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## Finding an Institutional Repository for a Personal Moving Image Collection

### **Introduction**

While a vast amount of moving image material resides in film and media archives, an unknown quantity lays in private collections. A subset of these private collections is comprised of moving image objects owned and stored by filmmakers themselves: their outtakes, original production elements, perhaps even home movies. In addition, about 30% of orphan moving image material remains in private hands.<sup>1</sup> While some collectors and filmmakers that are in possession of audio-visual collections treat the material according to archival standards and may even act as curators by providing access and interpretation, there are inevitably collectors and filmmakers that do not have the time, resources, or interest in such activity. This project was undertaken to study the processes and challenges of finding an institutional repository to permanently house and provide access to the aggregated moving image materials of such filmmakers and collectors.

While the collections of eminent filmmakers are more likely to make their way to a prestigious film archive or university library through high-stakes negotiations, appraisals, and purchases, this project was intended to probe the world of lesser-known filmmakers and collectors to see if trends can be discerned in archival acquisitions of their collections by institutional repositories.

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<sup>1</sup> Besser, Howard. "Culture of Archives, Libraries, and Museums" MIAP Course Lecture. 28 February 2017.

The impetus for this survey comes from a project I was involved in through my spring 2017 internship at New York Public Library's Reserve Film and Video Collection (RFVC). One of my tasks involved locating filmmakers and their original master film elements as the beginning stages of mounting a preservation project through grants from the National Film Preservation Foundation or Women's Film Preservation Fund. As part of this process, I had researched, located, and made contact with several independent filmmakers, including Camille Billops and Debra J. Robinson. At the RFVC, once a film preservation project is successfully completed, the original elements that were borrowed from the filmmaker for the duration of the project are shipped back to them. This is because the RFVC primarily maintains a circulating collection and as a general rule does not accept original and pre-print materials into its collection.<sup>2</sup> On occasion, instead of shipping the elements back to filmmakers who may not be well-equipped to take care of them, the RFVC assists the filmmakers with locating a repository that will accept their collection as a donation or deposit.<sup>3</sup>

This very informal series of events can sometimes result in the successful transfer of a moving image collection from a filmmaker to a repository; however, participating in this process raised many questions that begged more exploration: why had the filmmakers not thought about finding a repository for their collection before? Why were repositories that sometimes accepted such collections enthusiastically, not more active in reaching out to such filmmakers? In response to these questions, I mounted the present endeavor to survey filmmakers and professionals in the moving image archiving and preservation field in order to explore these issues further.

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<sup>2</sup> Rossi-Snook, Elena. In-person interview, 22 April 2017.

<sup>3</sup> Ibid.

During the course of this research, it quickly became apparent that the pathways available to filmmakers and collectors to ensure the acceptance of their collection into a repository are not formal. These practices have been and remain to a large extent dependent on networking and word of mouth. While any solution to improve the situation warrants further research and study, attempts have been made through the attached appendices to provide resources and guidelines to filmmakers interested in finding a repository for their collection. Other ideas and solutions are also shared throughout this survey, informed by interviews with moving image archiving professionals and filmmakers.

In addressing this issue, I look at the role of both moving image repositories and filmmakers. Can moving image archives, curators, and archivists play a more active role in making the acquisition process more systematic in order to acquire a larger percentage of the moving image objects that may be stored in personal collections? Can the independent filmmaking community aid this process by emphasizing the importance of proper archiving early in production? Can filmmakers be made aware through their education that their materials--be they outtakes, home movies, or final prints-- are sought after by many collecting institutions? Can the two communities, by communicating more actively with each other, establish a standardized and mutually beneficial process by which a larger percentage of moving image content finds an institutional home?

## **Methods**

The bulk of this research project is sourced from interviews with different stake-holders that can potentially be involved in the complicated process of placing a collection in an archive. These include filmmakers, collectors, librarians, archivists, curators, and also individuals in the

moving image archiving and preservation field that occasionally act as advisors to filmmakers on the matter.

This project began with a case study undertaken on the potential placement of Camille Billops and James V. Hatch's independently produced films in an institutional repository. For this part of the project interviewees included:

- Camille Billops – Filmmaker and collector
- James V. Hatch – Filmmaker and collector
- Dion Hatch – Son of James Hatch and cameraman on Hatch-Billops films
- Randall Burkett – Curator of African American Collections at Emory University
- Roselly Torres – Third World Newsreel, distributor of Hatch-Billops films

The case study is presented following the conclusion of the main body of the project. The main body, which covers the various steps that filmmakers need to take in order to place their collections in an institutional archive, was written with information gathered through interviews with independent filmmakers, advisors, and repository staff members. These interviewees include:

- Lynn Sachs – Independent filmmaker
- Alan Berliner – Independent filmmaker and collector
- Debra J. Robinson – Independent filmmaker
- Dan Streible – NYU MIAP Director and sometimes advisor to filmmakers
- Howard Besser – NYU MIAP Professor and sometimes advisor to filmmakers
- Candace Ming – Archivist at South Side Home Movie Project
- Elena Rossi-Snook – Film Archivist at RFVC and filmmaker/collector

- Shola Lynch – Curator of Moving Images at NYPL Schomburg and filmmaker

In addition to the interviews, the Hatch-Billops Collection Finding Aids<sup>4</sup> and *Still Raising Hell*<sup>5</sup> (an exhibition catalog for a temporary display of items from Hatch-Billops archives at Emory University) were consulted for the case study on Camille Billops' work. Other print and online sources utilized for the project include IndieCollect's website<sup>6</sup>, an essay on deeds of gift by New York Public Library legal counsel Robert J. Vanni.<sup>7</sup>

