



# The Journal of Civic Information

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## Editor's Note: Five Years of Freedom of Information Research

[David Cuillier](#), Ph.D., Editor and Publisher, *University of Florida* \*

Like many initiatives, it all started with scribbles on the back of a hotel bar napkin.

The *Journal of Civic Information* celebrates its fifth anniversary this month as a peer-reviewed open-access online journal showcasing research in the public's access to civic information. Happy birthday!

Through these five years, the journal has published 36 studies and 20 editorials with 15,124 downloads – all free and accessible to anyone (without charging authors a dime). Frankly, it would be ironic to impede public access to the research through a paywall, thanks to endowments at the University of Florida College of Journalism and Communications' [Joseph L. Brechner Freedom of Information Project](#).

In fall 2017, the newly hired director of the Brechner Center, Frank LoMonte, and I bounced around ideas for a journal at a Nashville conference hotel. LoMonte's vision was to start a journal that was accessible to anyone – in its writing and topics.

“My charge at Brechner was to do *practical scholarship* that equips litigators and advocates to make their best case for open government, coming at it from the background of litigator/advocate and not scholar,” LoMonte told me in an email this month.

We also wanted the journal to be interdisciplinary, sharing research across professions, and to cater to different methodologies, including legal, social science, and historical.

During the following year, we would start putting the journal together, going with the name “Journal of Civic Information.” It would be hosted at the University of Florida by LoMonte, who would serve as publisher, and he asked if I could serve as editor. Absolutely. We launched our [first issue](#) on Sept. 4, 2019, and have published quarterly since.

To be honest, I was a bit nervous. Research indicates that social sciences suffer the most vanishing journals,<sup>1</sup> and the [struggle](#) of open-access journals is [well documented](#). I had seen other online open-access journals start and then eventually fold. One of my favorites was [Open Government](#), which published from 2005 to 2010.

But we did survive, fortunately, thanks to several key elements:

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<sup>1</sup> Mikael Laakso, Lisa Matthias & Najko Jahn, *Open is Not Forever: A Study of Vanished Open Access Journals*, 72 J. ASSOC INFO SCI & TECH 1099 (2021).

- LoMonte, who now serves as general counsel at CNN and adjunct instructor at the University of Georgia School of Law, has more energy than anyone I know in the civic information universe, and he is brilliant to boot. Anything he touches thrives, such as the [New Voices](#) campaign he created at the [Student Press Law Center](#), leading to 18 states that have adopted student press freedom laws.
- The Brechner FOI Project is the only university-based research center in the United States that focuses on access to government information, well supported through \$5 million in endowments collected over 47 years of work. Funding has not been a problem, and the University of Florida George A. Smathers Libraries provides an excellent [platform](#).
- We had the benefit of partnering with the [National Freedom of Information Coalition](#), where I served as president and founded an annual freedom of information research competition in 2017. That competition continues today – a partnership between NFOIC and the Brechner FOI Project (next winning entries to be announced in late October and presented at the annual NFOIC virtual summit on Nov. 14). Of the 36 studies published so far in the journal, 22 emerged from the competition.
- Amazing authors dedicated to freedom of information have contributed to the journal, sometimes multiple times. The “three-timer club” includes [Benjamin W. Cramer](#) from Penn State, [Jodie Gil](#) from Southern Connecticut University, and [Amy Kristin Sanders](#), who will move from the University of Texas at Austin to Penn State this winter.
- Our brilliant and diverse 15-member [editorial board](#) has provided excellent advice through the years, and dedicated service to reviewing manuscripts.

As a result, the world knows more about the issues facing government transparency, as well as solutions for improving freedom of information. Studies have covered access to police data, the logic behind waiving copy fees, social media posts about FOI, access to legislative records, and many other topics. The most-read issue, posted [December 2020](#), featured four studies examining the impact of COVID on government transparency. (See table below for top-10 reads.)

We have a lot to be proud of as a viable and relatively unique source of transparency research, for authors and readers:

1. We are methodologically diverse. We publish social science, quantitative and qualitative, in American Psychological Association citation style, as well as a section on legal analysis in Bluebook style – all double-blind peer-reviewed.
2. We are disciplinary-diverse, including research from journalism, library science, public administration, history, criminal justice, and much more.
3. We are scholar-diverse, working with experienced researchers as well as doctoral students, law students, or industrial professionals. Authors have represented the United Kingdom, Argentina and Canada. We provide a human approach to working with authors – not just a number or cog in the machine.
4. We don’t charge authors to publish, nor do we charge anyone to access articles. In our mind, open access means open access.
5. We try to be nimble in publication schedules and editing.

We have a lot to work on, however. The journal recently added [two new associate editors](#), A.Jay Wagner of Marquette University and Ahmed Alrawi of the University of Virginia. They will be instrumental in getting the word out to increase reach and impact, as well as submissions. The Brechner FOI Project will soon add a full-time outreach coordinator, which also should help spread the word.

We also plan to update the journal website, making the archives more easily scanned and additional research resources for those looking to find out more about freedom of information. We welcome your input ([cuillierd@ufl.edu](mailto:cuillierd@ufl.edu)), your submissions, and your continued readership!

| <b>Journal of Civic Information Most-Viewed Articles</b> |  |                                 |                     |              |
|--|--|---------------------------------|---------------------|--------------|
| <b>Link</b>  | <b>Title</b>   | <b>Authors</b>                  | <b>Issue</b>        | <b>Views</b> |
| <a href="#">1</a>  | Casualties of a Pandemic: Truth, Trust and Transparency  | Frank D. LoMonte                | Vol. 2 No. 1 (2020) | 751          |
| <a href="#">2</a>  | COVID-19, Death Records and the Public Interest: Now is the Time to Push for Transparency                          | Amy Kristin Sanders             | Vol. 2 No. 4 (2020) | 618          |
| <a href="#">3</a>  | Transparency and Access in a Pandemic: Understanding the Impact of HIPAA on Government Disclosures                 | Al-Amyr Sumar                   | Vol. 2 No. 4 (2020) | 562          |
| <a href="#">4</a>  | SLAPP-ing Back: Are Government Lawsuits Against Records Requesters Strategic Lawsuits Against Public Participation | Patrick C. File and Leah Wigren | Vol. 1 No. 2 (2019) | 560          |
| <a href="#">5</a>  | Agency Perspectives on Online Public Records Request Portals   | Alexa Capeloto                  | Vol. 1 No. 1 (2019) | 557          |
| <a href="#">6</a>  | Chasing Smokestacks in the Dark: The Amazon HQ2 Quest Revives Debate Over Economic Development Secrecy             | Sabrina Conza                   | Vol. 2 No. 3 (2020) | 551          |
| <a href="#">7</a>  | Freedom of Information Audits as Access Advocacy   | Kevin Walby and Jeff Yaremko    | Vol. 2 No. 2 (2020) | 532          |
| <a href="#">8</a>  | Out from the Curtains of Secrecy: Private University Police and State Open Records Laws                            | Josh Moore                      | Vol. 2 No. 2 (2020) | 530          |
| <a href="#">9</a>  | Behind Bars: Secrecy in Arizona's Private Prisons' Labor Pool  | Alyssa M. Petroff               | Vol. 4 No. 2 (2022) | 464          |
| <a href="#">10</a>                                       | Public Records Officers' Perspectives on Transparency and Journalism   | Brett G. Johnson                | Vol. 2 No. 1 (2020) | 445          |

