

TESTIMONY
The Committee on Government Operations of the District of Columbia
Office of Public Records
Performance Oversight Hearing Fiscal 2019-2020

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I am Trudy Huskamp Peterson. I am a resident of Ward 6 and a Certified Archivist. From 1993 to 1995 I was the Acting Archivist of the United States, and now I consult on archival issues around the world.

Earlier this month the *Washington Post* reported on an investigation by Federal prosecutors into the work of the D.C. Department of Forensic Services, which was spurred by allegations of falsification of records. The U.S. attorney determined that this was not clear after conducting interviews and reviewing “documents and emails,” but recommended that the District’s inspector general look into the management of the agency. Since that time cases in the Superior Court have been affected by the information found in the Federal investigation. And while the inspector general will certainly also interview people at the DFS, he and his team will rely of records: emails, case files (electronic, paper, photographic), analyst reports, and so on. Records and archives are absolutely crucial to effective oversight.

My Ward 6 Councilmember, Charles Allen, just wrote that the oversight hearings are “a critical part of preparing for the budget process and ensuring that the laws and funding set by the Council are being implemented.” Oversight is hard. It takes time, knowledge, and repetition to maintain effective oversight. As busy as the Council is, and through no fault of anyone, you members really can’t manage to give effective oversight to a highly technical program like the D.C. Archives. That is why an oversight body, like the District Historical Records Advisory Board (DHRAB), enacted last year, is so important. I am very pleased that this was included in last year’s legislative package.

Unfortunately, that legislation was like the candy in a shop window: oh so appealing but out of reach. We citizens are the kids looking through a window at the candy, with no way to get even one little piece. That’s because, according to the District’s Chief Financial Officer, current funds are “not sufficient” to undertake the activities outlined in the legislation and so the entire process is halted until an appropriation is passed. And that appropriation was not included in last year’s budget. Even if the members of the Board would serve without pay, they cannot be appointed. So the candy molds as we watch it.

The Board is vital for two reasons. First, as you know, constructing and equipping a new archives building will take constant, effective oversight. Second, the Board has oversight of all city records and archives, not just the bodies under the current authority of the Office of the Secretary. It would look to the records of the school system, the courts, and the Council itself. And that is not now being done, as it does not fall under the jurisdiction of the Office of the Secretary and, therefore, not under the jurisdiction of this oversight body.

The Friends of the DC Archives is a volunteer group that cannot substitute for a true oversight board. We have no way to officially inquire about issues such as the state of records in the Department of Forensic Services or get regular reports. For example, through scheduling incompatibilities, the Public Records administrator has not met with the group since last July. That would not happen with an official oversight board.

I urge this Committee to find a way around the delay. Ultimately, the budget needs to include the funds to assist the DHRAB. But until that time, the authority to appoint the members, who will serve without pay, and to permit them to begin discussing of the initial operations of the body needs to be authorized. Surely this Committee's oversight can support more oversight by citizen volunteers.