### **Defining the Collections under Focus**

Before talking about more specific aspects of this issue, it is important to define the type of moving image collections that this project focuses on. These would be collections for which individuals own both the intellectual property rights as well as the physical objects themselves. This type of collection includes those of independent filmmakers, such as Alan Berliner and Lynn Sachs, who have accumulated and store a variety of moving image items including but not limited to outtakes and pre-print elements for their films. There is no 'master list' of such collections or the filmmakers who have them. There is no language to distinguish larger collections from smaller ones or establish clear value hierarchies based on scope or content. As a result, while attempts have been made to further narrow the type of collections in question as part of this inquiry, gray areas remain that complicate these efforts. For example, while the intended focus of this project is on independent filmmakers with relatively small collections, there are some independent filmmakers who have achieved a degree of fame that places their

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<sup>4</sup> See <https://findingaids.library.emory.edu/documents/hatch1126/printable/> and <https://findingaids.library.emory.edu/documents/billopshatch927/printable/>, accessed 22 April 2017.

<sup>5</sup> McDaniels III, Pellom, editor. *Still Raising Hell: The Art, Activism, and Archives of Camille Billops and James V. Hatch*. Stuart A. Rose Manuscript Archives and Rare Book Library at Emory University, 2017.

<sup>6</sup> See [https://www.indiecollect.org/help\\_request.shtml](https://www.indiecollect.org/help_request.shtml), accessed 20 April 2017.

<sup>7</sup> Vanni, Robert J.. "Deeds of Gift: Caressing the Hand That Feeds." *Libraries, Museums, and Archives: Legal Issues and Ethical Challenges in the New Information Era*. Tomas A. Lipinski, editor. Scarecrow Press, 2002.

collection on a different level than is the prevue of this research; these collections often require the intervention of professional appraisers and lawyers and may have several high-profile institutions bidding on them.

While the focus of this survey is on individual filmmakers and their collections, many of the elements of this project may also apply to smaller production companies with collections that compare in scope and content to those of lesser-known independent filmmakers. These companies or groups may face many of the same challenges and issues that individual filmmakers face. Another type of collection that is of interest here are home movies and other personal moving image collections, whether standing alone or dispersed among the aforementioned types of collections. In particular, home movies have acquired a newfound value to moving image repositories and media scholars over the past two decades. Additionally, home movies seem to comprise an important subset of at-risk audio-visual material in personal collections as the topic was raised in many of the conducted interviews for this project.

With the types of collections in question now more narrowly defined, an overview of common pitfalls in the filmmaker/repository relationship illuminated by this research is provided in the following sections. While the sample size of the group that shared this information is relatively small, many of their points warrant discussion and consideration as they may be indicators of larger trends. For ease of comprehension, the remainder of this essay is broken down into three segments: a discussion of the various issues regarding the role of filmmakers, advisors, and archives in finding institutional repositories for collections; followed by a case study of the Hatch-Billops collection; and capped by appendices that seek to serve as additional resources for filmmakers interested in finding a moving image repository for their private collections.

## Discussion

The collections of independent filmmakers are generally cared for by the filmmakers themselves--kept in their houses, basements, and/or workspaces. Filmmakers, such as Lynn Sachs, do this partly so that they can have easy access to their past creations in case they need to use them in new ones.<sup>8</sup>

Another common scenario has been for film processing labs to store the material for the filmmakers, especially pre-print film elements.<sup>9</sup> As independent filmmaker Debra J. Robinson stated, much of her film elements were kept at DuArt film labs in New York City for years before the lab contacted her to return the materials.<sup>10</sup> This was done by the labs partly to increase revenue through having easy access to the material in case filmmakers needed more prints; it is unlikely that filmmakers would choose a different lab for additional processing than the one storing their materials.<sup>11</sup> This practice of storing moving image elements has now changed as production has moved towards digital technologies. With analog materials previously held in film labs now returning to filmmakers, the question of building standardized relationships with repositories is of increased importance.

One issue to consider when thinking about mechanisms for ensuring that moving image collections find an institutional home are copyright deposit laws. In the United States, the Library of Congress has built most of its moving image collection through copyright deposits. While it is possible that the Library of Congress has received copies of some of the works held in the types of at-risk collections that we explore in this project, whether due to legacy legal deposit

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<sup>8</sup> Sachs, Lynn. Phone interview, 26 April 2017.

<sup>9</sup> Besser, Howard. Phone interview, 30 April 2017.

<sup>10</sup> Robinson, Debra J.. Phone interview, 03 May 2017.

<sup>11</sup> Ibid.

laws or for registration or renewal purposes, the fact that the Library has copies of these complete works, does not account for the wealth of outtakes, alternate versions, and original elements that likely never made their way into the Library of Congress collection through copyright deposits.

In 2016, the Audiovisual and Multimedia Section of the International Federation of Library Associations and Institutions (IFLA) and the National Archives Section of the International Association of Sound and Audiovisual Archives (IASA) launched a project to document information about legal deposit requirements worldwide in order to take a step towards better preserving audio-visual heritage.<sup>12</sup> While this effort will result in valuable data for understanding how countries preserve completed versions of published works, it does not account for the preservation of many kinds of moving image material that do not fall in this category. In other words, while the copyright deposit system works for catching an important portion of our moving image heritage that may otherwise not survive, a large portion of unpublished works will never make their way into these national collections. These unpublished works and their quest for an institutional archive such as the Library of Congress, are the main concern of this survey. The likelihood of collections including these unpublished elements finding their way to an institutional archive likely depends to a large extent on the attitude of owners towards their collection.