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## A Labyrinth of Public Information: A Cross-Case Analysis of Ongoing Research and Advocacy Using Public Records Requests

Itza A. Carbajal, Tara Saleh, Yubing Tian, Marika Cifor, & Ricardo Gomez \*

| Article Information  | Abstract  |
|--|---|
| Received: October 5, 2023  | Given the proliferation of electronic records in government agencies, public records are an increasingly valuable source of information for research, advocacy, and public oversight. Using an information management framework, this article reviews practices by four organizations in the United States (National Security Archive, University of Washington Center for Human Rights, MuckRock, and Reclaim the Records) to request, manage, and use the information obtained through requests. Case study findings pinpoint obstacles and opportunities to strengthen research and advocacy using freedom of information laws, and how users of public records can shift from individual one-time pursuits of records to broader, ongoing, and collaborative initiatives. |
| Accepted: March 25, 2024   |   |
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| Keywords   |   |
| Freedom of information<br>Public records<br>Information management |   |

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## Introduction

Imagine the following scenarios: a young woman with a broken taillight sees a flashing red light in her rearview mirror. The police officers walk up to her car door and after a short exchange asking for papers she is arrested and handed over to immigration enforcement for deportation. Her parents seek help from an immigrant rights organization that uses public records requests of local jail and law enforcement records to track deportations. In a different setting, an adopted son begins to question the history of his biological family. The child seeks help from genealogists experienced in using public records such as marriage licenses and death certificates to trace family histories.

These are examples of daily life enriched by information obtained from public records. Public records are “any information, minutes, files, accounts, or other records which a governmental body is required to maintain, and which must be accessible to scrutiny by the public” (Cornell Legal Information Institute n.d.-a, para. 1). They document the actions, responsibilities, and operations of government. For investigative journalists, human rights advocates, community organizers, scholars, and everyday people, public records function as sources of useful information about their environments, governments, and the myriad decisions made by elected or appointed officials that directly impact people’s lives.

This article describes the practices used to request, manage, and use public records in a variety of research and public advocacy settings. Some public records are easily accessible online, but many records must be specifically requested from government agencies. Continuous access and use of public records require consistent, intentional, and robust information management practices, and a commitment to short and long-term care of the records. Through the lens of information management, we document and cross-analyze four illustrative cases of long-term, large-scale public records request endeavors. Each of the organizations represent a particular approach to ongoing, long-term commitments to using public records and processes as a primary component of their organizational mission. Our findings highlight the organizational activity involved in the request, processing, and use of public records, in order to better understand some of the common approaches, differing perspectives, and/or overlooked needs across all four organizations. Currently, most research primarily focuses on either the initial stage of acquiring records, or the social and ethical implications of public records re-use (Fleschert, 2016; Stewart, 2010; Walby & Larsen, 2012). We believe an information management framing clarifies the relationship between the information obtained through public records requests and the subsequent responsibilities and technological dependencies attached to their care (Mutula & Wamukoya, 2009; Sharma et al., 2021).

Public records are burdensome to request, produce, manage, and analyze, resulting in a surprisingly small number of potential users utilizing these resources (Prime & Russomanno, 2018). An information management approach highlights how organizations and individuals can not only better utilize and manage public records data, but also how newer groups can benefit from accessing and incorporating publicly available information without having to deal with impossible learning curves or intimidating red tape. Utilizing Rowley and Sharma et al.’s (1998; 2021) framework proposals, we expand existing work on public records research by addressing (1) requesting public records: scoping, submitting, following up, and training, (2) managing the information obtained through public records requests: securing and storing files, and refining unstructured data, and (3) using the information, differentiating internal and external needs and dissemination opportunities. We do so through an examination of four organizations engaged in long-term public records initiatives.



While each of our illustrative cases pursues different organizational goals and follows different principles of using public records as information sources, this article uses cross-case analysis to analyze the similarities and differences between each organization's approaches, needs, and priorities. A cross-case analysis of different organizations helps draw insights across disciplines, organization settings, and missions. The overlaps and deviations between them expose how shared strategies or purposeful decisions help organizations develop, support, or grow their public records use for education or research. Drawing on our analysis, this article aims to guide organizations and individuals on how an information science informed framework can enhance research using public records within academic and nonprofit environments.

This article begins with a literature review of public records and freedom of information (FOI) laws and of information management principles and their applicability to public records research. We then discuss the selection of the four illustrative cases in our analysis. The bulk of the paper is dedicated to discussing the processes to request, manage, and use public records in each of the four organizations. Finally, we conclude with a discussion of the primary takeaways in terms of obstacles and opportunities to use public records in research and advocacy in different organizational settings.

## Literature review

The following literature review covers two areas of information studies: the development of freedom of information laws and approaches to information management. The first area provides the reader with a general understanding of the proposed usage and evolving nature of freedom of information laws. Alongside an overview of FOI laws and practices, the area of information management as a systematic approach brings forth insights on how to understand and manage the information acquired through FOI laws.

### Public records and freedom of information laws

Early literature on FOI laws tends to focus on increasing recordkeeping systems through formal institutions like the National Archives and Records Administration and establishing standard practices to not only identify what constitutes a public record, but also which records merit retention (Nader, 1970; Peterson, 1981; Quigley, 2007). Shortly after the creation of federal and state-based records agencies, attention shifted to the various uses of public records in law, government, and policy (Nowadzky, 1996; Piotrowski, 2007). In the United States, public records, open records, sunshine laws, or FOI legislation were passed during the second half of the 20<sup>th</sup> century (Banisar, 2006; Nowadzky, 1996). Given the prominent interest in the legal, policy, or governmental aspects of public records, scholarship has mostly analyzed what Sharma et al. (2021) call the first stage of information management for the use of public records: information acquisition. An overemphasis on obtaining public records has led to the misconception that the work ends once the initial request itself is fulfilled.

Academic studies on legal, government, and journalistic endeavors to obtain information highlight the importance of FOI laws in increasing government access, transparency, and accountability (Fajans, 1984; Silver, 2016). As Cate et al. (1994) stress, the goal of the 1966 Freedom of Information Act (FOIA, the federal version of FOI laws) is “first and most important, [to] ensure public access to the information necessary to evaluate the conduct of government officials ... [and] second, [to] ensure public access to information concerning public policy; and

third, protect against secret laws, rules, and decision making” (p. 65). Prior to FOIA’s passage, states such as Alabama, Arizona, and Louisiana had already enacted similar policy, but shortly after FOIA over half of U.S. states also enacted their own FOI laws, with a focus on local and state record creation, recordkeeping practices, and public access. State laws mirrored key federal FOIA principles such as the people’s right to know about the activities of elected and public officials, and that all requests be processed in a timely fashion.

