

Ah, home rule . . . that defining boon and bane of New Jersey's collective character. The subject came up at a recent book signing event among my fellow authors and a member of the public—lamentations abounded over the perceived overlapping authorities and tax-increasing redundancies. Certainly anything that can consolidate functions and peel back some of the multiple layers of government should be encouraged, right?

Well, yes and no.

DARM

May Be Split Up Under 2013 Budget

by Gordon Bond

Some of the complexities imposed by state, county and municipal government are the product of individuals protecting their personal power, prerogative, and profits. But others grew out of logical reasoning rather than capricious politicking. One of the best examples of the latter was the establishment in 1953 of the New Jersey Division of Archives and Records Management—DARM.

When most people hear the word “archives,” they think of old books and manuscripts on dusty shelves, haunted by bespectacled historians, scurrying about on arcane quests. They don't necessarily consider *how* that material get there—that someone *today* needs to make policies and decide what gets saved and what gets tossed. Nor that, at least in the case of state and local government repositories, legislators need access to such materials to understand precedents for the bills they make now.

What the 1953 Title 47 statute did was to marry archival expertise with day-to-day records management. It laid down the rules by which public records were to be retained and preserved. A full list of these rules can be found at <http://law.onecle.com/new-jersey/47-public-records/index.html> Not only does this establish what and how materials are to be retained, but also who can access what. Social Security numbers, for example, are to be protected as are biotechnology trade secrets. Convicted criminals can't

obtain personal information about victims or their families. Policies are established governing record access by law enforcement or other investigators. It's quite an exhaustive and comprehensive list.

But what makes Title 47 fundamentally important is that it removed records management from political realm and placed it firmly within the world of nonpartisan professional archivists. Whether it's adding the papers of a current Governor or preserving the papers of the first, it's all one continuous flow from one end to the other. And, most other states in the U.S. have similar structures.

But, a proposal in Governor Chris Christie's FY2013 budget proposal would change that:

Records Management. Functions of the Division of Archives and Records Management pertaining to Records Management, Records Storage, Micrographics and Imaging are transferred to the Department of Treasury. The Division of Archives and Records Management holds in trust the public records of New Jersey—one of the oldest and most vital functions of government. The Division operates the State Archives (the state's largest repository and public research center for the study of New Jersey history and genealogy) and the State Records Storage Center. The State Archives operates New Jersey's research center for public records of enduring historical value, providing reference and consultative services to thousands of researchers, historians, and public record-keepers annually. The Records Storage Center is a secure, centralized, low-cost facility for storing up to 250,000 cubic feet of semi-current State agency records. Temperature—and humidity—controlled vaults are available to accommodate an agency's computer tapes, optical disks, and microfilm master negatives. The Division's Micrographics and Imaging Bureau operates the State of New Jersey's centralized microfilm unit, producing source-document microfilm and imaging services for State, county, and local government agencies on a charge-back basis. The Bureau also advises agencies who wish to contract with outside vendors and monitors compliance with statewide micrographics and imaging standards for the public sector.

By moving the records out from under the oversight of archivists to the new "Records Storage Center" under the Treasury, the continuity between records management and archives will be broken—and that has caused some serious concern among New Jersey's historians, genealogists, and archivists.

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Woodrow Wilson School of Public and International Affairs as a guest blogger on the website of the National Freedom of Information Coalition. “Such professionals are not part of the political process, and make judgments on a nonpartisan, disinterested basis. They are uniquely qualified to determine which records need to be preserved and made available, when appropriate, to the public and to members of the state government. Under the proposed transfer to the Treasury, however, it is not clear that this crucial archival function can be carried out professionally and nonpolitically. That is the crux of the matter, since it was the core intention of Title 47 in professionalizing records management in New Jersey.”

<http://www.nfoic.org/nj-proposed-budget-could-undermine-state-archives-records-management>

Supporters of the Governor’s budget might argue this is just the archivists protecting their jobs at the cost of the taxpayers. Yet, as Professor Katz notes, it’s really about more than just self-preservation. It is about keeping trained professionals involved in an important role where such considered professionalism is crucial for the process to operate.

“There may well be administrative efficiencies of one sort or another that can be introduced into New Jersey’s records management system,” Katz wrote, “and all historians should welcome reforms of that sort. But our core commitment is to the long-term integrity of the documentary record of the state, and to the role of our colleagues, the archivists, in identifying and preserving that record.”

