

STATE RECORDS COMMISSION MEETING

MINUTES

Meeting of May 19, 2021

In light of the corona virus and the governor's proclamation waiving certain requirements of the Open Meetings Act, the May 19, 2021 meeting of the State Records Commission was held by conference call after proper notice had been posted on the website of the Illinois State Archives.

Commission members present were: Chairman David Joens, designee of Secretary of State Jesse White; Cortez Gillespie, representing Comptroller Susana A. Mendoza; Felicia Page, representing State Treasurer Michael W. Frerichs; Robert Osgood, representing Director Janel Forde of the Department of Central Management Services; and Lynn Patton, representing Attorney General Kwame Raoul.

Ian Hunt, the designee of State Historian's Office and Secretary of the Commission, was absent from the meeting.

Archives staff members present were: Rochelle Joseph, Carol Moreno, Robert Boots, Corinne Mayfield, Josh Hackel, Cathy Popovitch, Karen Mizeur and Travis Schweitzer.

Attending from the Department of Innovation & Technology was: Josue Barba.

Agency representation were: Grace Capranica representing Illinois Department of Transportation; Sarah Garner representing Northern Illinois University; Jeff Swaney and David Knauer representing Secretary of State (Police-Records Section); Fred Schneller, Terry Ooms and Matt Sebek representing State Fire Marshal.

The meeting was called to order by Mr. Joens at 9:30 a.m. Mr. Joens noted that the meeting was being held by conference call due to the current emergency and an in-person meeting was not practical or prudent. He also noted that he was physically in the John Daly Conference Room of the Margaret Cross Norton Building, where the State Records Commission meets. He asked that all members of the body identify themselves when speaking and said the meeting was being recorded, so that a verbatim record of it would exist.

The first item on the agenda was the approval of minutes of April 21, 2021. Ms. Patton noted some typos in the minutes, page 2. Line 16 should have a space between "is" and "in". Also on that page, line 30 has an extra period. Ms. Patton made a motion to approve the minutes as amended. Ms. Page seconded the motion. The motion carried unanimously on a roll call vote.

OLD BUSINESS

There was no old business.

New Business

The first item on the agenda was Application No. 18-09A Secretary of State (Police). Referring to retention “C”, Ms. Patton asked what the retention was measured from. After discussion, it was decided to add “after date of generation” to the retention. Referring to retention “D”, Ms. Patton asked what happens to the files or what is the determination on how long they are kept, if there is no prosecution. Mr. Swaney said that he will have to confer with the department’s attorney. Upon Mr. Joens’ recommendation, Ms. Patton made a motion to defer Application No. 18-09A to gain answers. Mr. Osgood seconded the motion. The motion carried unanimously on a roll call vote.

The next item on the agenda was Application No. 21-10 Secretary of State (Police). Ms. Patton had a question referring to both items 1 and 2, specifically on what happens to the audio itself when there is an investigation. She asked about the possibility of adding it to the list included on Application 18-09A. Ms. Patton also said we may need to adjust “Forcible Felony” as referenced in paragraph 3 of items 1 and 2, depending on what is done with retention D of that application. Ms. Patton made a motion to defer Application 21-10 to verify an actual retention for the audio when there is an investigation. Ms. Page seconded the motion. The motion carried unanimously on a roll call vote.

The next item on the agenda was Application No. 21-03 State Fire Marshal (Arson Investigation). Ms. Patton said on both items 1 and 2, there is a reference to field notes not subject to discovery. After discussion, Ms. Patton said she would be comfortable with referencing “Supreme Court Rules,” concerning the notes, as that would cover everything and also address any changes that may occur in the future. Ms. Patton said that on item 2 in the description “final reports” is noted but in the retention, “final” is not listed. She asked if we could add “final” to the retention. Mr. Boots suggested using the term “initial” which after discussion, State Fire Marshal representatives agreed to this. Ms. Patton asked about follow up investigations and new notes and reports that might be generated. Representatives stated that the notes are continuously memorialized. Ms. Mayfield suggested inserting “initial/interim/supplemental” before “reports” in the description and the retention. Ms. Mayfield asked about striking the citation in the description on item 1. It was decided that it should be struck. Mr. Gillespie made a motion to approve Application No. 21-03 as amended. The motion was seconded by Ms. Page. The motion carried unanimously on a roll call vote.

The next item on the agenda was Application No. 21-11 Illinois Department of Transportation (Office of Highways Project Implementation). Ms. Patton asked if we could spell out LPA in the title and define it (Local Public Agency) in the arrangement. Ms. Patton made a motion to approve Application No. 21-11 as written, seconded by Mr. Gillespie. The motion carried unanimously on a roll call vote.

The next item on the agenda was Application No. 21-07 Northern Illinois University (Outreach, Engagement and Regional Development). Ms. Patton asked if the incidents referenced in item 4 were strictly medical related. Ms. Garner stated that they are not. Ms. Patton asked if it could include criminal incidents. Ms. Garner said that it could and

that in that case a police report would be generated. Mr. Gillespie made a motion to approve Application No. 21-07 as written, seconded by Ms. Page. Motion carried unanimously on a roll call vote.

There was no public comment at the meeting.

Mr. Gillespie made a motion to adjourn, seconded by Ms. Patton. Motion carried unanimously on a roll call vote.

The following applications were submitted to the State Records Commission members for consideration.

- | | |
|--------|---|
| 18-09A | Secretary of State
(Police-Records Section)
<i>Deferred</i> |
| 21-10 | Secretary of State
(Police)
<i>Deferred</i> |
| 21-03 | State Fire Marshal
(Arson Investigation)
<i>Approved as Amended</i> |
| 21-11 | Illinois Department of Transportation
(Office of Highways Project Implementation)
<i>Approved as Written</i> |
| 21-07 | Northern Illinois University
(Outreach, Engagement and Regional Development – Lorado Taft Field
Campus)
<i>Approved as Written</i> |