As state and federal public records laws gained more traction in the late 20th century, information studies scholars highlighted the need for infrastructure and resources to deliver and expand upon FOI expectations (Stewart, 2010). To fulfill the promises of government transparency, government agencies started to publish guides detailing the requesting process and exemptions (Fleschert, 2016). Practical guides to FOIA were likewise being authored by researchers providing a range of insights on FOI laws, from detailed explanations of relevant exemptions to instructions on how to craft the formal request letters to agencies holding relevant records (Bouchard, 1980; Freedom Forum Institute, n.d.; Kelso, 1990).

This focus on the administration of public records speaks more to the second stage of information management: the organizing, structuring, and processing of information. Information studies scholars such as Lotte Feinberg (1986) examined this structure through the need for professionally trained workers to process the growing public records requests. Unfortunately, despite “statutory and case law, directives and regulations, and personnel practices ... many [FOI requests] must be examined case-by-case, word-by-word” (p. 617). An under resourced and underdeveloped infrastructure led many government agencies to reject requests, failing to abide by the principle of timely disclosure, or to pursue partnerships with private for-profit corporations such as the case of the National Archives and Records Administration and Ancestry.com (Notopoulos, 2018). Lastly, government and public policy research on public records and FOI discuss the importance of disseminating information and ethical questions surrounding privacy of private individuals and the commodification of public records for profit (Halstuk & Chamberlin, 2006; Kriesberg, 2017).

To this day, legal and media scholars continue to shape discussions on the need for ongoing government accountability and transparency (Halstuk & Chamberlin, 2006). While continued support and pressure to further refine public records policy serves as the foundation for public records usage, the aftermath of creating these policies, systems of access, user expectations, and subsequent responsibility of managing public records remains overlooked.

### Information management of public records

Literature on public records and FOI laws surveyed in the previous section detail the history and public perception of these laws however, little scholarship has addressed the importance of developing, refining, and reporting the ways individuals or groups manage and use the records and data obtained through FOI. This article surveys information management scholarship focusing on the aspects of the information lifecycle as the use of public records heavily alludes to the actual acquisition, use, and reuse of the information held within the record.

Information management typically covers four areas: information retrieval, information systems, information context, and information environment, to better understand the stages of the information lifecycle (Franks, 2013; Electronic Frontier Foundation, 2012; Detlor, 2010; Rowley, 1998; Faircloth, 1977). Research on how to retrieve information primarily discusses how or when information is first being acquired. Information systems refer to studies or discussions on models and technical systems for making decisions on information management needs. Information

context includes analysis on information costs, risks, team management, and their use. Information environment refers to the impact or role information plays in society or culture through forms such as communication. This article discusses all four areas of information management and uses illustrative cases of organizations engaged in this work to discuss ways in which each organization designs, develops, and sustains information systems in their public information and records work.

With the dizzying growth of government agencies post World War II and, consequently, public records, recordkeeping agencies like National Archives and Records Administrations (NARA) scrambled to develop good management practices and systems. Presidential commissions during the initial enactment of FOIA stressed the financial repercussions of poor information management and administration that could result in a disservice to recordkeeping agencies, taxpayers, and records users (Leahy, 1948). But as archivists at NARA grappled with the tension to serve both immediate records management and future archival preservation needs, staff like Oliver Holmes (not to be confused with the Supreme Court Justice of the same name) noted that the records management responsibilities of NARA were “an obvious ingredient of efficient and economical administration that deserve[d] support” from Congress (Holmes, 1949, p. 354). Organizations like the Association of Records Managers & Administrators (ARMA) on the other hand emerged in 1955 with a specific focus on the immediate management of records rather than their cultural impact, archival usage, or public use of those records (Scanlan, 2011). The emphasis on immediate usefulness rather than historical or future uses tends to dominate information management scholarship. Today, information management literature on public records mostly examines how to preserve physical and digital records for legal purposes.

The late 20th century proliferation of electronic records, meaning records not originally created in a digital format and born digital records referring to those records originating in digital information formats, corresponded with increases in public records users and uses (Galka, 2017). Weber’s (1990) report for the National Historical Publications and Records Commission noted the drastic shift from paper records and building-based recordkeeping to now computer-based, digital systems dependent, and constantly changing technological records and infrastructures (Weber, 1990). Another boom in the use of public records emerged in tandem with the drastic increase in using the internet for seeking information. Cuillier and Piotrowski (2009) noted that “as more people use the internet for gathering information about their governments and communities,” studies needed to be done to understand how, if, and when users can access this information still held by public records in quicker or resource efficient manner (p. 446). These two technological changes shifted attention to the actual structure of records, how agencies would keep, maintain, and grant access to records, and how users would grow to increase their own awareness and use of these records. This digital shift in how, where, and why people created and used records continues to increase and expand in scope (Bermann, 2006; Fleschert, 2016; Prime & Russomanno, 2018; Mihailidis & Gamwell, 2020).

These changes led many agencies to ask themselves not only how they can provide access to records now, but also how would they provide access in the future? Additionally public users would also begin to question how they might also access these same records. And what uses outside of the original record creation intent might be found?

These changes led many agencies to ask themselves how they can provide access to records now and in the future. Additionally, public record users would begin to question how they might find and retrieve records, as well as what uses outside of the original record creation intent would be most useful for the public.

## Methods

The data collected about each organization varied depending on the availability of both public facing or internal documentation of each organizations’ workflow. The following subsections offer a brief description of each of the four organizations selected for this study. We then used a cross-case analysis to examine the public records work of four organizations, each selected for their unique and longstanding commitment to organizational information management of public records. Cross-case analysis interrogates similarities, differences, or shared themes across different controlled units to produce new knowledge or insights across disparate information brought forth by different cases (Khan & Van Wynsberghe, 2008; Mathison, 2005; Miles & Huberman, 1994). The cross-analysis method enabled a critical study of overlaps, distinctions, or other connections between the identified organizations.

We purposefully selected four salient organizations conducting long-term research using public records requests (for more see Table 1). Additionally, we were guided by three selection criteria: (1) non-commercial, research, or education-driven in mission; (2) use public records as a formal component of their organizational work; and (3) commitment of resources to work with public records and FOI laws. We adopt the broader term “illustrative case” rather than “case study” in order to present the various aspects of each organization’s work while also allowing for inter-case comparison (Greenberg, 2016). This approach allows us to examine organizational practices through an information management framework. Ranging in size, userbases, technological means, and the types of records pursued, the four illustrative cases provide rich holistic examples of how organizations committed to ongoing public records requests conduct their work. Data on all four organizations were collected by the first three authors through information readily available online, both produced by organization or about the organization.