These attitudes can range from a complete preoccupation with preservation and long-term survival of the material to one of benign neglect. Filmmakers that do concern themselves with the long-term survival of their works are likely to face two options: keep the collection within the family by passing it to their heirs or find an institutional home for the collection. Individuals that

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<sup>12</sup> See <http://www.movingimagearchivenews.org/where-in-the-world-must-films-be-preserved/>, accessed 21 April 2017.



do have a valuable moving image collection and the motivation to preserve it may lack the time, resources, knowledge, or training to do so. Collecting institutions could fill this gap effectively if they concern themselves with educating and helping the latter group, improving the chances that at-risk audio-visual material will be preserved.

The subset of these independent filmmakers, such as Billops, Lynch, and Berliner, that want to secure the fate of their work in the long-term do so mainly to ensure public use of their works for future generations. It is sensible that filmmakers would want the result of their life's work to live on and remain relevant over time. While many of these filmmakers may be capable of competently housing their collections privately as resources allow, the benefits of finding an institutional home are many-fold and can ensure that their work lasts far beyond their lifetime. One example of a collector with a large collection who was also conscientious of the benefits of finding an institution for his collection is Rick Prelinger. He strongly believes that "cultural assets were ultimately better off residing in public archives than in private or for-profit collections."<sup>13</sup> While most public archives are by no means resourced well enough to take care of all their holdings according to the best preservation and archival principles, they most often can ensure the physical integrity and survival of collections for much longer than individuals. While private collections may be left to uncertain fates after their original guardians have passed away, institutions such as archives and libraries operate with a higher degree of operational continuity.

Indeed, filmmakers Alan Berliner<sup>14</sup> and Lynn Sachs<sup>15</sup> both expressed concern that leaving their collections to family members may result in the loss of all or parts of the collection over time. The reasons given for these concerns were the unfamiliarity of heirs with the

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<sup>13</sup> See <http://www.panix.com/~footage/lcfaq.html>, accessed 10 April 2017.

<sup>14</sup> Berliner, Alan. In-person interview, 05 May 2017.

<sup>15</sup> Sachs, Lynn. Phone interview, 26 April 2017.

intricacies of the collection and their lack of a deep connection to the materials such as that which the filmmakers themselves have. The people that the collection is passed on to may not have the time or initiative to properly care for and preserve the elements, putting the collection at risk. In addition, it is likely the case that this identified gap in motivation between the filmmakers and heirs will only increase if the material is passed on to a subsequent generation by the heirs themselves. These perspectives, shared by Prelinger, Berliner, and Sachs, bolster the underlying assumption of this project: institutional homes for moving images, managed by professionals aiming to keep material viable for centuries, are a better option than keeping material within families or personal collections. This is not to discourage filmmakers and collectors who have a strong desire to keep material within families from doing so, but to point out the value in finding an institutional repository for moving image collections.

While preservation and long-term survival are the core reasons for collectors to find an institutional repository, monetizing the material can also be a motivating factor. Renowned figures such as Lou Reed and James Baldwin have been in the news lately for having their collections *purchased* by archives and libraries. While it is possible for independent filmmakers to make arrangements with repositories whereby they benefit financially from their deposit or donation, most filmmakers interviewed for this project did not consider monetization to be a priority when thinking about the fate of their collection.

One model that both repositories and filmmakers can benefit from when a collection is transferred to an institution, is the licensing of moving images as stock footage. Although this is unlikely to be extremely lucrative for either party, providing a percentage of the money gained through such endeavors to filmmakers can be a motivating factor for institutional acquisition of more at-risk collections. This is how the Chicago Film Archives (CFA) has structured its deed of

gift and donation system; for example, in 2013, documentary filmmaker Bill Stamets donated a wealth of 8mm films shot at political events in Chicago over the last decades to the CFA. He now acquires a percentage of the money paid by licensors each time the CFA gets a request to digitize and provide stock footage from one of his films.

On the opposite end of the monetization spectrum is Alan Berliner, who is particularly turned off by the idea of bringing money into a discussion that, for him, is more about the historical and artistic value of his work.<sup>16</sup> He hopes to preserve not only the materials but also the complex way in which he creates, interacts with, and utilizes his collection.<sup>17</sup>

According to Howard Besser, who has advised several independent filmmakers seeking an institutional home for their work, most of these filmmakers are not looking for anything beyond an archive to accept and store their films.<sup>18</sup> Perhaps the lack of intense competition for collections from lesser-known filmmakers, compared to the collections of aforementioned famous figures, impels collectors to donate their material for posterity's sake, as opposed to focusing on monetary gain.

While filmmakers may decide to look for an institution to house their collections in order to preserve or monetize them, there are also a variety of reasons why filmmakers may choose not to find an institutional home for their collections. This is perhaps the biggest barrier of entry to archives for such collections. One reason for this barrier, that became apparent in interviewing Sachs, is that undertaking such an endeavor involves putting your work up for the judgement by these institutions.<sup>19</sup> After having already gone through the process of premiering films to

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<sup>16</sup> Berliner, Alan. In-person interview, 05 May 2017.

<sup>17</sup> Ibid.

<sup>18</sup> Besser, Howard. Phone interview, 30 April 2017.

<sup>19</sup> Sachs, Lynn. Phone interview, 26 April 2017.

audiences many times over the course of their careers, the feeling of having your complete oeuvre judged, and perhaps be deemed not worthy of acceptance, by an institution, is daunting. This is perhaps an under-reported issue that concerns creators when it comes to deciding on whether or not to look for an institutional repository for their collections.

Additionally, filmmakers are often so busy moving from one project to the next that they do not find the time to focus on neatly wrapping up all the archiving needs of a finished project. This is highlighted as another reason that individuals may not consider the transfer of their collections to an archive by Shola Lynch, curator of the Moving Image & Recorded Sound Division of NYPL's Schomburg Center for Research in Black Culture.<sup>20</sup> Lynch has experience both as a curator responsible for acquisition of moving image collections and as a filmmaker with a valuable moving image collection in need of an institutional repository; thus, her insight into the issue is especially interesting. She contends that many filmmakers are so involved in finishing a project and moving to the next that they rarely find the time to take a break and think about preservation.<sup>21</sup> Filmmakers working within the studio system, and those with bigger budgets and higher name-recognition, may be able to use personal archivists or rely on the studios to handle archiving and preservation, but independent filmmakers, especially those whose work involves the use of archival footage will often have to act as their own archivist. As a result of their thinly spread resources and a lack of time, many filmmakers in this category may be forced into circumstances where they rarely think about or develop an interest in archiving or preserving their works beyond their lifetime.

