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Transparency Groups Make Sunshine Week Request to Governor Cuomo: Stop Automatic Deletion of State Emails

*Groups extremely concerned about likely destruction of public records;
Replace automatic email deletion with automatically saving emails
for a minimum of 7 years.*

This Sunshine Week, our groups urge Governor Andrew Cuomo to order an immediate stop to the automatic deletion of state emails.

Governor Cuomo's policy of automatically deleting unarchived state emails after 90 days reduces the transparency and accountability of NY State government. It inevitably causes the destruction of emails that are considered public records under the Freedom of Information Law and undermines laws like the False Claims Act.

Last week, Attorney General Eric Schneiderman ordered his office to stop automatically deleting emails after 90 days. We urge Governor Cuomo to do the same for state emails.

The NY State Archive's 2010 guidance to state agencies says: "Purging all emails after a defined time period is not an acceptable retention strategy." It is now 2015, and an extensive study by the National Archives has further concluded that purging government emails is still a bad idea.

Our groups welcome the governor's recent proposal to have a broader discussion about state government transparency. But we reject the notion that the Governor should only stop automatically deleting state emails if the state legislature subjects itself to the Freedom of Information Law or the legislature, comptroller and attorney general adopt some kind of "uniform email retention policy. One is not contingent on the other, and if the legislature refuses, or other offices balk at a "uniform email retention policy," that does not mean that Governor Cuomo has "permission" to continue automatically destroying state emails.

In a January 29, 2015 letter, our groups asked Governor Cuomo to end the policy of automatically deleting emails, and instead match federal email transparency by saving the emails of state employees for at least seven years. This Sunshine Week, we again call on him to lead by example.

See ReinventAlbany.org/Email for background information about a 7 year email policy. For additional comments, please contact:

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