**Table 1.** Summary of four public records requesting organizations

| <b>Organization Name</b>                         | <b>Government level engaged with during records requests</b> | <b>Types of public records</b>   |
|--|--|--|
| National Security Archive                        | Federal  | Intelligence records, presidential records, and records from the Department of Defense |
| University of Washington Center for Human Rights | Federal and state (Washington)                               | Immigration-related arrests and enforcement  |
| MuckRock   | Federal, state, county, and city                             | Many types, focused on strengthening transparency and investigative journalism         |
| Reclaim the Records                              | Federal, state, and city                                     | Genealogical records   |

### National Security Archive

The National Security Archive (NS Archive), founded in 1985 by journalists and academic scholars, is the oldest and best-known illustrative case of using public records and FOI laws (National Security Archive, n.d.-a). The NS Archive aims to “defend and expand public access to government information, [and serve as a] global advocate of open government, and indexer and publisher of former secrets ...” and to “disseminate historically valuable and previously unavailable U.S. government documentation to an international audience” (National Security Archive, n.d.-a). At present, the NS Archive publishes analyses of their public records collections in curated volumes, maintains over 26 programs using public records request processes and data, employs over 25 individuals, and provides numerous publicly accessible resources on how to conduct FOI requests online (National Security Archive, n.d.-h).

### University of Washington Center for Human Rights

UWCHR was founded in 2009 as a state-mandated resource center to promote human rights through hands-on research opportunities (Center for Human Rights, n.d.) Some of the UWCHR’s most formidable initiatives include their collection of state and federal information enforcement records through FOI laws. Our study highlights the work of UWCHR’s newest initiative, the Immigrant Rights Observatory (IRO), launched in 2020. The IRO team includes anywhere from 2-8 faculty, researchers, graduate and undergraduate students and community partners who utilize public records “to monitor implementation of and compliance with state laws protecting immigrant rights” to shed light on local conditions for immigrants and immigrant communities in Washington state (Center for Human Rights, n.d.).

### MuckRock

MuckRock is an online-only non-profit organization based in Massachusetts that strives to assist the general public in “request[ing], analyz[ing], and shar[ing] government documents, making politics more transparent and democracies more informed” (MuckRock, n.d.-a). Established in 2010 with a staff of eight along with a foundation board consisting of 5-8 volunteer community members, MuckRock provides administrative and technical support to users who seek public records through templates, guides and digital tools such as a custom-built public database for tracking and viewing existing requests and a comprehensive interactive website for sharing resources and information. Guides include tips, strategies, and tools like template help for user driven requests and a streamlined paid service for individuals and other organizations to gain access to records of interest. Originating from a group of “journalists, researchers, activists, and regular citizens” interested in accessing public records and information, it has become an online community of users pursuing “investigative and accountability journalism,” assisting in more than 143,000 requests as of Aug. 16, 2024 (MuckRock, n.d.-a).

### Reclaim the Records

Reclaim the Records, the youngest and smallest organization of the four illustrative cases, is currently run by an all-volunteer board of directors. Similar in mission to the previous illustrative cases, Reclaim the Records since 2017 has carved out a specific focus by working to “identify important genealogical record sets that are not online anywhere and not broadly available to the

public” with a core userbase of genealogists, historians, researchers, and open government advocates (Reclaim the Records, n.d.-a). Their mission is to identify targeted genealogical records under restrictions, submit public records requests for these restricted files on behalf of their users, convert the records to appropriate formats, and deposit converted files in online data repositories for wider dissemination. The organization has also engaged in advocacy through lawsuits and partnerships with for-profit companies to overcome paywalls for its users.

## Information management in the public records process

The information management framework when applied to public records, points to the importance of obtaining, managing, and sharing public records. We discuss each of these stages in application to the practices of each of the four illustrative cases selected for this study. Each illustrative case demonstrates viable approaches to common problems faced when conducting ongoing public records requests and usage. The first subsection presents how organizations obtain records, the second subsection how they organize and structure the records for analysis, and the third subsection discusses how they disseminate the results of their work.

### The process of requesting public records

The first step in requesting public records is defining the scope of the request. Since broader requests are more easily ignored or delayed, the more precise the scope of the request the greater the likelihood that it will yield useful results. Requests for public records require clear and courteous language with explicit search parameters. Public records requests frequently require follow-up and further interaction with agencies to obtain the records sought. Successful organizations invest in training their staff and volunteers to better handle these different aspects of requesting public records.

#### *Defining the scope*

Public records research demands dedication, persistence, and creativity, often overlooked research techniques. Longstanding acquisition and storage of public records begins with an understanding of the limitations and enforcement mechanisms of FOI law. Limitations inherent to FOI law shape the scope of public records centered research programs. Moreover, they dictate the types of records available and the prioritization of requests. For example, Exemption 6 of FOIA concerns an individual’s right to privacy, a mechanism often used to restrict or deny access to records such as birth certificates or medical records (Huff & Merutka, 2010). Threats to national security are likewise cited by federal agencies to justify restrictions on public records, which at times conflict with the spirit of state FOI laws. These restrictions can also dictate the extent to which FOI laws are approved by agencies or upheld in court. In some cases, leading to exorbitant fees, misapplied exemptions, and inapt denials in response to requests that are otherwise covered by the language of open record law (Wagner, 2017).

The NS Archive specializes in requesting intelligence records, presidential records, and records from the Department of Defense. The NS Archive hires highly trained FOIA specialists and subject matter experts who, together with staff, utilize already publicly accessible documents to craft their records requests. In their FOIA guide, the NS Archive stresses the importance of

defining one's FOI request to be "reasonable in scope. [As] agencies are not required to process unreasonably broad requests" (National Security Archive, n.d.-h).

Reclaim the Records pursues collections that include record types such as birth, marriage, and death certificates with a focus on state records and repositories. Given the organization's commitment to expanding access to publicly owned government records, the Reclaim team states that they "pick [their] targets, carefully study the vital records laws and the state Sunshine [FOI] Laws, craft [their] records requests, and if [they] don't get an appropriate answer, [they] sue." (Reclaim the Records, n.d.-a). Reclaim the Records accepts community suggestions via an online survey to crowdsource areas of focus and records of interest. However, the team ultimately decides which historically or genealogically important public records that have limited public access, or no public access, should be pursued through legal means with the Reclaim the Records volunteer team submitting the records requests (Reclaim the Records, n.d.-b).

