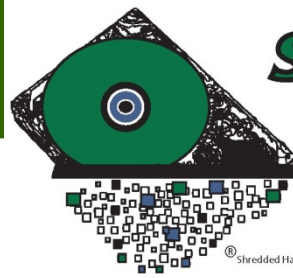


EFFECTIVELY IMPLEMENTING AND MANAGING ELECTRONIC DATA DESTRUCTION AND DISPOSAL



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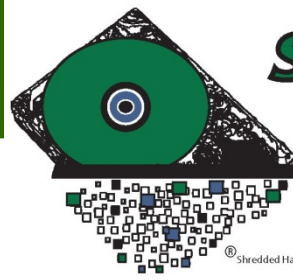
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Why A Records Manager Should Be Involved...

- ❖ “Records management is the practice of identifying, classifying, archiving, preserving and **destroying records.**” – Wikipedia
- ❖ 90% of all business records are stored in electronic format



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Technology Changes

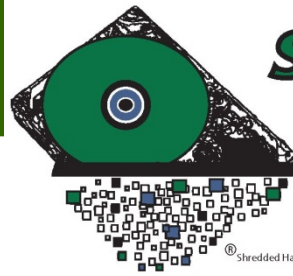
- ❖ Data Storage Capacity Growth
- ❖ Proliferation of New Devices



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Regulatory Compliance

- ❖ Federal
 - ❖ GLB
 - ❖ HIPAA
 - ❖ FACTA
- ❖ Industry
 - ❖ PCI – Credit Card
- ❖ State
 - ❖ CA, NJ, MA



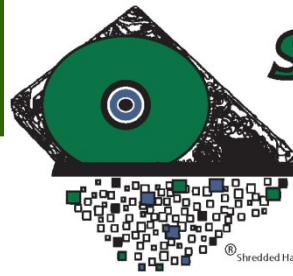
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Legal Electronic Discovery And Its Exploding Costs

- ❖ Litigation Costs
- ❖ Calculating Costs
- ❖ Litigation Hold
- ❖ Safe Harbor Rule



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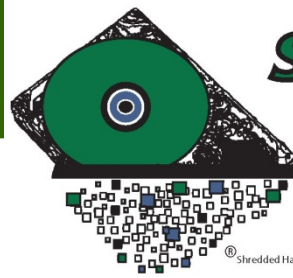
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FRCP “SAFE HARBOR” Provision

❖ ***SAFE HARBOR 37(d), (3), (e) - Failure to Provide Electronically Stored Information***

Absent exceptional circumstance, the court may not impose sanctions under these rules on a party for failing to provide electronically stored information lost as a result of routine, good faith operation of an electronic information system.



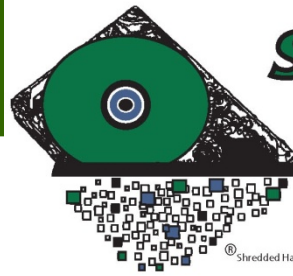
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Types of Electronic Records

- ❖ On Line Records
- ❖ Static Records
 - ❖ Timely, Scheduled Destruction
 - ❖ Management & Training
 - ❖ Audit Control



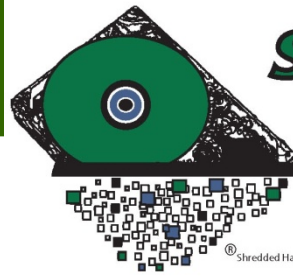
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Role of a Records Manager

- ❖ IT Relationship
- ❖ Centralize Disposal



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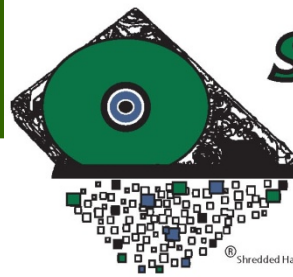
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Physical Handling Rules (S-I-I)

❖ Segregate

❖ Inventory

❖ Isolate



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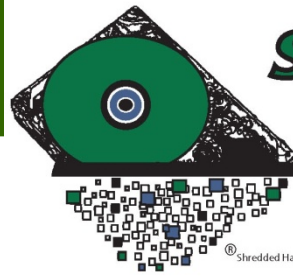
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A-T-A Principles of Electronic Records Destruction

❖ Absolute

❖ Timely

❖ Auditable



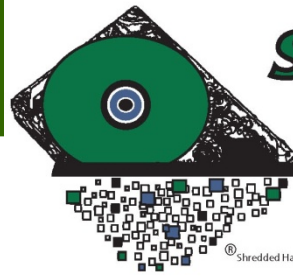
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Recovered Hard Drive From Space Shuttle Disaster





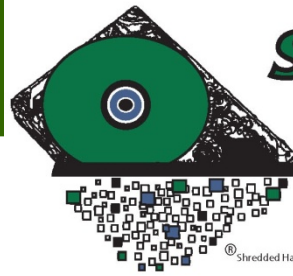
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How to Destroy Electronically Recorded Data

- ❖ NIST Special Publication 800-88
Guidelines for Media Sanitization
U.S. Department of Commerce
National Institute of Standards and Technology



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NIST Guidelines for Destruction

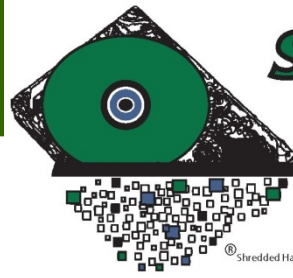
- ❖ Static Hard Drives
 - ❖ Software Overwrite - Good
 - ❖ Degaussing - Better
 - ❖ Shredding - Best



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NIST Guidelines for Destruction

- ❖ Toxic Tapes
 - ❖ Software Overwrite - Good
 - ❖ Degaussing - Better
 - ❖ Shredding - Best



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The Purge

- ❖ Orphaned Devices
- ❖ IT Storage



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Vendor Due Diligence

- ❖ Auditable
- ❖ Environmental Consideration
- ❖ Insurance



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Summary

- ❖ Written destruction policy which follows A-T-A Principles
- ❖ Auditable proof that you routinely follow your own policy.