One potential solution to these problems that archivists continue to push, especially in the digital production age, is for metadata collection and archiving to be part of the production

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<sup>20</sup> Lynch, Shola. Phone interview, 20 April 2017.

<sup>21</sup> Ibid.

process from the very beginning. The incorporation of this kind of work into the regular production pipeline will lessen the need for concerted and time-consuming efforts after the production has been completed and filmmakers are anxious to move on. The last thing that they may want after the completion of a project is to deal with the organization of messy production elements.

A third reason for some filmmaker's lack of archiving initiative, emphasized by Debra J. Robinson, is that the training and education that filmmakers receive is mostly limited to financing projects, making films, and finding a distributor and an audience.<sup>22</sup> She describes that there is rarely talk of what to do with your film masters, outtakes, and elements once production is finished and distribution is sealed: "as a filmmaker, you are interested in getting your film distributed, and finding a distributor, and once you find a distributor, then you want to be in all the festivals and screenings you can get into. But I don't ever remember anybody talking about the next step of how to maintain your collection. I never recall conversations about that; I don't remember workshops; I don't remember anything of that nature."<sup>23</sup> This lack of guidance for filmmakers is another reason that many may not even think about placing their collection in an archive for long-term preservation.

Assuming the owner of one these smaller collections, after tackling all the complicated issues and overcoming the challenges, has decided to place their collection with an institution, what happens next? Since no standard processes and guidelines for approaching this task exist, this step remains incredibly informal and under-studied. The consensus seems to be that filmmakers seek the advice of an archivist, or someone within the audiovisual preservation field, that can advise them on next steps and selecting an appropriate archive. In some cases,

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<sup>22</sup> Robinson, Debra J. Phone interview, 03 May 2017.

<sup>23</sup> Ibid.

filmmakers themselves have ideas on what institutions might suit their collection and may contact those institutions directly.

The main challenge, however, is finding a good match between the collection and an institution. According to Howard Besser, there are two main points for individuals to consider when looking for an archive to transfer their collection to. One is whether the physical location of the repository makes sense for the collection.<sup>24</sup> For example, it would not make much sense for Alan Berliner's work be kept at an institution in Texas since he has done the majority of his work in New York City. Another concern is whether the collecting focus of the archive, library, or museum in question relates well to the collection being transferred. For example, the University of Michigan Library includes a large collection of independent filmmaker works. This makes the institution an attractive place for the collection of other independent filmmakers since scholars seeking to study such works will be able to better utilize the collection in a larger context. A successful example of an ideal match between a collection and a repository, is the acquirement of Lou Reed's collection by the New York Public Library for the Performing Arts.<sup>25</sup> Reed is a quintessential New York artist and his ideals may be best represented in a public institution such as a public library in his home city as opposed to a research university or even the Rock and Roll Hall of Fame.

The choice of repository is complicated not only by these factors, but also by any desires and requests that the donor/depositor/seller may have of the archive in relation to the collection being transferred. Filmmakers might expect their collections to be processed, catalogued, preserved, and perhaps be made widely accessible; archives may not be able to fulfill all these

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<sup>24</sup> Besser, Howard. Phone interview, 30 April 2017.

<sup>25</sup> See [https://www.nytimes.com/2017/03/02/arts/music/lou-reed-archives-head-to-new-york-public-library.html?\\_r=0](https://www.nytimes.com/2017/03/02/arts/music/lou-reed-archives-head-to-new-york-public-library.html?_r=0), accessed 09 April 2017.

requests completely. While it is safe to assume that filmmakers such as we are discussing have some stipulations on what they expect from an archive, in most of the cases encountered in this research, they seem satisfied with the simplest of services that an institution can provide: store and conserve for the long-term the physical items as they are in their current state. This excludes active preservation, reformatting, cataloging, access, programming, or curation. Many filmmakers interviewed as part of this research would be satisfied if an archive simply accepted responsibility for keeping their materials safe.

There are a few other points to consider when thinking about choosing a particular repository. The Academy Film Archive is one institution that has come up often in the course of this research. The Academy has an overarching mission of preserving any films that were nominated for an Academy Award but also provides a detailed list of the kinds of moving image materials that they will accept as donation or deposit.<sup>26</sup> It is important to consider whether the collection in need of an archive falls within the collecting focus of the repository. The Academy, for example, accepts both completed films, pre-print materials, and outtakes. Many other institutions accept such material as well, and by consulting their websites or contacting them, filmmakers can get a sense of the options available.

Debra J. Robinson's collected works are one example of a collection successfully deposited at the Academy Film Archive in its entirety. The Academy now holds not only prints of Robinson's complete work, but also her master pre-print elements and the outtakes from the many long interviews shot for her documentary films.<sup>27</sup> Elena Rossi-Snook, film archivist at RFVC who was responsible for a collection of her family's home movies, also managed to find a

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<sup>26</sup> See <http://www.oscars.org/academy-film-archive/about-archive>, accessed 02 May 2017

<sup>27</sup> Robinson, Debra J. Phone interview, 03 May 2017.

home for them at the Academy Film Archive.<sup>28</sup> In this case the films included footage of Eliza Kazan and Marlon Brando working on the set of *On the Waterfront*; the film being a famous Academy Award winner, Rossi-Snook's home movies were gladly accepted for deposit at the Academy.<sup>29</sup> Thus the archive's mandate allowed for the acceptance of home movies that captured the production process of an Academy Award nominated film.