On the other hand, the UWCHR program streamlined their initial set of public records requests aimed at understanding three key pieces of two state laws: the 2019 Keep Washington Working (KWW) Act and the 2020 Courts Open to All Act (COTA). The UWCHR team sought public records to investigate if, when, and how information sharing occurred between local Washington government agencies and Custom Border Patrol and ICE agents (Tian et al., 2021). Working in collaboration with local community partners, the UWCHR team targeted 13 priority counties and sent preliminary public records requests for each county to assess a variety of responses including agency reactions and confirmation of record availability. During monthly meetings, UWCHR works with community partners to identify, refine, and decide which records to pursue and for what means.

In these illustrative cases, scoping records requests plays a vital role in guiding staff priorities and achieving organizational goals, helping to focus the requesting organization's time and efforts.

### *Submitting public records requests*

The submission process refers to the steps necessary to request public records. It undoubtedly plays a foundational role in public records work. For those new to using public records for research or educational purposes, filing a request under FOI laws may be intimidating or confusing. Confusion stems from differences in local, state, or federal FOI laws and policies or not knowing what kinds of records to request and from whom. For the illustrative cases noted, the submission process differed in practice depending on the organization's mission. Some organization's records requests were for their internal efforts, on behalf of others, or were used to develop resources to aid others in submitting records requests. However, most extant literature focuses on the submission of public records requests such as the phase of the process.

### *Follow up to requests*

Government agencies' lack of response, resistance, and partial or incomplete responses to public records requests require follow up and, on occasion, appeals and litigation. The first step of following up to requests is recognizing missing information in a response—whether deliberately or inadvertently excluded. This is a learned skill that requires familiarity with the subject matter and the records sought. For long-term projects using public records, tracking the status of records requests also requires effort. Every records request has its own timeline dependent on the agency one is requesting records from, and on the types of records sought. When records are received,

they may come all at once or in installments. While some agencies are more collaborative with requesters, others are reticent or altogether unresponsive. Following-up on pending requests is often necessary.

MuckRock offers a tracking tool based on software that they developed, such as DocumentCloud and FOIA Machine, to help mitigate this long process and tracking requests after their initial submission (MuckRock, n.d.-d). The UWCHR has dedicated time and labor to the active administration of pending requests. An appointed staff member is responsible for keeping an up-to-date list of pending requests and reporting back to UWCHR and community members on the status of submitted records requests. For both organizations, meticulous monitoring of pending requests has emerged as a critical practice that has previously been overlooked by scholars. Overall, the three actions of scoping, submission, and follow up make up the core process of seeking and obtaining public records.

The process of managing public records once they are received

This section addresses routinely overlooked aspects of public records requests: data maintenance and management. These areas of work include preserving the public records files and data, storing the files and data, and refining unstructured data for re-use.

#### *Preserving files and data*

Organizations requesting public records receive them in a variety of formats from .pdfs and .jpegs to .dbs and .tiff. Some formats require basic systems for storage or access such as moderately sized storage or specific readers for files like PDFs. Others require more complex methods for accessing or sharing such files. Email files in their original format require intricate email processing, preservation, discovery, and delivery software. Otherwise, these files cannot be accessed or assessed for authenticity, completeness, or value. In many cases, complicated record formats created during the public records request process or due to being born-digital will be converted to older or easier to handle formats.

For groups such as the UWCHR and the NS Archive, long term preservation and management are key to ensuring internal access and usability. Other organizations like Reclaim the Records possess little interest, or capacity, to maintain the public records acquired from state repositories. Reclaim the Records requests and receives a variety of formats often dictated by many privacy, legislative restrictions, and exemptions such as those imposed on birth certificates. In the case of *Reclaim the Records v. New York State Department of Health* the team requested “an extract of the database of all New York City marriage records...” (Reclaim the Records. v. New York, 2020). Databases can exist in a variety of formats each consisting of various elements including tables, indexes, stored procedures, and interfaces. Reclaim the Records' data management approach consists of depositing acquired records in an externally managed publicly available online repository.

Together, these illustrative cases highlight the need for careful attention to questions and concerns on the short- and long-term management of public records for re-use. Even if the records are not intended to be used internally by the organization in the long term, organizations must be ready, equipped, and knowledgeable on how to access or provide access to these records. If the organization does wish to preserve these files for the long term, careful decisions must be made when preparing records for storage and future access, especially if a format may only be readable using proprietary systems.



### *Storing files and data*

Short- and long-term access to files and data remains a top priority for all organizations using public records. But limited or lack of resources, expertise, or urgency within each organization can present a continuous challenge for the management of these records. Some organizations may choose to go the proprietary route requiring less upfront resources and training. UWCHR, for example, uses Google Drive as a storage and access platform, and takes advantage of its easy organization and editing features. But proprietary cloud storage providers such as Google Drive, Microsoft One Drive, Apple iCloud, etc. may also introduce instability, inconsistency, and vulnerability to the data and acquired records. Initial transfer of files from originating agencies often occurs through temporary links to access the requested digital records; however, these links only serve as transfer vehicles with the expectation that receivers will secure long term solutions for storage.

MuckRock sought a solution through customized software development, DocumentCloud. DocumentCloud functions as a server for users to upload all documents in order to pursue transparent investigative journalism (Morisy & Pilhofer, 2018). DocumentCloud allows public access to most documents secured through MuckRock's request services; while the published data remains the responsibility of the individual requester, it is open access unless it violates copyright or third-party privacy acts (MuckRock, n.d.-c). To track and manage the metadata regarding each request, the information is stored in the MuckRock Django app, which creates a user-friendly interface of requests that can be searched, replicated, and analyzed.

### *Processing unstructured data*

On the surface, public records requests may appear to focus on the record rather than the data found within the record. But given the overall goal of uncovering new or confirming previously assumed information, public records request work depends on accessing usable data. Unfortunately, data does not always arrive in a structured, ready-to-use format or form. Even though some electronic and digital records, like emails or spreadsheets, have a standardized layout, the data found within them may not arrive complete, usable, or even intelligible. In many cases, redaction or conversion oversight obstructs data processing efforts. Moreover, this can occur as a result of using data scraping software to extract the maximum amount of information, which can negatively impact the re-usability of the data.

Acquiring public records that are difficult to re-use may sometimes be attributed to negligence or malice. However, it may also be due to inadequate technological or subject matter expertise, or unclear communication between requester and originating agency around expectations. The UWCHR, for example, received emails in PDF files rather than in their original electronic email format, resulting in incomplete and disorganized files. PDFs of emails resulted in missing attachments to the original emails and were presented in nonchronological order. UWCHR staff utilized manual data organization tactics to increase the accessibility of the data. The NS Archive, on the other hand, periodically calls attention to the level of redaction placed on some files resulting in not only lighthearted ridicule towards recordkeeping agencies, but also additional work to either re-request the file or decipher more information than what can be easily discerned from the existing files. These examples highlight the data processing labor required for public records to be successfully (re-)usable.

## Using the information obtained through public records

Access to information is the aim of public records requests. This final section focuses on the tension between organizational uses, or those desired by the public, and the actual means and strategies used by the illustrative case organizations to disseminate the information acquired through public records.

