

**For Immediate Release
October 22, 2007**

CONTACT: Jason J. Shedlock
Phone: (202) 724-8779
Fax: (202) 724-8099

MENDELSON STATEMENT ON MAYOR'S E-MAIL RETENTION POLICY

“I am deeply concerned by the lack of transparency inherent in the Mayor’s order of September 21st to implement the mass deletion government e-mails. It turns out that this order has not been rescinded.

Upon reviewing the Mayor’s policy, it is clear that all e-mails that are stored centrally on DC Government e-mail servers maintained by OCTO, save for a few exceptions, will be deleted and inaccessible after six months. This is not a wise policy.

Mass email deletion is incompatible with open and transparent government. It also may have very negative impacts on the District’s ability to fight public corruption.

The Mayor’s order made an exception for e-mails related to an official investigation, though it only halted the deletion beginning at the commencement of the investigation. This is not good enough. Investigations start after the fact, oftentimes more than six months after potentially damaging e-mails may have been written. But the Mayor’s order would only allow a six-month window. This would, in essence, stifle any ability to truly implement a complete and thorough investigation.

Further, the administrative order states that the proposed deletion of e-mail ‘relies on technical and jurisdictional best practices.’ I disagree. Best practices in this area would be to leave no room for human error or interpretation and preserve and archive all government e-mails for the sake of historical significance, open government, and effective law enforcement. In fact, other governments do this.

Openness and transparency in District government are concepts with which I know the Mayor and I are in agreement. I urge the Mayor to reverse his unwise e-mail decision. We must work toward a better e-mail retention policy, not one that is worse.”