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My Wisconsin Open Records Lawsuit

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In Dane County Circuit court Case #24-CV-1066 State ex rel Lindell v. Reese, the WDOC has argued that it denies all Open Records requests for body-cam footage based on a presumption that release of such footage would threaten security. The WDOC is also claiming that they deny all PREA scoring results, claiming that it could be manipulated by prisoners. In neither case did the WDOC explain how these records actually pose a risk to security in my case, nor is there any statute permitting a blanket denial of these types of records, meaning that the attempt by the WDOC to deny these records is clearly illegal, as our state court of appeals and supreme court have repeatedly ruled.

The legal authority for my arguments is provide in the Brief that I filed responding to A.A.G. Sandra L. Tarver's Motion to Quash the Writ. We had oral arguments on 14 August, in front of judge Everett D. Mitchell, and are awaiting his written decision. I expect that Judge Mitchell will declare the WDOC's blanket ban on releasing video footage a violation of Wisconsin's Open Records law, meaning that anyone in the public will be able to request, review and copy camera footage from prison incidents, so long as such does not actually threaten security (e.g. reveal a way to escape, out a snitch).

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