### *Internal versus external needs*

In our illustrative cases, there exists a variety of intended uses for the acquired public records and data. In some instances, the organization uses public records to advance their own mission. In other cases, the organization uses public records to aid outside groups in conducting their work. Internal and external needs can shift throughout the scoping and requesting process. For example, the needs of both internal and external organizations range from immediate publication access to ongoing use of records for educational purposes. However, for long term efforts, there often remains a core mission of acquiring information for preservation and future use.

For example, the records obtained by the NS Archive are for organizational uses and for the public to use however they choose. Internally, FOIA-obtained records aid staff researchers and analysts' subsequently published research and investigations. Externally, the NS Archive's records have various uses, including as evidence in international trials and truth commissions alongside testimonies and certification of authentication by the NS Archive's expert staff (National Security Archive, n.d.-a).

The UWCHR prioritizes the goals of other stakeholders such as legislators, partner organizations and community members (Immigrant Rights Observatory, n.d.). Certain public records yield data specific to the requests of partner organizations, while other requests rely on UWCHR's analysis to benefit external collaborators. The UWCHR's commitment to uncover patterns of compliance with sanctuary laws allows for simultaneous access and succinct comprehension for partner organizations. In some cases, external organizations collaborate with UWCHR, paving the way for more narrow and efficient use of the datasets.

Reclaim the Records, like the UWCHR, emphasizes the needs of external stakeholders. In Reclaim the Records' case, the external stakeholders are online genealogical users. The core difference here rests on the fact that Reclaim the Records does not produce a transformed or summarized entity such as a report or visualization of acquired public records data. Once files have been received, the Reclaim the Records team publishes the files online, which effectively ends their responsibility of providing ongoing access to their stakeholders.

### *Dissemination of information*

Each of the analyzed organizations distributes the records obtained via long-term public records requests in distinct ways, for purposes ranging from legislative advocacy, to advancing open data initiatives, to the use of records as legal evidence. While not explicitly noted in the aforementioned information management areas, dissemination refers to the methods of how information flows through an information environment especially when transfer of information serves as the primary motivator for information retrieval. The NS Archive has diverse avenues for providing long term access to their records, as well as uncovered and analyzed information. They have published online through their own website several thousand documents including curated

volumes by topic in their “Electronic Briefing Books” (National Security Archive, n.d.-c). Furthermore, through a collaboration with ProQuest, the NS Archive’s Digital National Security Archive includes 140,000 digitized declassified U.S. government documents accessible to users via individual or institutional subscriptions (Digital National Security Archive, n.d.).

MuckRock focuses on creating a robust, transparent, and accessible collection of documents via databases available for use by journalists, individuals and organizations. The use of a public server created and hosted by MuckRock allows for this high level of public accessibility, while minimizing the organization’s role as a gatekeeper of information. Internally, the organization utilizes acquired records to publish investigative reports in fields such as governmental transparency, law enforcement policy, and surveillance. The organization also allows the public to deposit relevant information and records in the database, thus creating an engagement opportunity for individuals without formal ties to the organization.

The UWCHR periodically creates comprehensive academic reports aimed to serve as evidence of immigrant rights violations (Center for Human Rights, n.d.). Public records are the main source of evidence in these reports aiding grassroots organizations to better understand the situation impacting their communities. In other projects, such as the FOIA lawsuit to obtain Salvadoran Civil War records held by the CIA, the UWCHR-obtained public records are now made publicly available through searchable databases curated in partnership with UW Libraries.

Reclaim the Records, on the other hand, sets out to identify, access, and increase use of records otherwise hidden or underutilized. In one case, Reclaim the Records noted a lack of online, publicly available government records commonly relied on by genealogists to conduct their personal and professional research. They partnered with the Internet Archive, a non-profit digital record provider, to publicly disseminate the information acquired by Reclaim the Records through their public records request work. Depending on a separate organization to provide long term care to the digital files relieves the Reclaim the Records of preservation responsibilities such as how users will be able to view, interact, or download files. Like MuckRock, Reclaim the Records holds no specific organizational use for their public records. Rather, they depend on and trust their immediate audience to make some use of public records.

All four illustrative cases demonstrate a range of immediate and continuous uses for public records request work. From reports to downloadable database files, these examples show how public records, and their data can be utilized both by intended users, such as community members, and unforeseen future users such as academic researchers and students (Lee, 2001).

## Discussion of challenges and opportunities in public records research

Our analysis of the information management practices to request, manage, and use public records by four organizations illustrates some of the challenges and opportunities posed by public records activism and research. When comparing the differences and similarities between the organizations, this section notes the following takeaways when it comes to obstacles and opportunities. Significant obstacles include: 1) federal and state FOI laws on public records work; 2) hostility from recordkeeping agencies, and 3) sharing potentially private data. Opportunities that can help offset some of these difficulties include: 1) integration of connections and shared interests to work collaboratively; 2) utilization of relationships to mitigate hostility amongst users and government recordkeeping agencies; and 3) communal agreements on ethics-driven public data decisions.

## Obstacles

Our broad assessment of the work brought forth by the illustrative cases uncovered the following obstacles that merit discussion given their overlapping presence across organizations.

### *Federal and state FOI laws*

First, the underlying complexities and contradictions of working with differing federal, state, and local information and FOI laws may provide barriers to conducting resource efficient and effective work. Public records activism is always subject to the limitations of informal organizational policies and governmental laws addressing the creation, preservation, and care of public records. Some organizations, like NS Archive, focus on requesting records at the federal level and mostly work with FOIA rules and regulations, while others, including Reclaim the Records, focus on state level records and FOI laws. Others, like MuckRock, do not submit requests on behalf of others but will provide support and infrastructure for state and federal requests. Finally, some groups, such as the UWCHR, will work at both the state and federal level in hopes of contrasting the records held by different governmental agencies and how those disparities impact public information needs.

These choices often depend not only on infrastructure or available resources, for example, FOI request letter templates, but also on staff knowledge in handling and following up on requests. As all four illustrative cases demonstrate, successfully consulting or requesting on behalf of someone requires a high level of proficiency in State FOI laws which follow unique state standards without a centralized mechanism to ensure that requesting rules apply consistently (Stewart, 2010). This lack of standardization also causes discrepancies across state and federal FOI laws, leaving users confused. Organizations likely define their FOI scope based not only on the records they seek, but also based on the risks or obstacles presented by the recordkeeping agencies. Interestingly, such obstacles may simultaneously function as deterrents and incentives. For first-time users, small groups or organizations that pursue amicable relationships with public record agencies, such obstacles act as shields against full transparency or accountability. However, for organizations such as Reclaim the Records, with both experience and investment in adversarial relationships with governmental agencies, obstacles are viewed as welcome challenges and opportunities to push the boundary of public record policies. UWCHR's work also demonstrates this conflict with an ongoing commitment to challenging and experimenting with FOI laws at state and federal levels. Their engagement not only helps increase access to public records, but also provides guidance to recordkeeping agencies that may need external support and clarity given the lack of a centralized and coherent system.

