

BLOG POST

A Pox on Data Retention

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You know how sometimes you misplace things? Glasses, wallet, keys, cell phone, remote control . . . vials of smallpox.

Not joking. [Smallpox](#). As in “[a] government scientist cleaning out a storage room last week at a lab on the National Institutes of Health’s Bethesda campus found decades-old vials of smallpox, the second incident involving the mishandling of a highly dangerous pathogen by a federal health agency in a month.”

Great [googly moogly!](#)

Just imagine the decision tree that led to the smallpox-in-the-closet (solid band name, by the way) incident. Intrepid researcher nears the end of a typical working Wednesday. Accidentally leaves the keys to the lab in her desk on the other side of the building. She’s late to meet friends for a drink. She thinks, “I’ll just put these in this storage closet tonight and move them where they need to go tomorrow. The vials are perfectly sealed, packaged properly, cushioned, and no one else comes in here anyway. I’ll put them away *first thing tomorrow*.” The next morning, she calls in sick. She’s not sick. The extra mai tai did it. Irrelevant. Moving on. Next morning, she’s in meetings until noon. The meetings reproduce into more meetings and <gasp!> even a conference call or two, until Friday’s a total wash. Monday rolls around and our researcher’s assigned to a new project. Months later, she finds a new job, and the vials are completely forgotten.

Would never happen, right? Not on your watch?

I’ve got to disagree with you, my friend. This kind of thing happens all the time. Easy example: a bolt came loose in my garage, and I found it when I got home from work. I know where it goes. But it needs a ladder, a wrench, and a screwdriver to get it in place. Who wants to do that when they come home from work? So I picked it up and put it on the workbench, under the theory that I’d handle it over the weekend. That was four weekends ago. Things come up, I get it. Life happens.

But here’s where you get problems: in law firms, in corporate America, and in the government. In small businesses, too. Oh, and in public interest organizations. Wait, did I cover just about everybody? Yes. Yes, I did.

Because you see, we become amazingly loose with things when it comes to electronically-stored information. Things that we *want* to store are often not, and things that we *don’t* want to store often are. Most places with a networked computer setup have a server where all information is housed. But how often do you save a local copy of a document to your hard drive

to work on and then forget to put it back on the network? You'll get to it tomorrow, right? Or you jot some notes down during a call that you save on your Microsoft Office desktop, along with the 50-gazillion other such notes that make your desktop look a lot like rush hour collided with a Beyoncé concert. Eventually you'll get a free day when you can sort all of that out. Of course you will. And when your hard drive crashes before then, all of that information is lost.

Meanwhile, the "What kind of mollusk are you" BuzzFeed quiz that you sent to twenty-one of your closest friends by email – through the network, of course – is permanently lodged for posterity. Yay.

Think of another way: if you search across your organization for all information related to purple daffodils, are you likely to capture all emails, documents, files, videos, and everything else about purple daffodils? Or do you think that someone else in your organization might have a local folder with purple daffodil information that you don't know is there and will not appear in your searches? What if there are some high stakes involved in the saga of purple daffodils and you *need* those files?

I sense that I'm nearing the end of your attention span. Some of you may in fact be wondering what kind of mollusk you are. Others may be curious to know where there are, in fact, purple daffodils. **So let me explain. No, there is too much. Let me sum up:** wherever you work, and whatever you do, data retention is important. It might be important for responding to FOIA requests as a member of the government. It may be important for subpoena responses. It may be important for civil litigation (looking at you, **Foot Locker!**)

So always critically analyze and evaluate your data retention policies. Make sure people understand where to save and store documents. Make sure they understand why it's important. Train them.

And be extra careful when you're around mai tais.