members and introduction of guests

Attending Members:

Steve Walker
Duane Bogstie
Jeffrey Bryant
Carter Wilson
Darrell Roskelley
Denton Darrington
Blaine Bake
Steve Smylie
Mary Reed, delegate for Idaho Association of Museums
Robin Wilson

Guests:

Gail Wilson (Mrs. Carter Wilson), volunteer
Ron Town, Records Manager, University of Idaho (host)
Nathan Bender, Head, Special Collections & University Archivist,
University of Idaho
Brenda Bentley, investigator/mitigation specialist, Moscow,
Idaho (Federal defenders office, Eastern Washington and Idaho)

Not in attendance:

Byron Johnson
Alan Virta
Roseanne Abrahamson
Bonnie Fuller

9:15 Presentation: Accessing Idaho Records

Brenda Bentley, Investigator/mitigation specialist, Moscow, Idaho (Federal defenders office, Eastern Washington and Idaho, capital habeas unit)

Ms. Bentley explained that her research into public records tends to fall into two areas of the law: Environmental litigation and death penalty case preparation. The environmental cases involve researching land deed and use records, while the death penalty cases (appeals) involve researching old records about persons.

There are two phases of a federal appeals case research project: the Guilt phase and the Mitigation/Social history phase. Court records of criminal history, divorce, birth records are accessed in order to develop a social history for an appellant. These projects involve working heavily at the State Archives to access public records, but even more so in the counties at the courthouses and with county clerks. She shares her observations on her experiences while accessing public records around the state.

Her research experience is impacted by the following:

- Attitude of the staff of an archives or repository – whether they are helpful or not

- Arranging for access when they are offsite or in secondary buildings can be problematic
- Availability of the records – may be stored in difficult places, for example: a court house had records stored in a closet that could only be accessed by going through a court room, court was in session, had to wait for the hearing to close (even then the records turned out not to be stored there); another location, the records were stored over the ceiling in a building
- Missing indexes, making it difficult to isolate a single record
- Sometimes folks go above and beyond - Microfiche copy the only version available – but had trouble with reader-printer – staff took special effort to
- Restrictions to access – ‘you can’t handle the copying of these records, but we don’t have staff to do it for you right now’
- Cost of access – defendants may not be able to afford to pay for copies of public records; can’t afford to travel to locations to access the records
- Encounters with mishandling of records – court clerk that disposed of a box of records because they thought the records in the box were duplicates; this happens more often than she likes to say

Question – Are there patterns in these problems? Urban vs rural counties, between localities?

She has spent more time in some counties than in others – it is actually quite bad – urban or rural doesn’t seem to make a difference. She has encountered instances of evidence from trials that have gone missing between the initial trial and the appeal (10-20 years).

- County clerks do not recognize the authority of court administrators – has led to problems
- Inconsistencies about charges for services and copies – counties don’t all charge the same way.
- Lack understanding of what records they are holding – ex: a county staff saying that all of the records that they have are in a computer when it only represents the last 10 years of documents, and the staff doesn’t know (hasn’t been trained) that they have older records.

Steve W: Much of these behaviors and circumstances are due to a lack of training for counties, the lack of enforcement authority, and the lack of a central approach to managing county, city, state records. Ex: Office of Vital Statistics is no longer staffed sufficiently to respond to requests for records.

- Storage issues – records stored in ceiling space, boiler rooms, mechanical rooms, without a listing of where they’ve been stored.
- Lack of time to work with oldest records, lack of staffing

Darrell: This problem is going to get worse because of the turnover of the county clerks right now, many are retiring after 40 years.

Blaine: Finds that approaching (getting access to them) county clerks has gotten much more difficult, with metal detectors, front counter staff, etc.

Darrell: Wishes that there were some way to pre-screen researchers so that the clerks know who they are dealing with.

- No space for researchers to work – a work surface, place to sit, enough room to make notes, etc.

Steve S.: We have three sets of procedures in force in Idaho, the counties have been totally resistant to move towards more progressive approach. What would Brenda recommend that we try to change, or encourage to have happen?

Ms. Bentley responds –

1st of all, address the storage and management of the county records – many records are being damaged and misfiled or having their original order destroyed – case files falling out of folders, water damaged, in no logical order

2nd – provide access to records (store them in places where they can be easily retrieved)

3rd – don't destroy records that are historic, don't destroy or purge records without the assistance of the State Archivist – do not destroy indexes (has encountered files where the index has been destroyed).