Published findings on how to better approach FOI laws contribute greatly to the public's access to this type of information. The NS Archive, the UWCHR, Reclaim the Records, and MuckRock all provide publicly accessible resources for the general user to browse and utilize. The NS Archive, for example, provides over 13 blog entries and a 122-page manual on their website. The UWCHR published a similar guide highlighting many lessons learned from the NS Archive as well as through their own projects and efforts (Willard, 2019). MuckRock offers its own range of online resources, differentiated by level of experience in submitting requests, agency and geographic specifics, as well as discussions of the various loopholes and legal formalities existing around international, state and local open record laws. The diversity of guidance from existing information management systems enables those newly entering the public records sphere to select

information tailored to their needs, encouraging creativity within the seemingly restricted federal and state FOI laws.

### *Hostility*

Organizations highlighted throughout the article demonstrate the importance of relationship building, with each bringing forth various approaches and principles ranging from neutral-tone collegiality to targeted and intentional antagonism. For some groups engaging in long-term public records request work may depend on or desire amicable, lasting relationships with the various public records holding agencies. Issues can arise if the record holding agencies develop a perception of animosity or hostility due to increased surveillance or critique of their work. This lingering distrust results in both the requester and requestee asking themselves: how might this public records request hurt us? Relationship building plays a crucial role when organizations anticipate repeated interactions with local, state, or federal agencies. For example, the UWCHR Immigrant Rights Observatory, given their focus on local and statewide immigration issues, places great importance on the relationships developed through their records request work. For them, good relationships facilitate quicker, easier, or more streamlined requests and information sharing as agencies may perceive the requesting organization as being on friendly terms.

Others, such as Reclaim the Records or the NS Archive, reciprocate the animosity they receive from government agencies. For example, the NS Archive bestows the Rosemary Award on those agents or agencies providing the worst open government performance. The NS Archive also conducts periodic audits aiming to uncover how recordkeeping agencies address ongoing backlogs and criticism. Reclaim the Records, similarly, turns to public shaming to call attention to hostility or negligence from government agencies on online platforms such as Twitter. Reclaim the Records routinely targets the government agency's online persona, for example, tagging the agency's Twitter account to call attention to ignored emails, aggressive responses, or incompetence. They also subtweet; a July 26, 2021, tweet by Reclaim the Records reads: "It's just one more comedy of errors dealing with agencies -- in this case, literally a major US city's department of RECORDS -- who have no idea how to handle Freedom of Information law requests for records, and no idea of their own responsibilities. Or don't care. Or both."

For these organizations, relationships with public records agencies represent unequal power structures compared to relationships with other organizations with similar structures, power distribution, and goals. Perhaps for smaller and newer organizations such as Reclaim the Records, quick charged exchanges encourage speedy response. Or as a larger organization, the use of shame or increased visibility puts additional pressure not just on employees but entire agencies and even supporting politicians. Whether such social media use beckons action or dismay from governmental employees or uplifts comradery for public record activism at large is unclear. But more importantly these strategies tend to characterize a more reactive and emotional approach that has been seen to garner both public support and increased attention.

Overall, communication styles between organizations and public record agencies depend heavily on the level of supervision. For example, originating from a state mandate and under institutional limitations as representatives of an academic university, UWCHR errs on the side of cooperation to see success in record return. However, the absence of bureaucracy allows organizations, such as Reclaim the Records or MuckRock, to utilize social media for shaming or chastising governmental agencies with no consequential oversight. The interaction of public records organizations in social media discourse becomes important instances of calculated risk: balancing questions of audience interpretation, opportunities for garnering community support and

avoiding, encouraging, or confronting governmental agencies. Overall, hostility becomes a tool proving, at best, fruitful to those organizations that do not answer to higher institutions, and, at worst, gravely detrimental to those that do.

### *Sensitive data*

Lastly, there are numerous benefits in increasing access to information through public records requests. There exists a need for consistent, ever-evolving discussions on the consequences and ethics of broad or restricted access to public records and information about private individuals. Sometimes it is essential for the public to be able to confidently assess that the information shared with them is complete and accurate. However, we need to consider how under some circumstances, or for particular populations, this increased access to otherwise less public information produces new or broader concerns for safety, personal or professional identities, or general well-being. The tension surrounding disclosure and consent becomes blurry with public records, where some courts claim the “release of information that is merely readily accessible to the public” does not constitute a disclosure (Stewart & Davis, 2016). Some entities, such as educational institutions, obtain additional clearance in receiving records if the requested documents and complementing research endeavor are serving a public interest. In such cases, publishing the data is not a personal consideration but a legal one.

For example, as the UWCHR gained access to people’s immigration status or perceived criminal or legal interactions, questions arose as to whether it should establish new or different levels of access to this potentially sensitive information. The UWCHR incorporates a review process for releasing redacted and secure versions of records to address this concern. In contrast, Reclaim the Records simply digitizes and publishes entire data sets responsive to public records requests. While these organizations share a primary aim of increasing public access to otherwise elusive documents, their concerns about sensitive information differ. In some cases, protecting individual identity outweighs the potential gains of publishing open-access documents, an example of the ever-present ethical considerations when working with and publishing public records.

### *Opportunities*

Our analysis uncovered three primary lessons for other organizations who are interested in, or already engaging in, public records work as a public good: (1) the benefits of collaboration across disciplines, professions, and interests; and (2) the impact of relationships and (3) the establishment of shared driving principles. These organizations offer important models and guidance in navigating difficult or ethically ambiguous concerns.

### *Community collaborations*

Creating cross-entity coalitions allows for increased dialogue between research programs, journalists, and grassroots organizations. These conversations enable more streamlined processes for sharing information, as well as an established network for amplification post-publication of records, reports, or articles. Additionally, reducing barriers by providing template language and existing data on a shared interest is a beneficial way to mobilize knowledge in a proactive manner. By combining efforts, the number of requests decreases while still producing the targeted information, increasing both the efficiency and scope of the work simultaneously.

As a longtime and frequent requester of government records, the NS Archive has developed resources for users on how to make sense of specific kinds of public records. For example, NS Archive FOIA Guide includes resources such as a glossary, sample government records with labeling as well a database on agency contact information and status update on the impact of COVID-19 on record holding agencies (Adair & Nielsen, 2008; Agency Contact Information, n.d.). These resources not only aid immediate communities of researchers, but also facilitate possibilities for organizations looking to utilize and understand similar public records. The UWCHR, as part of a coalition of diverse advocacy groups investigating the implementation of the Keep Washington Working Act, continues to meet monthly to share results of public record requests, community reports and legislative progress. Since the coalition's initiation, several working relationships have emerged between interested reporters and the UWCHR, leading to secure data-sharing and articles generating public attention (Brynelson, 2021; Shapiro, 2021). This type of purposeful collaboration allows data sets to be analyzed and shared in both large- and small-scale settings, which enables specific findings to be investigated deeply by a single journalist while organizations focus on broad patterns and commonalities among the data.