Another potential resource for independent filmmakers, especially in the New York City area, is the organization known as IndieCollect. According to their website, IndieCollect can help individuals in "finding an archival home for the elements in [their] possession."<sup>30</sup> This is done by filling out an "IndieCollect Help Request Form" per motion picture that you are interested in finding an archive for. According to Elena Ross-Snook, Steve Blakely who works at IndieCollect has acquired extensive experience in working with filmmakers to place their elements at archives because of his work in placing film elements acquired from the shut-down of DuArt film lab.<sup>31</sup> In 2014, Steve Blakely compiled and shared with archivists a document that includes a list of 11 institutions that accept film elements; this list includes contact information and a point-person for each of these institutions.<sup>32</sup> In addition, another IndieCollect employee notes that "through our network of more than 40 collaborating archives, we can help you find a home for those materials that belong in cold storage."<sup>33</sup>

If successful in selecting an appropriate archive that meets the needs of the collection and individual, there are a whole host of other issues to deal with before the transition is complete.

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<sup>28</sup> Rossi-Snook, Elena. In-person interview, 22 April 2017

<sup>29</sup> Ibid.

<sup>30</sup> See [https://www.indiecollect.org/help\\_request.shtml](https://www.indiecollect.org/help_request.shtml), accessed 20 April 2017.

<sup>31</sup> See [https://www.nytimes.com/2014/08/24/movies/at-duart-thousands-of-unclaimed-films.html?\\_r=0](https://www.nytimes.com/2014/08/24/movies/at-duart-thousands-of-unclaimed-films.html?_r=0), accessed 29 April 2017.

<sup>32</sup> See Appendix A

<sup>33</sup> See <http://nofilmschool.com/2016/07/indie-film-preservation>, 05 May 2017.



Even though their web presence might indicate so, it would be wise to contact institutions to make sure that they are indeed currently accepting collections, whether as donation or deposit.

In some cases, such as with the Museum of Modern Art (MoMA), the process of getting approved for acquisition may be a long and stressful one, with staff members meeting behind closed doors to decide on whether they will take a collection and if so which components will they take.<sup>34</sup> Both Lynn Sachs and Alan Berliner have part of their collections in MoMA's film archive; in both cases however, the deposited materials are either completed prints or elements and not the outtakes in their collections.<sup>35</sup> In Lynn Sachs' case the experience of having the transition of some of her collection to MoMA completed was an elongated and complicated process; but in the end she is glad that at least part of her work does have a permanent institutional home.<sup>36</sup>

One issue that was also raised as part of these interviews was that MoMA, being such a high-profile institution, has a complicated system in place which does not make access to deposited materials easy for individuals. In fact, according to one interviewee, the institution has acquired a degree of notoriety for being hard to gain access to, even for filmmakers attempting to gain access to their own materials. This is not the case with smaller institutions, such as the CFA. The CFA office, ran by a staff of two archivists and the director, is located in the same building as the archive itself. In this case, filmmakers are able to ask the archive for access to their deposited material on short-notice, then simply arrive at the archive and access their films.

Once the archive and collection have been matched, the collection can be either donated or deposited. Collections are also acquired through purchase by research libraries and special

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<sup>34</sup> Sachs, Lynn. Phone interview, 26 April 2017.

<sup>35</sup> Sachs, Lynn and Alan Berliner interviews.

<sup>36</sup> Sachs, Lynn. Phone interview, 26 April 2017.

collections and there are other varying degrees of complexity in types of transfers, but for the purposes of this inquiry, donations and deposits are likely to be the two predominant options.

In the case of a deposit, the depositor will retain the ownership over the physical items but the archive will store them and act as their steward and guardian. While there might be various uses that the repository can make of deposited material, they are basically providing a safe storage area for the items. In the case of a donation, the physical objects become the legal property of the repository, although the donor may still retain the intellectual property rights. In the case of donations, the archive has a larger degree of freedom over how it can preserve and provide access to the material since they are now the owners of the objects. Donors and depositors that retain intellectual property rights to their material, can request provisions in their contract with the repository so that researchers have to acquire permission directly from them before the archive is allowed to provide access to the material.

Another option, and one that is practiced by the South Side Home Movie Project (SSHMP) in Chicago, is that both intellectual property rights and physical ownership are transferred to the repository through a donation. Candace Ming, project archivist at SSHMP, makes the point that while they own both the rights and the films in their archive, the organization remains mindful of privacy concerns that families may have regarding the exhibition and reuse of their films.<sup>37</sup> Thus, SSHMP informs donors and asks their permission before licensing the material or using it in public exhibitions. This ensures a continuing good relationship with the community, which is largely their film donor base.<sup>38</sup>

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<sup>37</sup> Ming, Candace. Phone interview, 27 April 2017.

<sup>38</sup> Ibid.

While a deposit agreement allows filmmakers the most control over their collection and at the same time ensures its physical protection by a professional institution, these agreements may not always be the most desirable for those interested in promoting access to their work in the long term. In deposit agreements, if the administrative and legal aspects of the transfer are not maintained accurately from the beginning and throughout, the collection may become “orphaned” over a long period of time. To clarify, while a filmmaker is alive and aware of the status of their deposited collection in an institution, things have the potential to continue to move smoothly; the archive can communicate their plans for the collection, and the depositor can approve or disapprove. But over generations, as original depositors pass away, the question of who owns the collection may not be so clear. This can result in the archive struggling to preserve and interpret the material in a way that is beneficial to the reputation of the original owner. For example, the passage of physical ownership from the depositor to several heirs would necessitate that the archive ask permission from each heir in order to make certain decisions regarding the collection. If an archive is not successful in getting the approval of all heirs, they may not be able to provide access to scholars and researchers, diminishing the value of the collection over time. Thankfully, in such cases, there are exceptions in copyright law for libraries and archives which allows them to take appropriate preservation actions; this ensures that at the least, material is not lost for good because of complicated rights issues. To summarize, while depositing may impart a good degree of control to the filmmaker or collector as long as they are alive and responsible for communication with a repository, it may not be the best option when thinking about long-term preservation and accessibility to the collection.