4th – cost to public for access needs to be addressed

5th – researcher/public viewing area workspace that is secure (researcher couldn't leave the building/room without going through courthouse personnel) limiting personal items in with the records. Computer access, tables, copier access, etc. Currently not public friendly.

6th researcher prescreening

Blaine – Have you ever been asked to use gloves to handle records? No.

Kootenai county just had him use gloves – this is a wonderful thing.

Steve Smylie – motion

Work with the county commissioners and clerks to offer a workshop/training in archival & records management.

Carter – seconded

Darrell – (Idaho Association of Counties) holds a New Officials training held in three areas of the state – December or January.

Suggests that the presentation be about the importance of the records, not so much the “how to” – 15-20 minutes, offering a how-to workshop at a later time.

Steve S – have a one-sheet checklist to hand out

Carter – should include a breakdown of what should be done, what their options are

Vote – ayes carry

2nd motion – Steve Smylie –

one or two page letter to all incoming county officials –

1. review the importance of good records management
2. present concepts of risk management (limiting liability, etc)
3. request they take steps to improve the conditions associated with access to their public records
4. review the requirements of Idaho Code as relates to being custodians of public records

motion 2nded

comments – add to the request that the counties that they follow the right procedures, check with the State Archives prior to destruction

44 x 3 = county commissioners, 44 clerks, treasurers, etc comes to over 400 people to distribute to.

Steve Smylie and Steve Walker will draft this letter - by end of July for distribution in November.

SW will contact Dan Chadwick to ask for his support during the Task Force meeting June 27th.

Blaine – What is the protocol? We are advisory board - suggests that the SHRAB approach the ISHS for support for this distribution.

Darrell – Thinks that IAC would help with this.

Denton – ISHS Trustees has a lot on their plate. Have a separate meeting with the Board Chair and IAC chair to discuss this beforehand.

Vote – ayes carry

Mary Reed – would like this same kind of information for her organization (Idaho Association of Museum) – for 2007.

Break – 10:15 – 10:30

Change of agenda –

Higher Education Records Retention Meeting (moved up) - Duane

Presented Powerpoint about the Department of Administration Records Inventory Tracking System (RITS) (link to rits.ppt)

The presentation displays examples of the screens and utilities available to the agencies that have records stored in the State Records Center in Boise. The Center currently stores and manages 43,000 boxes (mix of permanent and temporary records due to their active status, that is, the frequency of retrieval). This database documents the agency of origin, record types and box quantities stored in the facility while assigning id numbers that track the box to a shelf location. Another function of the database is tracking the retention period of a box of records.

Access to RITS is hierarchical with privileges to view and edit the entries for an agency set in advance (password protected), providing security of this index database. A notable benefit of this database is the capability it provides for preparing box content indexes, to the item level, to improve the ability of an agency and the Records Center to retrieve records they have stored there. The RITS is now the mechanism for requesting retrievals of records – being online, it improving response time.

Robin – ISU, UoI, LCSC, BYU Idaho all expressed an interest in having standalone versions of this application – a letter was drafted that will go to Duane asking him to help the universities to acquire this database.

Legislature Move Update - Duane

Logistical meetings have been held to discuss the moving of everything from desks to records boxes. The State Records Center will be taking on the storage of many boxes of records. Steve Walker reports that historic fixtures (desks, statues, etc) will be handled by the ISHS, with some restoration work taking place at the same time.

Awards Committee - Idaho Records Preservation Award - Duane & Mary

It isn't clear on how to get this form out to the public for use. Maybe post it on the SHRAB website.

Mary – is there a way to get notification out that this Award has been created.

Blaine - Bobbi Vicker sent an email announcing the Esto Perpetua award nomination. Could we announce the new Idaho Records Preservation Award through them?

Mary - Steve G has volunteer to pay for the physical award out of the ISHS funds.

Discussion followed about the number of awards to be awarded each, whether or not the award includes improvements to access to public record.

Carter –

Motion to accept the award nomination form and guidelines limiting the number to no more than two per year. Anywhere between none and two.

2nd (Darrell)

Discussion:

Duane – need to discuss where to hold the observance – Steve W – that is already stated in the Guidelines.

Blaine – Could this be awarded or announced at another meeting, like the county commissioners?

Carter – This is consistent with how other organizations handle this sort of thing.

Motion carries.

Grants committee – Robin

Recognizes the special effort of Carter Wilson in preparing the more challenging of the two Grant proposal – NHPRC Planning Grant - \$22, 800 matched by 66, 044 of in kind contribution to conduct a survey of the public and historic records of the state outside the confines of the State Archives and the State Records Center. This survey will accumulate information about the quantity and condition of the records around the state, along with other information about the holdings.

