



September 17, 2012

Governor Nathan Deal
206 Washington Street
Suite 203, State Capitol
Atlanta, Georgia 30334

Dear Governor Deal:

As President of the Society of American Archivists, the largest professional organization of archivists in the United States with more than 6,000 members, I write to express our collective shock and dismay that Secretary of State Brian Kemp has announced that the Georgia Archives will be closed to public access beginning on November 1. Are you aware that Georgia's was one of the earliest state archives established in the United States? This is a fact of which you can be proud, and it would surely be a national embarrassment for your State to now become the only one that does not provide public access to its public records.

We are particularly appalled that Secretary Kemp chose to meet the entire obligation to reduce his budget by three percent by denying Georgia's citizens access to the archives – to the public government records that are owned by those citizens and that protect their rights and privileges and hold their elected and appointed officials accountable. I and many others, both archivists and citizen researchers, in Georgia and across the nation, find his decision unconscionable.

We ask you, as Governor, to reverse this decision by restoring a minimum of \$1 million to the Georgia Archives budget. This act would return to the public the ability to access the archives five days per week. And it would avoid the decimation of current staff expertise that is essential to providing your citizens with effective and efficient access to their public records.

Several legal facts justify your reversal of Secretary Kemp's decision. It appears that his decision would be in violation of Georgia's Records Act (50-18-4-70b of the Georgia Annotated Code), which states that all public records "shall be open for a personal inspection by any citizen of this state at a reasonable time and place, and those in charge of such records shall not refuse this privilege to any citizen." Secretary Kemp's only nod to

this legal necessity is to allow citizens to make appointments to see records on a “limited basis” based “on the schedule of the remaining employees.” His decision clearly is contrary to legally mandated principles of government transparency in that it would deny citizens predictable and ready access to public records.

The practical effects of virtually eliminating public access to the public records in the Georgia Archives are far-reaching and anything but esoteric. The Secretary’s decision deprives citizens of access to records needed to support legal due process. State records are used regularly in a wide range of court cases, including those related to land claims, boundary disputes, utility rights-of-way, and claims against State agencies. Timely access to the records is essential to avoid potentially serious legal consequences.

Further, access to the Georgia Archives is essential to our understanding of history, culture, the environment, and many other aspects of our society beyond the purely legal. For example, the Archives holds material that is essential for studying African American history and that is not available anywhere else. As the nation celebrates the Civil War sesquicentennial, it is more than a little ironic that the Secretary’s decision will deny students and researchers access to records that are needed to portray fully and fairly Georgia’s role in that conflict. Ready access to these records is mandatory if Georgia’s history is to be written accurately.

It is critical that the Archives budget be restored to \$1 million before November 1 in order to ensure uninterrupted service to the public. The State of Georgia must fulfill the obligation of every State to provide its citizens with simple, broad access to the records of their government’s actions and their cultural history. Do you want your State to be the first ever to fail to honor this essential tenet of our democracy?

We call upon you with all due urgency to reverse this shortsighted decision.

Sincerely,

A handwritten signature in black ink, appearing to read "Jackie M. Dooley", with a long, sweeping horizontal line extending to the right.

Jackie M. Dooley
President, 2012 – 2013