While filmmakers and collectors play the most crucial role when it comes to placing their material in a repository, independent archivists may at times get involved to assist owners in

finding a home for their collection. For example, Don Fleming helped Laurie Anderson place Lou Reed's collection at the New York Public Library for the Performing Arts.<sup>39</sup> Howard Besser assisted independent filmmaker John Sayles in placing his collection at the University of Michigan Library.<sup>40</sup>

One interesting case of this kind is that of Elena Rossi-Snook at the RFVC. The RFVC works with independent filmmakers towards the preservation of their films that the library holds a copy of. Once preservation work has been completed on a film, the library does not take the original pre-print elements from the filmmakers. This leaves the artist with two choices, either the films are shipped back to where they came from (likely the filmmaker's house) or the RFVC can help them in finding a new repository for their films. While filmmakers storing their own film elements under good conditions is possible, more often than not they are unable to provide ideal long-term storage for their works. The ideal case for the conservation of the original elements would be for them to be placed at an archive or library.

Once RFVC has already engaged filmmakers in the preservation process, filmmakers are more likely to be thinking about their film elements that might have been untouched for decades. This provides a fresh opportunity for filmmakers to consider the long-term plans for the films but also initiates the plethora of challenges highlighted in this writing. Advisors can often ease these challenges. According to Rossi-Snook one of the first steps that she takes is to advise the filmmaker to contact their alma mater, the school that they graduated from, or an institution that they have had a good working relationship with in the past.<sup>41</sup> One such example was the successful deposit of filmmaker Joyce Chopra's film negatives for *Joyce at 34* at the Harvard

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<sup>39</sup> See <https://www.nytimes.com/2017/03/03/arts/music/laurie-anderson-on-lou-reeds-love-work-and-retirement-plan.html>, accessed 22 April 2017.

<sup>40</sup> Besser, Howard. Phone interview, 30 April 2017.

<sup>41</sup> Rossi-Snook, Elena. In-person interview, 22 April 2017.

Film Archive subsequent to completing the preservation of the work at NYPL.<sup>42</sup> As demonstrated, personal and professional relationships with moving image archivists and librarians can often be stepping stones for finding an institution with the resources to accept a moving image collection.

In addition to collection owners and advisers, institutional repositories and their staff play a significant role in ensuring at-risk or neglected collections find an institutional home. Shola Lynch's perspective as a curator in an archive that does acquire moving image collections, is presented as one example of how institutions look at this issue.<sup>43</sup> One point raised in her interview was whether there is a particular point-person at a repository that individuals can contact to inquire about placing their materials. Shola contends that it is rare for a moving image archive to have assigned such a specialized role to any of its staff; what is more likely, she notes, is that each repository has a person in a different role that is responsible for these kinds of conversations and contacts.<sup>44</sup> This may be the curator, the archivist, or even other administrative staff at an archive. The reason for this question is to start thinking about how archives may be able to take a more active role in acquiring such collections, or whether they can make it easier for filmmakers to initiate the process. Having an especially friendly and helpful attitude towards inquiries from filmmakers about acquisition and donation practices may increase the chances of attracting individuals that expect communication regarding such matters to be easy and smooth. In other words, if a filmmaker does reach the point at which they decide to reach out to an archive to potentially donate an at-risk collection, it benefits the archive staff to have appropriate

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<sup>42</sup> Rossi-Snook, Elena. In-person interview, 22 April 2017

<sup>43</sup> Lynch, Shola. Phone interview, 20 April 2017.

<sup>44</sup> Ibid.

training and information to not only adequately handle such calls, but also to convince filmmakers of the value of such transfers.

### **Conclusion**

An unknown quantity of moving images in various film, video, and digital formats remain on houses, basements, shelves, and computers of filmmakers and collectors who are not trained in preservation principles or are simply too busy thinking about their next project to take a step back and consider the organization and preservation of the material they have already created. While the same is true of most moving image archives, where boxes and pallets of moving image material remain unopened, not inventoried, and uncatalogued, the moving image archiving and preservation community is becoming more cognizant that preservation without access, and safeguarding without making discoverable, are not ideal. As a result, the creation and dissemination of metadata about collections is becoming more and more important to moving image archives as an organized goal.

While moving image archives place increased importance on reducing the amount of uncatalogued material in their collections, these goals are far from being fully realized. However, should archivists also feel a sense of responsibility towards the many collections of individual filmmakers with uncertain futures? Would the standardization of acquisition procedures, or rather the standardization of the procedures that filmmakers and potential donors follow to find an institutional home for their moving image collection, result in a larger percentage of these materials being saved? Lynch for example, after working on a documentary about Shirley Chisholm, and accumulating outtakes related to the project, was approached by an archive at

Brooklyn College with an offer for housing the collection there for researchers to access.<sup>45</sup> In this case, the archive, aware of a particular moving image collection, has taken the initiative to acquire, make accessible, and preserve the material for future generations.

While it is a lofty goal to answer all the questions raised in this survey, it is harder still to formalize even a single aspect of this complicated process. The human element plays such a major role in every step along this path, from the desires and hopes of the filmmaker for their collection, to their ideas about archives and repositories, to the complicated legal and ethical issues surrounding the transfer of physical items and intellectual property rights. Thus, the focus of this project has been more about raising questions, starting to think about solutions, and synthesizing perspectives from different stake-holders, than it is about answering questions and proposing solutions. A case-study on the Billops-Hatch collection, illustrates just how sprawling and messy the placement of moving image materials of one filmmaker due can be.

