

JOHN BURNS: Archivist holds crumbling remains of 1852 state census in a jar, left, and original San Quentin prison drawings.

Crumbling Opinions

Precious Records Disintegrating in Inadequate Sacramento Archives

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SACRAMENTO — State Archives Chief John Burns carefully unrolls the century-old plans for San Quentin State Prison — the brittle, yellowed paper as tattered as the old prison itself.

Like so many of the 110 million documents stored in the three-story archives building, the plans are irreplaceable and rapidly disintegrating.

Their eventual fate may be that of the 1852 California State Census — the first comprehensive census after statehood, with invaluable records of the Gold Rush period — major portions of which are now little more than brittle brown fragments of paper in a jar.

On the dusty top floor of the building, which formerly housed the state Printing Plant, are rows upon rows of handwritten records from the early days of the California Supreme Court and the state Court of Appeal — opinions bound in intricate red and gold leather volumes, sitting on shelves directly under a roof that leaks.

Some court records, stored in San Fran-

cisco in 1906, survived the earthquake and fire, only to suffer the ignominy of Sacramento winter rains.

"Today at least you don't need your umbrella in here," Burns jokes grimly, pointing to water marks on the roof and rolls of plastic used in a makeshift attempt to cover the shelves. "And this is the history of the California Supreme Court!"

In the summer, with no proper humidity or temperature control and without even air conditioning on the third floor, Burns says, "It smells like everything is cooking."

Some of the more valuable documents — such as the original 1849 state Constitution, the first laws passed by the California Legislature, the salvaged portion of the 1852 census and maps of Mexican land grants from the 1820s and 1830s — are kept in a vault on the second floor. The vault is the only "environmentally controlled area" in the archives building, Burns says. He adds that space is woefully inadequate and, like the rest of the building, lacks a fire suppression system.

"These are the documents that provide the state's legal foundation," Burns says,

opening a long black box containing the 1849 Constitution, pointing to shelves of volumes with the first laws passed in the first session of the state Legislature. Although most archives records date from the 1850s, a few go back as far as 1790.

Fat leather volumes containing original documentation of pardons, commutations and reprieves issued by the state's early governors, when the clemency function was a major task of the office, line one shelf along a narrow aisle. Original records of the investigation into the assassination of Robert Kennedy are in boxes toward the rear of the dry, cool and crowded room.

The vault holds the first public school records in California, old prison records and 19th Century Senate and Assembly journals. To call this room a historic treasure is serious understatement.

Although available for scholarly and legal research, the documents in the vault — and for that matter elsewhere in the tomb-like concrete building — are rarely seen by the general public. "It's really unfortunate that most materials are un-

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Irreplaceable Documents in State Archives Threatened

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available to the public," Burns says, citing severely limited exhibit space and inadequate staff (19, plus some part-timers) to prepare and preserve historic documents. And there is no field staff, he adds, to find and research important documents which may be gathering dust in some obscure bureaucratic closet.

State archivists report sharply increased use of the archives for legal research — particularly so-called "legislative intent" research, which has spawned several law-related businesses in the capital specializing in researching the historic origins of California law.

"Litigation often involves determining legislative intent," Burns says. "And increasingly high use of the archives by the legal community creates a real preservation problem. We're putting a lot of it on microfilm, since repeated handling is not good."

Burns estimated that his reference load has more than doubled over the past decade, and there has been a huge increase in legislative intent research, which is now half of the research here.

A major user of the archives is the Legislative Intent Service, founded in 1974 by former legislative staffers and Yolo County lawyers Thomas Stallard and William Keller. The latter's Woodland-based firm, Keller & Stallard, specializes almost exclusively in research of legislative intent for clients, mainly other lawyers, who need to know the basis of a law for litigation or future legislation.

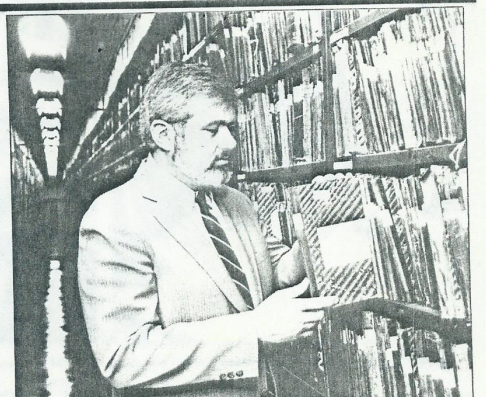
Stallard also heads the State Archives Foundation, a private organization of historians, community volunteers and professional fundraisers that was founded last year to assist in archives education and preservation efforts.

"It's so easy to defer this type of effort," Stallard says. "California has always prided itself on being a leader, but we are not a leader in archives. It [the archives building] is an anachronism. It's beyond its useful life for any current purpose."

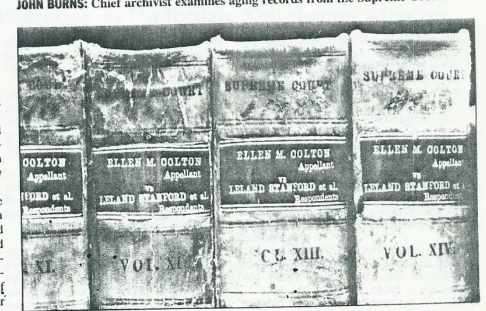
California didn't have an archives building until the secretary of state moved records — then stored in the basement of the Capitol building and a nearby warehouse — into the old state Printing Plant building in 1955.

"It's never been an appropriate building for an archives, although it had a couple of features that were useful, such as the load-bearing floors," says archivist and information director Charles Wilson.

"But it also has a lot of light, a lot of



JOHN BURNS: Chief archivist examines aging records from the Supreme Court.



windows, which are damaging to paper. The roof leaks, temperature and humidity are not controlled, and there is no fire suppression system, which is one of the scariest things. We have been very fortunate that we have not had any fires."

The building is equipped with smoke detectors and a security alarm system. A fire suppression system — a chemical suppression system in the vault, sprinklers in the rest of the building — was approved and funded by the Legislature and the governor last year, although the state's cumbersome architectural bid and planning system has delayed actual work on either system until later this year or next. The roof will be repaired this summer, according to the state Department of General Services, although the money to fix it was budgeted last July.

Gov. George Deukmejian's proposed 1988-89 state budget includes \$1.7 million to plan a new archives building, which is expected to cost about \$50 million.

"California has the most decrepit facility of any large state in the country and less than half the staff of New York," says Burns, a historian and president of the National Association of Government Archives and Records Administrators.

"As a result, preservation [of documents] is a major problem," he said. "You can retard a great deal of deterioration with proper care, and you can accelerate the process with improper care. This is not just another building. Every year we delay we incur additional expense and may lose some material as a result of neglect."

Although other states have larger staffs and better archival facilities, Burns says the aging historical record of the United States has created a "preservation time bomb all over the country" at a time of limited fiscal resources.

"Our national mythology is predicated on forward movement," Burns says. "We don't pay attention to what the past can teach us."