



OFFICE OF THE DISTRICT ATTORNEY
Milwaukee County

JOHN T. CHISHOLM · District Attorney

Chief Deputy Kent L. Lovern, Deputies Lovell Johnson, Jr., Jeffrey J. Altenburg, Karen A. Loebel,
Elisabeth Mueller, Matthew J. Torbenson, Bruce J. Landgraf

April 20, 2021

VIA ELECTRONIC MAIL ONLY AT Jessica.wirightnow@gmail.com

Ms. Jessica McBride
Wisconsin Right Now.com contributor

Re: Public Records Request 2021-123

Dear Ms. McBride,

I write regarding your most recent request which we designated as 2021-123. You write:

“I would like to inspect the sign in sheets for the homicide unit, violent crimes unit, and general crimes unit, for the week of Jan. 1-Jan 7, 2020...I am changing my request to seek the sign-in sheets for these days: Jan. 13-27, 2020 for the homicide unit, violent crimes unit, and general crimes unit.”

We anticipate no charges related to the search for these records. However, the records you are requesting will require substantial redaction.

As you know, prosecutors' records are exempt from disclosure under the public records law. *State ex rel. Richards v. Foust*, 165 Wis. 2d 429 (1991). Records “integral to the criminal investigation and prosecution process” are protected from public inspection under *Foust. Nichols v. Bennett*, 199 Wis. 2d 268, 275 n. 4 (1996). However, we have historically disclosed information from our files and records when such records were themselves public documents. In this case, while our sign-in sheets are never publicly filed, they do reference individuals who were subsequently publicly charged. I also note that, historically, these physical sheets were made available for review by – if not by the public – by print and broadcast reporters. While sign-in sheets are certainly “integral to the criminal investigation and prosecution process,” because of the past practices of this office and in the instance of your current request, I have decided to produce the records except to the extent that these records contain the personal identifying information (PII) of persons who were not or have not yet been charged with a crime. To my knowledge as part of a public records request, our office has never released PII of individuals whose cases were not charged.

Redaction of these records is a substantial task and will delay any response. I estimate that it will take ninety days to complete the process. To expedite a response, unless you object, I will limit the response to felony referrals.

Although your request continues to be under review, to the extent that you consider anything in this letter to be a denial of that request, please be advised you have the right to ask the Attorney General or the

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Milwaukee County Corporation Counsel to bring an action for mandamus asking a court to order release of the records to you. Pursuant to Wis. Stat. § 59.42(2)(b)4., the Corporation Counsel rather than the District Attorney enforces the public records law in Milwaukee County.

Very truly yours,

A handwritten signature in black ink, appearing to read "B. Landgraf". The signature is written in a cursive style with a large initial "B".

Bruce J. Landgraf
Deputy District Attorney

BJL/kj