### **Case Study**

Artists and collectors Camille Billops and James V. Hatch have amassed a valuable collection of African-American art and writing over the past 50 years. Presented here is a case-study of how they dealt with their massive collection of manuscripts, paintings, photographs, and moving images. During my internship at NYPL, I was assigned the task of locating film elements for two films made by Camille Billops that had recently played at the Brooklyn Academy of Music (BAM): *Finding Christa* and *Suzanne, Suzanne*. RFVC prints had been shown at BAM and the library was interested in potentially preserving these films through NFPPF funding. After locating Billops, I spoke with her several times over the phone inquiring about whether she was interested in collaborating with NYPL on such a project and whether she knew

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<sup>45</sup> Lynch, Shola. Phone interview, 20 April 2017.

where the original master elements for her films were located.<sup>46</sup> She responded positively<sup>47</sup> and I thought it would be an interesting case study to look at the issues involved in finding an institutional repository for her moving image works. Through a visit to Camille and James' loft in SOHO, in addition to phone conversations with Dion Hatch and Randall Burkett, it became apparent that several institutions were indeed already involved in the long-term preservation of this complex mixed collection.

The moving image components of this collection can be divided into three broad categories:

- 6 independently produced films and all their associated elements
- 22 home movie reels passed on to Camille from her parents
- Video and audiotape recordings of artists and scholars the couple had interviewed

The latter component is part of the larger Hatch-Billops Archive, as their expansive collection of collected art, manuscripts, photographs, plays, and recorded interviews is known. Hatch-Billops was incorporated in 1975 in New York State with the mission to preserve and provide access to primary and secondary materials of African-American cultural arts and has been a scholarly research resource in their New York City home for decades.<sup>48</sup> All components of this scholarly archive, including the videotape and audiotape AV components were donated to Emory University's Stuart A. Rose Archives of Manuscript and Library in 2002, and have been slowly making their way to that institution.<sup>49</sup>

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<sup>46</sup> Billops, Camille. Phone conversations, 02 and 11 April 2017.

<sup>47</sup> Ibid.

<sup>48</sup> McDaniels III, Pellom, editor. *Still Raising Hell: The Art, Activism, and Archives of Camille Billops and James V. Hatch*. Stuart A. Rose Manuscript Archives and Rare Book Library, 2017. Pg. 10.

<sup>49</sup> Burkett, Randall. Phone interview, 03 May 2017.



While continuing to add to their scholarly Hatch-Billops collection by acquiring works through their large network of artist friends and acquaintances, the couple also started a film production company in 1982.<sup>50</sup> Under the guise of “Mom and Pop Productions” they went on to make six award-winning films. According to Roselly Torres at Third World Newsreel (TWN), “TWN is the sole distributor of the films made by C. Billops and J. Hatch. Those films are *Suzanne, Suzanne, Finding Christa, A String of Pearls, Take Your Bags, Older Women and Love, KKK Boutique* (long and short versions).”<sup>51</sup> Torres also points out that although TWN holds the distribution rights for the films, the copyright belongs to Hatch-Billops and any decision regarding the archiving of their work is completely up to them.<sup>52</sup> Due to Camille and James’ long-standing personal and professional relationships with the UCLA Film and TV Archive, all film elements for these productions have been arranged to be deposited at UCLA Film and TV Archive. According to Dion Hatch, agreements have been signed and UCLA has already taken the original negatives and prints for the six films.<sup>53</sup> However, when visiting their loft in SOHO, I did find that many intermediate elements of the completed films, and many more boxes of outtakes and dailies still remain with Camille and James. Dion later clarified that while UCLA could have taken whatever of the film material they wanted according to the agreement, they were likely only interested in the completed print and negative elements and left the outtakes behind.<sup>54</sup>

To summarize, the Hatch-Billops archive, including all audio-visual material collected as part of their “Artists and Influence” series, has been donated to Emory University and will make

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<sup>50</sup> McDaniels III, Pellom, editor. *Still Raising Hell: The Art, Activism, and Archives of Camille Billops and James V. Hatch*. Stuart A. Rose Manuscript Archives and Rare Book Library, 2017. Pg. 10.

<sup>51</sup> Torres, Roselly. Email communication, 29 April 2017.

<sup>52</sup> *Ibid.*

<sup>53</sup> Hatch, Dion. Phone conversation, 22 April 2017.

<sup>54</sup> Hatch, Dion. Phone conversation, 07 May 2017.

its way there eventually, if not already deposited.<sup>55</sup> The original film elements of their completed films have already been transferred to UCLA Film and TV Archive as part of a separate deal; but the fate of the outtakes, dailies, and other intermediate elements that UCLA can also take according to their contract is currently unclear. According to Dion Hatch, UCLA may still take these, but that has not been confirmed. Randall Burkett, of Emory, also expressed interest in taking these leftover film elements, as part of the very broad already negotiated transfer of the Hatch-Billops Archive Emory.<sup>56</sup> According to Dion, both agreements, with Emory and UCLA, are so broad that it is up to Camille where she would like the outtakes to go.<sup>57</sup> While it seems that UCLA had the opportunity to take them, they had decided not to do so. The next step would be to put UCLA, Emory, and Camille all in conversation regarding the outtakes and their future housing and preservation. Due to the difficulty of managing such a large-scale transfer, this dialogue has been suggested to the family and Emory, but not yet attempted.

