


## VERIFIED OPEN MEETINGS LAW COMPLAINT

Now comes the complainant Wisconsin Freedom of Information Council ("WFOIC") and as and for a verified complaint pursuant to Wis. Stat. §§ 19.96 and 19.97, alleges and complains as follows:

- 1) That the WFOIC is a Wisconsin non-profit corporation that seeks to safeguard access to information that citizens must have to act responsibly in a free and democratic society, including access guaranteed by the Wisconsin Open Records law, Wis. Stat. § 19.31 *et seq.*, and the Wisconsin Open Meetings law, Wis. Stat. § 19.81 *et seq.* Its address is 34 Schroeder Ct., Madison, WI 53713.
- 2) That on August 24, 2015, Matthew Blessing (chair), Carl Buesing, Paul Ferguson, Bryan Naab, Melissa Schmidt, Sandra Broady-Rudd, and Peter Sorce were members of the State of Wisconsin Public Records Board, a governmental body within the meaning of Wis. Stat. § 19.82(1), whose address is 4622 University Ave, Room 10-A, Madison, WI 53705.
- 3) That on August 24, 2015, the above-referenced members of the Wisconsin Public Records Board except for Bryan Naab (who was absent) knowingly attended a meeting of said board held in violation of Wis. Stat. §§ 19.83 and 19.84, by attending a meeting with insufficient notice of the subject matter of the meeting, and § 19.88(3), by failing to record motions and roll call votes. Specifically, the Public Records Board approved changes to the "General Records Schedule" ("GRS") which sets retention periods for government records, without notice reasonably apprising the public and news media of the board's actions that day, and without recording motions and roll call votes relating to the GRS changes. The changes included modifying the definition of "transitory records," which are records deemed of such temporary usefulness they need not be retained for any specified period. The meeting notice does not indicate any changes to the GRS will be considered or voted upon, including changes to the "transitory records" definition. The minutes also do not indicate the Public Records Board considered or voted upon these changes. However, subsequent media reports and the GRS itself confirm the board's action that day. Since the Public Records Board's action, records custodians have already cited the change as the basis explaining why records responsive to certain Open Records requests are not available.

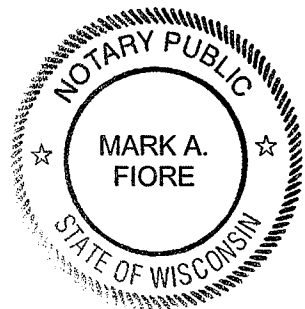
STATE OF WISCONSIN            )  
  ) ss.  
COUNTY OF DANE             )

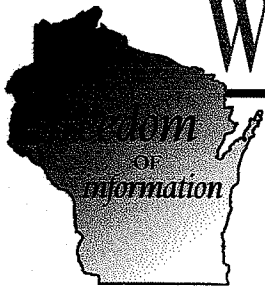
Bill Lueders, President of the Wisconsin Freedom of Information Council, being first duly sworn on oath deposes and says that he is the above-named complainant, that he has read the foregoing complaint and that, based on his knowledge, the contents of the complaint are true.

  
COMPLAINANT

Subscribed and sworn to before me  
this 14 day of December, 2015

Mark A. Fiore  
Notary Public, State of Wisconsin  
My Commission: 3-29-2019





# Wisconsin Freedom of Information Council

DEVOTED TO PROTECTING WISCONSIN'S TRADITION OF OPEN GOVERNMENT

Ismael Ozanne

Dane County District Attorney

215 S Hamilton St. Room 3000

Madison, WI 53703

Dec. 14, 2015

Dear District Attorney Ozanne,

This letter is accompanied by a verified complaint against the Wisconsin Public Records Board, with exhibits, alleging violations of the state's Open Meetings law. Please let me know if there is anything more you need regarding this. The easiest way to reach me is through email.

Thank you for your time and consideration.

Best,

Bill Lueders, president

Wisconsin Freedom of Information Council

[blueders@gmail.com](mailto:blueders@gmail.com)

(608)669-4712