Carter – the proposal assumes that some of the Board members will volunteer their time to help with these surveys. Travel costs is the largest amount of funding requested. He has not received any confirmation from NHPRC. Steve Walker will be confirming the receipt.

Duane – who will administer the funding?

Steve W - ISHS, Jeanne Marsh. Will discuss specifics this afternoon.

Lunch

Legislative update - Denton

The Steve Guerber building preservation bill was defeated by the Farm Bureau in the House after no comment was made by them before the Senate. Denton asked why they worked against the bill and was told they have a stance of opposing anything connected with the SHPO function of the ISHS. Steve Guerber plans to meet with Farm Bureau to improve relations.

Governor and his staff are going to move into the Borah Post Office. A phased approach is being taken to the vacating of the Capitol for the restoration effort. Engineer Limley (of British Isles Chunnel fame) says that the underground expansion is feasible.

The legislators do not have a full appreciation of the value of their records. He still looks forward to a brochure for the legislators (see January 2006 minutes) informing them of the value of and appropriate handling of their records.

Never in his lifetime has there ever been a circumstance like the present one, (Idaho having) three governors in such a short period. Denton spoke positively about how Governor Rich is a quick study and that he should be very approachable and accessible.

Robin – Who is now the SHRAB's liaison? Can you find out?

Denton - We can contact Barbara Strickfadden, in the Chief of Staff's office. He has access to the governor, met with him last week.

SB-1355 – Should any state agency wanted to alter any state building they would have to consult with the SHPO in advance of the construction, in order to provide an opportunity to identify historic places or structures prior to any alteration.

Steve S – With the Farm Bureau, there is no compromise – they apparently intend to oppose any similar bills. This should be an object lesson to SHRAB that we need to be building coalitions. We will have to do our homework prior to proposing any historic preservation and records management changes.

The possibility of changes in the character and attitudes of the House and Senate as new personnel enter office in the coming months was discussed.

Records Legislation Task Force – Steve W.

This (upcoming) meeting results of a meeting with Steve Guerber. A letter was drafted, signed, and sent to a distribution list including now-governor Risch, the Secretary of State, Treasurer, Dept. of Administration and Legislative Services Office inviting the addressees to attend a meeting for June 27, 2006. First meeting is intended to establish a Task force and working committees (all related to the mission of identifying Idaho Code that needs to be modified to improve its applicability to good stewardship and management of the public records of Idaho).

ISHS Board of Trustees update - Steve W.

Steve Walker provided a substantial briefing on the proceedings.

The ISHS Board has been discussing its budget and shortage of funding. Endowments were discussed, the fact that some that have been accumulating and no clear idea of the status of these accounts – are they interest bearing, available balances, etc.

Idaho Historical Museum accreditation – Need to make changes in order to meet American Association of Museums (AAM) requirements or risk loosing this accreditation

From the AAM review report

- Need to improve fiscal accountability
- Zero funding for conservation and maintenance of the collections of the museum

- Cuts in positions, to levels unacceptable to the AAM

The Board then discussed what could be cut in the museum budget in order to fund the improvements required by AAM.

Idaho Yesterday's funding – have been unsuccessful in acquiring sponsors for wide spread distribution. ISU and BSU would like to sell the magazine by the issue, separate from membership. Recommended a \$10 cover price. Also asked what is ISHS's monetary contribution to continued publication of the journal.

SHPO – Their funding source was discussed (National Historic Preservation Fund). There is a push nationwide to shift this funding to other areas than SHPOs in the states. Nearly 8000 projects were reviewed by the SHPO as part of their mission to review federally funded construction projects for their impact on historic resources. The opposition of SHPO efforts by the Idaho Farm Bureau was mentioned. Three projects were especially problematic during the past year, where the recommendations of the SHPO were ignored.

State Geographic Names Advisory Board reported to the ISHS Board of Trustees on the status of the "Squaw" place names change and "Tit" place name (ex: Pine Tit) debates. (see ISHS Board meeting minutes for ?? date).

The Trustees were also briefed on the Idaho Heritage Trust (503-C non-profit organization), its purpose and funding stream. Example: They receive fifty cents from the automobile license fee for a specific tag for which they hold the copyright (\$110,000 in the last quarter).

NHPRC Grant status – Steve Walker

2nd year running the NHPRC budget has been zeroed out. If not restored, we will not receive a grant. We are funded thru Dec 31, 2006. We won't know about future funding until the fall of 2006 when Congress votes on the allocations. Steve asked the Board to write their Congressmen to support funding the National Archives and the NHPRC.

