



FILED
10-17-2024
CIRCUIT COURT
DANE COUNTY, WI
2024CV003175
Honorable Frank D.
Remington
Branch 8

VIA EMAIL

November 7, 2023

ATTN: Brandon Hunzicker, Staff Attorney
Wisconsin Elections Commission
201 W. Washington Avenue
Madison, WI 53704
Email: elections@wi.gov | electionsPIO@wisconsin.gov

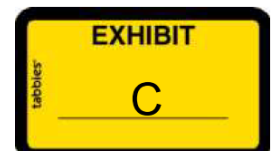
RE: Request No. 21716

Dear Mr. Hunzicker:

On September 15, 2023, I requested inspection or copies of records under the Wisconsin Open Records Law for records detailing the development and execution of Wisconsin Elections Commission (“WEC”) guidance documents “(guidance)” dated February 9, 2023, to county and municipal clerks relating to Election Day Registration postcards. More specifically: (1) Copies of all communication records between WEC and county/municipal clerk offices regarding the development and execution of the guidance to date; (2) Copies of all communication records between WEC and legislative offices regarding the development and execution of the guidance to date; (3) Copies of all communication records between WEC and district attorneys regarding the development and execution of the guidance to date; (4) Copies of all communication records between WEC and non-governmental organizations and/or third parties regarding the development and execution of the guidance to date; and, (5) Copies of all communication records among WEC staff detailing the justification, planning, and circulation of the guidance to date.

Wisconsin’s Open Records Law requires authorities to fulfill or deny public records requests “as soon as practicable and without delay.” Wis. Stat. Ann. § 19.35(4)(a). Your office has not done so. The Foundation made this request 53 days ago, but has not yet received any response, except for an initial acknowledgment of receipt. Further, I have twice sought updates on these requests on October 9 and October 26. Both attempts were apparently ignored.

When an authority “delays granting access” to records, the requesting party is authorized to file an action for mandamus. Wis. Stat. Ann. § 19.37(1)(a). We prefer to resolve this matter without court intervention. However, we will have no choice but to seek relief from the appropriate court, if we do not receive a timely response, as required by Section 19.35(4)(a).



You are hereby notified that your office faces litigation if you continue to delay access to the requested records. Please provide by November 15, 2023, a projected date by which your office plans to disclose or deny records found to be responsive to the September 15, 2023, requests.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Logan Churchwell". The signature is fluid and cursive, with a long horizontal stroke at the end.

Logan Churchwell
Research Director
Public Interest Legal Foundation