The last component of their moving image collection, the silent home movies that Camille holds from her parents, is the other group of items in need of a repository. These elements are still stored in their loft; Camille is interested in digitizing them and recording an oral history over them. According to Dion Hatch, the National Museum of African American History and Culture (NMAAHC) was interested in digitizing and acquiring this collection of home movies but things fell through due to a misunderstanding between Camille and the NMAAHC curator.<sup>58</sup> Dion points out that Camille has not made her mind up about where these films should go in the end, but as previous negotiations with the NMAAHC demonstrate, she is

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<sup>55</sup> Burkett, Randall. Phone interview, 03 May 2017.

<sup>56</sup> Ibid.

<sup>57</sup> Hatch, Dion. Phone conversation, 07 May 2017.

<sup>58</sup> Ibid.

open to the idea of depositing or donating them.<sup>59</sup> As is the case with their feature length film outtakes, this collection of home movies can also be negotiated to be transferred to Emory due to the broad donation contract that does not list specific items to be donated. This is also a solution that has been suggested to both Camille and Randall Burkett, and the institution has expressed active interest in acquiring this aspect of the collection.

Untangling the complex web of relationships for this massive mixed collection illustrates some of the issues mentioned in the body of the essay such as the more certain fate of completed film prints and original elements compared to home movies and outtakes. Also on display in this case study is how the placement of the different parts of Billops and Hatch's collection in two different repositories was guided by informal personal relationships and word of mouth. Randall Burkett of Emory took an active role in acquiring the collection by contacting Billops and working with them so that they agreed to donate rather than sell the collection,<sup>60</sup> while Camille and James' long-standing relationship with UCLA impelled them to transfer their film elements to that archive. Without these informal connections, it is possible that this collection and the value it holds would have been lost to future generations; this case study and all the interviews in this project highlight the need for future work on this subject to enhance and standardize the dialogue between filmmakers and repositories.

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<sup>59</sup> Hatch, Dion. Phone conversation, 07 May 2017.

<sup>60</sup> Burkett, Randall. "A Site of Memory: The Hatch-Billops Archive." *Still Raising Hell: The Art, Activism, and Archives of Camille Billops and James V. Hatch*. Pellom McDaniels III, editor. Stuart A. Rose Manuscript Archives and Rare Book Library, 2017.

## Appendix A: Archives accepting elements in 2014 – Steve Blakely

Shared by Elena Rossi-Snook

COLLECTIONS and ARCHIVES

|                                                       |                                                                                                                                                     |                                                                                                                                                                        |
|-------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Sundance Institute</b>                             | (Sundance Film Festival Entries)<br>Contact: John Nein                                                                                              | john_nein@sundance.org                                                                                                                                                 |
| <b>Indi Collect</b>                                   | Contact: Sandra Schulberg                                                                                                                           | sschulberg@aol.com                                                                                                                                                     |
| <b>Library of Congress</b>                            | Packard Campus, Culpeper, VA<br>Contact: Mike Mashon                                                                                                | 202-707-5698                                                                                                                                                           |
| <b>Eastman House</b>                                  | Int'l Museum of Photography and Film<br>Rochester, NY<br>Contact: Dan Wagner                                                                        | dwagner@geh.org                                                                                                                                                        |
| <b>Harvard Archives</b>                               | Cambridge, MA<br>Contact: Haden Guest                                                                                                               | hguest@fas.harvard.edu                                                                                                                                                 |
| <b>UCLA Archives</b>                                  | Los Angeles, CA<br>Contact: Todd Wiener                                                                                                             | twiener@cinema.ucla.edu                                                                                                                                                |
| <b>Anthology Film Archives</b>                        | New York<br>Contact: Andrew Lampert                                                                                                                 | 212-505-5181 ext 16<br><a href="http://anthologyfilmarchives.org/collections/collections-landing">http://anthologyfilmarchives.org/collections/collections-landing</a> |
| <b>Legacy Project / OutFest</b>                       | GLBT Films collection<br>Kristin Pepe                                                                                                               | legacyproject@outfest.org<br><a href="http://www.outfest.org/legacy">http://www.outfest.org/legacy</a>                                                                 |
| <b>NorthEast Historic Film</b>                        | Bucksport, Maine<br>Collection of northeast U.S. film makers work, and offers billable storage<br>Contact: David Weiss                              | david@oldfilm.org<br>www.oldfilm.org                                                                                                                                   |
| <b>Chicago Film Archives</b>                          | Nancy Watrous                                                                                                                                       | nswatrous@yahoo.com<br>Collecting films for film makers from Chicago and the midwest                                                                                   |
| <b>Washington University Film &amp; Media Archive</b> | Nadia Ghasedi<br>St. Louis, MO                                                                                                                      | (314) 935-6154<br>nghasedi@wustl.edu                                                                                                                                   |
|                                                       | Emphasis is on the African-American experience, and documentary films related to the political and social injustices of the 20th century and beyond |                                                                                                                                                                        |

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## Appendix B: Resources for Filmmakers and Collectors

The Society of American Archivists published an internet post in 2013 that is meant to assist individuals with personal family records in finding an appropriate repository for them. While the information pertains specially to non-audio-visual, paper and electronic records, many of the same basic principles apply to individuals with moving image collections. <http://www2.archivists.org/publications/brochures/donating-familyrecs>

The Library of Congress published a guide titled “Depositing Films with Archives: A Guide to the Legal Issues” in 1994 that can help in understanding some of the basic legal issues involved in finding an institutional home for moving image collections. <https://www.loc.gov/programs/national-film-preservation-board/preservation-research/film-preservation-plan/depositing-films-with-archives/>

IndieCollect is a New York City based organization that can help independent filmmakers find an institutional home for their moving image elements. A link is provided to their Help Request form, which is meant to acquire information from filmmakers to help them find an archive. [https://indiecollect.org/help\\_request.shtml](https://indiecollect.org/help_request.shtml)

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