

**Driving a Stake in the Heart of the Capone Consultancy Method of Records Management:
Best Practices for Correcting Non-Records Non-Policy Nonsense
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It has long been taken as dictum that a record must be “declared” in order to become an “official” record.ⁱ That might have made sense when records were maintained on paper because, after all, if somebody (generally a records clerk) didn’t place them in the proper folder in the correct filing cabinet, chances were slim that anyone would ever find them again anyway. However, now that most records are “born” digital and e-discovery technology exists, such a policy makes no sense at all.ⁱⁱ At best it might be termed a “non-policy” – one that needlessly raises the cost of e-discovery while simultaneously elevating the risk that an organization’s records will be used against it even as they are effectively inaccessible to the organization itself. At worst, such a policy might appropriately be called the Capone Consultancy Method of records management.ⁱⁱⁱ

Mental gymnastics have also commonly been applied to distinguish “official” records from “non-records” – on the theory that no organization could possibly manage all of the information in its employees’ possession.^{iv} So the best that could be done is simply to ignore much of it, at least in the sense of trying to manage it. However, that clearly is no longer true.

Moreover, the very notion of distinguishing “official” from other records contains a logical loophole large enough to drive a Mack truck through.^v Even “innocent” people want to make themselves look good. That’s only human nature. So it is only to be expected that they records they “declare” will be biased in their favor, perhaps to the detriment of others. However, unscrupulous individuals will go to great lengths to hide their intentions and actions, and the last thing that commonly recognized practice should do is make it easy for them to get away with such antisocial behavior.

In the context of electronic information systems, the terms “management” and “metadata” are virtually synonymous. Given appropriate metadata, virtually any E-records management function can be automated. So the question is how much metadata (i.e., how much “management”) is justified prior to reaching the point of diminishing returns, taking into account the facts that: a) those required to provide the additional metadata may not be the beneficiaries, but b) a lot of metadata can be automatically captured in the routine course of ongoing business processes. Here are some good practices that can be applied to manage information efficiently and effectively:

- 1) Focus first and foremost on the semantics and structure (schema) of each logically separable type of information (records series) required to support your business processes.
- 2) Understand that data without context is meaningless and ensure that appropriate context is provided in each business record.^{vi}
- 3) Use duly adopted voluntary consensus data standards whenever possible.
- 4) If such standards do not already exist to adequately cover your business data and information requirements, work through standards development organizations (SDOs) like AIIM, ARMA, and OASIS to establish them.^{vii}
- 5) If existing standards need to be extended or improved to meet your business requirements, work through the appropriate SDO to do so.
- 6) Use appropriate software tools, applications, and services to create, share, and manage information throughout its full life-cycle.
- 7) Use such tools, apps, and services to capture all metadata associated with each record that is known and can be system generated during the routine course of business operations.
- 8) Use highly capable browsing and querying applications to fully leverage all available metadata to enable just-in-time access to each record as well as to automate records management functions.

- 9) Use auto-classification tools to assist users and records managers in assigning records to appropriate retention/disposition periods.
- 10) Ensure that classification/query/discovery tools accommodate changes in terminology and coding schemes.
- 11) Avoid storing authoritative records in large databases with single points of failure.
- 12) Store authoritative records on write-once/read-many (WORM) media that complies with standards for such media.
- 13) Store records redundantly in at least two widely geographically dispersed locations for continuity of operations in the event of disaster rendering records inaccessible or unusable in one of those locations.
- 14) Use DoD Std. 5015.2-certified electronic records management systems (ERMS) to manage records throughout their full life cycles.
- 15) Maintain records in machine-readable format throughout their full life cycles so that:
 - a. The data they contain can be parsed into databases as appropriate,
 - b. The data in databases can be automatically audited at any time, and
 - c. The data can be appropriately shared, repurposed, and reused.
- 16) When records contain sensitive information, use encryption protocols that comply with the applicable standards.
- 17) Make clear that, while limited personal use of business information systems may be acceptable, users have no reasonable expectation of privacy with respect to the records created by such usage.
- 18) Avoid the inappropriate usage of E-mail as a substitute for document/records management applications.^{viii}
- 19) Schedule E-mail messages and attachments as relatively short-term records unless metadata is associated with it that justifies longer-term retention in a DoD Std. 5015.2 certified ERMS.
- 20) When data is copied into databases from the original authoritative records, exclude or modify sensitive information to avoid inappropriate disclosure.
- 21) Relieve users of the needless and inappropriate task of “declaring” and classifying records for disposition and e-discovery as well as ease of access as needed in ongoing business processes.

ⁱ See, for example, “Functional Requirements and Attributes for Records Management Services,” December 7, 2005. <http://www.archives.gov/era/pdf/Functional-Requirements-and-Attributes-for-Dec07-2005.pdf>

ⁱⁱ See “Everything is a Record ... There, I said it” and “Does ‘record’ or ‘non-record’ really matter?” by Monica Crocker. <http://www.aiim.org/community/blogs/expert/everything-is-a-recordthere-i-said-it> & <http://www.aiim.org/community/blogs/expert/Does-record-or-non-record-really-matter#c92e8178-45d3-4bc6-bdd2-78f9a8ac2ad5>

ⁱⁱⁱ Al Capone was an infamous Chicago gangster. While law enforcement officials were never able to link him to many murders for which he was allegedly responsible, he was convicted and died in jail for having declared a record of his earnings that was clearly incompatible with his lifestyle. http://en.wikipedia.org/wiki/Al_Capone

^{iv} A related issue is that organizations generally pay only lip service to the concept of *strategic alignment* and make little effort to ensure all of their records are linked to the strategic goals and objective they support.

^v Mack trucks are big. <http://www.macktrucks.com/>

^{vi} One definition of the term “document” is “data in context”. A record provides sufficient context to support the business purpose for which it was created.

^{vii} AIIM touts itself as the “Global Community of Information Professionals.” <http://www.aiim.org/> ARMA International claims to be the “authority on information governance.” <http://www.arma.org/> OASIS’s tag line is “Advancing Open Standards for the Information Society”. <https://www.oasis-open.org/>

^{viii} See also “E-mail: A Stage of Information Management Immaturity through Which We Must Pass.” [To be drafted.]