



January 22, 2026

Wisconsin Department of Public Instruction
c/o Chris Bucher, Interim Communications Director
201 W. Washington Avenue
Madison, WI 53703

RE: Dairyland Sentinel January 21, 2025 Public Records Request

Dear Mr. Bucher:

The Institute for Reforming Government ("IRG"), on behalf of the Dairyland Sentinel ("Dairyland"), is following up on Dairyland's January 21, 2025 public records request, which is attached hereto. Dairyland followed up on its initial request on February 6, 2025, which you immediately responded to (also attached for your reference). Upon information and belief, there has been no further correspondence regarding the request, which is approaching one year since submission.

As you know, responses must be provided "as soon as practicable and without delay." *See* Wis. Stat. § 19.35(4)(a). While IRG appreciates the demands of responding to many requests, compliance at some unspecified future time is not authorized by the public records law. The records custodian has two choices: comply or deny. *See* Wisconsin DOJ Compliance Guide at 16 (*citing* *WTMJ, Inc. v. Sullivan*, 204 Wis. 2d 452, 457–58, 555 N.W.2d 140 (Ct. App. 1996)).

Pursuant to Wis. Stat. § 19.37(1), if an authority withholds a record or part of a record, or **delays granting access** to a record or part of a record after a written request for disclosure is made, the requester may (i) bring an action for mandamus asking a court to order release of the record; or (ii) submit a written request to the district attorney of the county where the record is located or to the Attorney General requesting that an action for mandamus be brought asking the court to order release of the record to the requester.

IRG expects prompt disclosure of responsive records to Dairyland's requests; otherwise, it will be forced to exercise its enforcement rights under Chapter 19. Should IRG be forced to proceed with a mandamus action on behalf of Dairyland, "attorney fees, damages of not less than \$100.00, and other actual costs shall be awarded to a requester who prevails in whole or in substantial part in a mandamus action concerning access to a record under Wis. Stat. § 19.35(1)(a)." *See* Wisconsin DOJ Compliance Guide at 76.

We trust you will respond promptly to this matter. If you have any questions or need further clarification, please contact me directly.

Sincerely,



Jacob J. Curtis
General Counsel and Director of Center
for Investigative Oversight

Institute for Reforming Government
Email: jc@reforminggovernment.org

Attachments:

January 21, 2025 Public Records Request

February 6, 2025 Email Exchange