It isn’t immediately apparent how much the budget anticipates saving as a result of the move. Forty-one jobs would be transferred from the Department of State (the umbrella under which the State Archives and DARM currently sits) to the Treasury Department.

But the argument made by the critics in the history community rests less on economic grounds and more on the perceived differences of culture between the agencies. “The Treasury Department is charged with some of the most basic and far-reaching operations of government, having to do with revenue and taxation, budget-making and expenditures, financial management and the enforcement of financial regulations,” asserts Bernard Bush of the New Jersey Historical Society. “It is intrinsically at the center of partisan political power, executive policy making, and the legislative process. With the greatest respect for the work of this department, can we expect its professional culture to be compatible with that of an intrinsically nonpartisan agency engaged in archival administration, outreach to local archives and service to historical research? What kind of priority would the State Archives be likely to receive in the allocation of departmental resources? And what degree of institutional authority would it be likely to retain in the execution of its particular public service?”

It might be questioned if the fuss is really warranted. Would it really be a big deal in practice? It isn’t that the Archives itself is being done away

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with. Yet Bush points to an example he sees as a cautionary tale. “In this connection, it is perhaps useful to recall that in the early 1980s Governor Kean transferred the State Archives, the State Museum, the State Arts Council and the New Jersey Historical Commission out of the Department of Education, because it was fully occupied with the problems of the state’s K through 12 school system and had little interest or competence to advance the work of those agencies.”

And at least having those departments under “education” made some intuitive sense. What does the role of DARM have to do with the duties of the Treasury? It is as if they’re not quite sure where to shove it in. Department of State is a good “catch-all” and, to date, DARM is largely a successfully-run operation. According to the Governor’s budget statistics, the Archives went from 92,000 visitors in 2010 to 10,239 in 2011 and is estimated to see as many as 10,500 this year and projected to 10,700 in 2013. There are probably a number of reasons for the growth in users—genealogy, for example, has become increasingly popular thanks to Ancestry.com and television’s “Who Do You Think You Are?” The Civil War sesquicentennial has likely helped bring researchers to examine old muster rolls and other related documents. Yet, the system itself had to be up to the task of serving those patrons.

Time is of the essence for those who oppose the splitting off of DARM from the Archives. The budget will come up for a vote in the Legislature in July 2012. The push is now on to lobby Senators to oppose the provision. Among those leading the effort is Advocates for New Jersey History, who includes an online petition on their website:

<http://www.njhistoryadvocates.org/>

This petition makes the following arguments against the provision, pointing to other areas where they see it hampering the ability of DARM to do its job:

- Disconnecting the State Archives from the Records Storage Center may necessitate a moratorium on large acquisitions of additional records by the State Archives. This is because the State Archives’ facility at 225 West State Street is full to capacity and in order to take in more records, lower-reference material must be shifted to the Records Center.
- Similarly, the acquisition of permanent microfilm by the State Archives (e.g., additional probate and court records) may also have to be put on hold if the State Archives becomes administratively disconnected from the microfilm vault at the Records Storage Center.
- The State Archives’ ability to compete for federal funding of large-scale digitization, indexing and processing projects will be reduced if the State Archives cannot depend on Imaging Services and use of the Records Storage Center for adjunct processing space.

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- The State Archives' ability to make advances in the conversion of microfilm to digital images (for in-house and website use), and new scanning, will be greatly limited if the Archives is disconnected from the State's large-scale scanning and digital conversion operations.
- The State Archives collaborative, partners and professionally supports many other cultural institutions in New Jersey and nationally and their activities, grant proposals, exhibitions and public programs. In many instances, this is made possible or enhanced by technological and administrative support from DARM's other programs. A disconnect of the State Archives from those functions would lessen the Archives' ability to commit its resources to these collaborate efforts.
- The direct role of archivists in the development of retention and public access policy will be compromised by administrative separation of the State's archival and records management functions. Archivists and records analysts work together to develop policy and priorities, ultimately resulting in the preservation and availability of historical records to the public. Separating these functions will threaten the preservation of New Jersey's public documentary heritage.

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We all have a stake in this—even those not interested in history. As historians, we want to know that the retention and preservation choices are being made by people trained in the archival field and animated by nonpartisan professionalism. But as citizens of New Jersey in general, we also want to know that the policies impacting our privacy and protecting our information from abuse won't be subject to political whims. As *taxpaying* citizens, we also want fiscal responsibility—even if we don't all agree on how to achieve it. As it stands now, it seems like the breaking up of DARM would be a bad bargain all around.