Digital Archives Project - Northwest Archivists includes Alaska, Washington, Oregon, Idaho Montana – Meeting in Butte Montana during May 2006. Many of those in Butte had attended the NDIP meeting last year (funded by the Library of Congress) and took this opportunity at this year's meeting to put together a proposal 20 million dollar demonstration grant for a digital archives project based upon a set of shared digital resources with a set of connected repositories across the region. Letters of support for the project include the Idaho State Librarian.

An extended discussion ensued concerning difficulties associated with conflicts over the retention of the records of the Department of Corrections and other agencies which feel they should have long term access to the records of convictions which are currently maintained (and destroyed) by Corrections. This is an extremely contentious area of records management for the counties, cities and the state.

Board Openings –

Mary Reed and Robin Wilson lapse in October

Vacancy - Byron Johnson – Robin conveyed Byron's regrets and his withdrawal from the SHRAB effective this meeting.

Steve Walker called for the creation of a nomination committee. All of the candidates will need to provide a resume to the Board for submission to the Governor.

Discussion of possible new members included mention of:
Lucy Leowen, Records officer from Lewis Clark State College
The need to include a sitting county clerk – Ask Paul Chadwick
The need to include a sitting city clerk - Ask Ken Hardwood
Sharon Widner – has declined
Larry Ghan – too busy

Robin – Could send the cover letter to the entire Board
Mary – Also, each of us, if we want to we can each contact

Motion - Carter –to nominate Robin and Mary and Steve Symlie for renewal to the Board.
Fill Byron Johnson's position with a person recommended by the Idaho Association of Counties.
2nded - Duane.
Ayes carry.

Carter says send info to him – he will work with Bonnie to get letter to the governor.

Discussion of how to handle the remaining presentations to meet the Grant obligation - by Judicial District concluded that each of the following members will take on the sessions still needed:

1. North – Mary Reed
2. Completed
3. Caldwell – Steve Walker
4. Completed
5. Magic Valley – Darrell Roskelley
6. Pocatello – SE Idaho – Robin Wilson
7. Bingham – Blaine Bake

Other Projects: Carter and Steve W. volunteered to prepare the legislative flyer.

Blaine identified the problems with the Bureau of Vital Statistics. The Index of Death Statistics is far behind in its release dates. Denton suggested asking for a meeting with Jane Smith, Director. Steve W. hopes that SHRAB members will try to do this, because it isn't appropriate to for him to do this, being the State Archivist. Blaine, Carter, Denton agreed to do this as soon as feasible.

Budget – we have about half of our budget remaining after this meeting.

ISHS Board of Trustees meeting, in Boise – is October 13th.
Next meeting – Thursday October 12, 2006. Steve Walker to confirm. [**The next SHRAB meeting will actually be on Thursday, October 19, 2006, before the ISHS Board of Trustees Meeting on Friday, October 20, 2006 –SAW**]

Carter- Status of Governor Kempthorne's records?

Steve Walker – previously it was understood that Kempthorne’s records were going to be transferred to U of I, but he wanted to put a 20-year restriction on these records. Both the Attorney General and the General Counsel for U of I informed him that there is no legal basis for this restriction. He approached the Boise campus of U of I and they declined, also, BSU declined. The actual location and status of the Governor’s records are not currently known. Steve Walker will be making further inquiries.

Duane – State Records Center picked up 40 boxes – have not verified the contents but anecdotally may be Kempthorne’s. Typical 8 years tenure as governor would result in at least 1000 boxes. He also reported that during training with Legislative Services found that they have been imaging their records and destroying the originals. He has told them not to do this any more. Duane is concerned that this may be what has happened to Kempthorne’s records.

Steve Walker - The Council of State Archivists is working to create a set of standards of practice to be conveyed to the Governors about appropriate records management for the documents created within their offices. The handling of the records of governors of several states has become increasingly problematic, becoming involved in litigation and related legal inquiries.

My Family.com update - Jeffrey – Met with Linda Morton-Keithley and Tony Edmundson about the possibility of working with MyFamily.com during January 2006. Jeffrey has negotiated an agreement that they will consider a proposal from this vendor (a provider of imaging and indexing services for genealogical records). He has contacted the Content Manager at MyFamily.com, in February for fact-finding about their capabilities, then in May with a request for proposal to outline how this service might be provided to the State Archives.

What Jeffrey is proposing is to allow MyFamily.com to digitize and index existing State Archives microfilm of these records, at no cost to Idaho in exchange to the vendor having the option to post the resulting information on their service website (If they are interested).

Adjourned 4:30 pm