



Wisconsin Freedom of Information Council

DEVOTED TO PROTECTING WISCONSIN'S TRADITION OF OPEN GOVERNMENT

Nov. 2, 2015

Elisabeth Winterhack
101 E. Wilson St.
Madison, WI 53703

Dear Ms. Winterhack,

I am writing on behalf of the Wisconsin Freedom of Information Council to request additional information regarding a public records issue on which you have had some involvement. The Council is a statewide group, created in 1978, to safeguard public access to meetings and records. Our membership includes representatives of the Wisconsin Associated Press, Wisconsin Broadcasters Association, Wisconsin Newspaper Association and the Society of Professional Journalists.

On Oct. 29 you replied to a follow-up request from Jenni Dye of the advocacy group One Wisconsin Now to assert that your office considers Executive Residence visitors logs to be “transitory records under RDA ADM00011 of the [General Records Schedule](#) for Administrative and Related Records.” (Available at: <http://publicrecordsboard.wi.gov/docview.asp?docid=15863&locid=165>.)

This prompts several questions, which I hope you can answer:

1. How did you decide that these records, for which there is known and obvious public interest, are records “of temporary usefulness that have no ongoing value beyond an immediate and ongoing transaction or the preparation of a subsequent (final) record.” How might it be argued that an otherwise unannounced visit to the executive residence by, say, the Pope, would have no long-term value?
2. Are these records in fact used in the preparation of a subsequent record? If so, what record?
3. Why do these records not more appropriately belong under section ADM0004 of the General Records, which governs “Calendars, schedules, diaries and/or meeting logs used to document meetings and appointments”?
4. Alternately, since the records at issue are kept by the Capitol Police, might they fall under the General Records Schedule for State of Wisconsin Facilities Management and Related Records

(available at <http://publicrecordsboard.wi.gov/docview.asp?docid=17293&locid=165>)? Specifically, FAC000800 on Page 16 governs, among other things, “visitors logs” kept for security purposes. The retention requirement for these records is one year.

5. Can you explain why the records were retained for the period from early April to late August if DOA believed they were transitory and did not need to be retained?

6. Are records of visitors to the Executive Residence being retained now?

Your answers will be greatly appreciated. Given the public interest in this matter, I am also sending this letter to Council members and others.

Bill Lueders, President

Wisconsin Freedom of Information Council