Facing similar obstacles, including underfunded and under resourced archival and recordkeeping institutions, reluctant government officials, and deterring fees, Reclaim the Records sought to bridge some of these gaps through organized and community centered public records request work and systems. By pooling together resources such as public records request templates, updates on existing restrictions or requests, as well as legal means to override request denials, Reclaim the Records demonstrates the benefits of formal collective efforts that continue beyond one request or enthusiastic group of volunteers.

#### *Use of relationships to mitigate hostility*

Cross-organizational collaborations can facilitate new or improved relationships between those requesting public records and the record holding agencies. This is especially significant given how easily the act of requesting records can be misconstrued between the two parties. As noted in discussion of obstacles, recordkeeping agencies may misinterpret requests for records as affronts to their work or ability to work. Alternatively, organizations might misunderstand reluctance to disclose information from a recordkeeping agency as unnecessary defensiveness (Johnson, 2020). Both parties engaged in the work of recordkeeping and access may constantly find themselves at odds, particularly when the success of one may be at the expense of another. Despite the benefits of assertive engagement with government agencies as demonstrated by the tactics of the NS Archive and Reclaim the Records, at times more discrete and cordial approaches may be beneficial. This presents the possibility of a fourth important element, relationship building, to supplement existing information management frameworks.

The UWCHR, for example, works diligently to identify and communicate with local officials, taking special care with amicable counties, when exploring potential public records requests. These relationships with records managers or county archivists facilitate a better understanding between what the UWCHR seeks and what recordkeeping agencies can provide, particularly for projects that require longitudinal, repetitive requests. The UWCHR may also avoid direct confrontation with agencies but remain in contact with larger nonlocal organizations in hopes of setting the stage for strategic bargaining. Reclaim the Records can be seen utilizing the visibility of organizations like MuckRock, given their trusted image in the community of public records work, to highlight and share acquired records. If organizations can collaborate, even tangentially, through strategies such as applying outside pressure or dividing up requests to

maximize agency relationships, they can further their public records efforts without jeopardizing agency trust or their reputations. This cross-organizational teamwork infuses the public records infrastructure with creative license, offering a range of strategies from adversarial to cordial to seek and share records in a timely and complete manner. Considering the repetitive and long-term nature of many public records requests, such innovation and artistry in approach is necessary to pursue the same level of transparency over time.

### *Establishing guiding principles*

Organizations committed to long-term public records work develop unique and extensive experience, insights, and authority in using public records and request processing for advancement of research, knowledge acquisition, and political prowess. These organizations should guide standards and conversations on public records efforts, including concerns about what should remain private after records requests are successful, and how organizations can prevent potential destruction of sensitive data. In addition to the decision to increase public and online access to newly acquired public information, organizations conducting public records request work on a larger scale may find themselves as role models to other groups.

In most, if not all, of the illustrative cases, efforts to increase access to government information are driven by their goal to obtain obscured or restricted information. The question then arises as to how organizations can encourage more use without jeopardizing the safety or wellbeing of implicated persons or communities. In the area of privacy and sensitive information concerns, organizations such as the UWCHR provide models for establishing guiding principles on data pertaining to vulnerable populations such as undocumented individuals. This organization's connections with local and national community groups involved with or beholden to the communities in question allow for a more streamlined and accurate reflection of what the subjects of these records might desire. Unlike organizations with indirect ties to the record subjects, the UWCHR maintains open communication with subjects and repeatedly assesses whether the goals of the organizations remain in line with those of the record subjects.

Reclaim the Records, as an emerging voice for genealogists across the United States, oftentimes utilizes their platform and voice to establish acceptable and unacceptable practices both for researchers, users, and recordkeepers. MuckRock, on the other hand, offers paid services for professionals or large organizations such as the ability to embargo requests keeping them private until the users removes the embargo. This service balances the privacy of that collection of requests with the open nature of public records work helping to establish reasonable and ethical expectations for organizations and users (MuckRock, n.d.-c.) These approaches towards risk awareness, mitigating risks, or providing protections against potential future risks, highlight the importance of examining how different organizations approach ethical hurdles. Implementing strategies used by more experienced groups like UWCHR, Reclaim the Records, or MuckRock to navigate difficult scenarios can serve as guidance for less experienced groups who may want to seek or acquire public records without jeopardizing people's wellbeing, safety, or control.

## Conclusions

This article presents a cross-case analysis showing how four diverse organizations, the National Security Archive, University of Washington Center for Human Rights, MuckRock, and Reclaim the Records, each with distinct structures, missions, resources, and institutional settings,



approach obtaining, managing, and using public records. Prior scholarship on FOI-obtained public records oftentimes narrowly examines this topic as a monolithic object or as a political means to an end. By drawing on three core processes of information management: (1) acquiring and integrating information from diverse and varied sources, (2) organizing, structuring, and processing information, and (3) disseminating information to the right audience in a suitable manner. Offering a view into the array of approaches employed by these four organizations provides greater understanding of the complete lifecycle and processes underlying public records work. Our focus on the oft-neglected issues underlying FOI requesting initiatives turns much needed attention to the labor and resources required to conduct and sustain these efforts.

The core motivation of public records initiatives is the need for, or expectation of access to, information for a broad audience in both the short and long term. A focus on the labor, attention, and resources required to manage the public records once they are obtained produces fruitful information for interested groups as they navigate expectations, capabilities, and possibilities or obstacles for growth. The analyzed organizations have navigated the obstacles and opportunities of working with public records in various ways depending on their mission or capacity. These illustrative cases also highlight the different stages necessary to conduct public records requests and to manage and care for the resulting acquired records, data, and information, as well as the responsibility of wider and future access.

In addition to being a revealing investigation of four distinct public records organizations, this article is a launching point for future studies on the processes of using public records and policies for research and educational purposes. Insights from this study could be used to draw comparisons between initiatives at academic and nonprofit institutions and those of private industries, such as financial data analytics or corporate law firms who engage in profit-driven requests with streamlined processes that may result in high numbers of public records requests and greater acquired data. Future work could examine and evaluate how well different information management strategies are suited to different types of organizations, accounting for the aims, structure, institutional context, types of public records and the audience of the organization. Other research could investigate how large-scale industry quickly gained an edge in utilizing these public services and resources for profit (Carlson, 2020). Or more simply, studies could incorporate organizational insights on how organizations and its staff, volunteers, leadership, and supporter base share workflow tips and tricks each potentially addressing the various challenges and opportunities noted in this article. Ultimately, the need for proven approaches and measure of using public records continues to increase with individuals, organizations, and government agencies recognizing the potential of these records for personal, professional, or societal goals and demands.

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