

Experts: State e-mail needn't be purged so often

By JESSICA GRESKO and JOHN PAIN
THE ASSOCIATED PRESS

TALLAHASSEE — Florida lawmakers' e-mail is routinely deleted after a month to save computer space, which technology experts say isn't necessary given the number of messages the Legislature handles and the relatively low costs of adding storage.

That purging hindered the public from scrutinizing messages between former House Speaker Ray Sansom and a college that gave him a \$110,000-a-year job after he helped steer millions to the school through the years.

Information-technology experts say saving messages longer — as is done in the Governor's Office and other state agencies — would cost about the same or less than the current system for a state with one of the nation's broadest public-records laws.

'Incredibly cheap' to do

"Disk space is incredibly cheap," said Milo Martin, an

assistant professor in the University of Pennsylvania's computer and information-sciences department.

In the electronic age, debate rages about how information used in public-policy discussions is received and maintained, including by President Barack Obama, who ran up against public-records laws because he wanted to correspond using his beloved BlackBerry.

Presidents have chosen not to use e-mail because it can be subpoenaed by Congress and the courts and may be subject to public-records laws. Obama didn't want to give up his BlackBerry, so his e-mail presumably will be subject to the Presidential Records Act, which requires the National Archives to preserve presidential records.

In Florida, reporters tried in December to access e-mail exchanges between the now-ousted Sansom and Northwest Florida State College. House speaker spokeswoman Jill Chamberlin said then that the

Florida House deletes e-mails "regularly due to the volume of correspondence received electronically" — 3 million internal and an average of 120,000 external e-mails in a single week.

The Senate doesn't have a routine deletion policy and backs up its mail server every night, said Jaryn Emhof, the Senate president's spokeswoman. If a lawmaker keeps e-mail in an inbox, it is saved, but deleted e-mails are saved on backup for about a month, Emhof said.

Big storage space available

In response to requests for information by The Associated Press, Chamberlin and Emhof provided statistics showing the chambers together have nearly a terabyte of e-mail storage — or about the space on six deluxe Sony PlayStation 3 video-game systems.

The average House member uses about 569 megabytes of server space each month, with the average senator using

about 700 megabytes, the documents said. Both are less than the 1 gigabyte of space available on an iPod shuffle, Apple Inc.'s smallest music player, which holds about 500 songs.

The House spends about \$124,000 yearly on maintaining the system, according to Legislature information.

For that much, the House also could archive e-mail for three years, said Forrester Research analyst Chris Voce, who studies IT infrastructure. Upkeep for the House's 750 users that would retain e-mails for three years should cost about \$108,000 annually, Voce said. Like the House, the Senate also has about 750 mailboxes, so the cost would be similar.

After an initial cost of \$60,000 to \$100,000 to set up archives, it would cost the Legislature \$25 per inbox annually to keep e-mails archived for years, said William Tolson, co-author of the book *E-Mail Archiving for Dummies*. In the House's case, that would be \$18,750 a year.

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totally silent after that," he said.

"You could cut the air with a knife." Biddle said Miller followed them out of the room and apologized, saying that she hoped her remark would not affect Biddle & Associates' working relationship with the city.

Biddle said she later asked Trovato to reprimand Miller for her remark, but was instead asked in early December to sign a hold-harmless release that promised Biddle & Associates would not sue the city over any past issues.

She said her company's contract was unfairly terminated in January after she refused to sign.

"He said that if I did not sign the release, I would never get any more government work again," Biddle told the *Orlando Sentinel* on Tuesday.

She also said Trovato offered her company a \$68,000 bonus if she signed.

Trovato said Tuesday that Biddle's allegations are false.

"She never signed any release, and I never offered her \$68,000," he said.

Trovato said Miller never made an anti-Semitic remark.

"As far as I'm concerned, she's mistaken," he said of Biddle's allegation.

The incident came to light after Deltona resident Jeffrey Ensminger filed a public-records request Feb. 5 for e-mails sent last week between Biddle, her attorney and city officials. In the e-mails, Biddle discusses Miller's alleged remark and her interactions with Trovato.

Ensminger, who filed a complaint last year against Trovato over campaign contributions, would not say why he requested the e-mails.

City spokesman Lee Lopez released a statement Monday stating that Miller denies ever making anti-Semitic remarks.

"Deltona City Manager Faith Miller denies false allegations made by any representative of Biddle, and she believes they may have incorrectly heard a word of phrase during a prior meeting," the statement said.

Another statement said the city is in discussions with Biddle & Associates regarding the company's contract disputes.

Biddle said the city still owes her company almost \$80,000 for its services and that she attempted to recoup some of the payment Tuesday, but was told at Deltona City Hall that a check was not ready.

Biddle has not filed a suit, but said "the lawsuit is ready to go" if the city is not willing to negotiate and resolve the issue.

"This city attorney has handled himself in a very reckless manner," she said. "Had he done the right thing from the beginning, which was to reprimand Faith Miller, this whole thing would have been resolved."

Satta Sarmah can be reached at ssarmah@orlandosentinel.com or 386-851-7911.

Time running out for condemned killer

By RON WORD
THE ASSOCIATED PRESS

JACKSONVILLE — An inmate who killed a Tampa junior-high student more than 25 years ago faces execution by lethal injection today, while his attorneys proclaim his innocence and seek a last-minute stay.

Wayne Tompkins is scheduled to die at 6 p.m. at Florida State Prison near Starke for the March 1983 murder of 15-year-old Lisa DeCarr, his girlfriend's daughter.

Tompkins, 51, was originally scheduled to die Oct. 28, but appeals caused delays. On Feb. 2, Gov. Charlie Crist rescheduled the execution after receiving notification from Attorney General Bill McCollum that all stays had been lifted.

Tompkins' attorneys, Marty McClain and Neal Dupree,

say Tompkins is not guilty and have asked the Florida Supreme Court to give him a stay to allow time to do more DNA tests on the victim's bones and other evidence.

The trial court in Tampa turned down a request Tuesday for more DNA testing, and Tompkins' attorneys appealed that denial to the Florida Supreme Court. The 11th U.S. Circuit Court of Appeals denied Tompkins' appeal and request for a stay of execution without comment Tuesday afternoon.

The attorneys say reports from the FBI and Florida Department of Law Enforcement show there was more biological material bearing DNA than was previously known, including hair found on clothing in the grave where Tompkins allegedly buried the girl. They claim that if the test-



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ing shows the DNA does not belong to the girl, it would exonerate Tompkins and support the statements of witnesses

who claimed to have seen Lisa alive after the state said she had died. The reports from the law-enforcement agencies produced inconclusive results. The appeals attorneys said there are more sensitive and expensive tests to help unlock

the DNA sequence. Prosecutors claim Tompkins is trying to litigate DNA issues that have already been addressed by the Florida Supreme Court, which said additional testing would not exonerate Tompkins.

The Innocence Project of Florida also asked Crist to delay the execution to allow more time for testing.

"We still harbor grave concerns about the legitimacy of Mr. Tompkins' guilty verdict. We feel strongly that more time is necessary to look into the case," wrote Seth E. Miller, the organization's executive director.

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