

and separated from his response except for the code number. The code, in turn, may be made accessible only to a few of the most responsible officials, or perhaps, only on two signatures or by the use of double keys. Even as elementary a safeguard as a locked file can make for substantial improvement. Penalties within the profession may also be devised for any breach of the confidentiality which should be of the very essence of professionalism.

Another readily available step is the destruction of research data. At the very least, that part of the data which would identify any individual with any portion of it should be destroyed, and destroyed at the earliest moment it is possible to do so. Today, it is quite rare for an institution or an individual scientist to take what is now viewed as a radical step and destroy data which potentially has value over a longer time span. Indeed, behavioral scientists have strong incentives to retain all original research data.⁵⁸ Such data can provide information of a longitudinal nature about the development of personality or organizations over time, the early childhood antecedents of career success, the degree of change in interest and attitude from one age to another, the effects of marriage upon personality characteristics and other fascinating problems. There are now great repositories of such data in the United States collected about individuals in schools, both secondary and college, and other institutional settings, which have been maintained because of this natural resistance of the research scientist to discard anything of such potential value. Nevertheless, the maintenance and use of this information for purposes other than that originally agreed to, and the threat to confidentiality inherent in its continued maintenance, strongly suggest that the proper course of the person or institution possessing such data is either to obtain the consent of the individual involved to its continued preservation, or to destroy the data, painful as the latter prospect may be.

It should be emphasized that neither the integrity of the scientist nor the technical safeguards of locks and codes can protect research data against a valid subpoena; such data are at present quite clearly subject to subpoena. In the last analysis, therefore, unless our laws are changed to accord a privileged status to privately given research information, confidentiality can be assured only by destruction of the data. The change in the law required to accord a privileged status to research data can be accomplished by statute. Thus, by statute in eighteen states,⁵⁹ a privilege has already been

58. See, e.g., Johnson, *Retain the Original Data!*, 19 AMERICAN PSYCHOLOGIST 350-51 (1964). See also de Mille, *Central Data Storage*, 19 AMERICAN PSYCHOLOGIST 772-73 (1964). The prospect of the use of computers for central recording, storage and retrieval of research data in the behavioral sciences adds a troublesome new dimension to the protection of privacy. Computerized central storage of information would remove what surely has been one of the strongest allies of the claim to privacy—the inefficiency of man and the fallibility of his memory.

59. The eighteen states are: Alabama, ALA. CODE tit. 46, § 297(36) (Supp. 1963); Arkansas, ARK. STAT. ANN. § 72-1516 (1957); California, CAL. BUS. & PROF. CODE § 2904; Colorado, COLO. REV. STAT. ANN. § 154-1-7(8) (1963); Delaware, DEL. CODE