

Re: [EXT] Public Records Request

St. Hilaire, Amanda

Fri 10/4/2019 1:29 PM

To: Deeley, Erin - GOV <erin.deeley1@wisconsin.gov>; Watson, LeeAnn <Leeann.Watson@fox6now.com>

Hi Erin,

Thank you for the response.

In your letter, you mention that emails themselves may contain other records. As far as I'm aware, there are no provisions of the Open Records law or case law stating that a record may be withheld because it may contain other records. It should be noted that that the examples you cited (open records requests, scheduling matters, and personnel issues) are examples of public records.

Regardless of which additional public records emails may contain, all emails forms of communication coming to and from the Governor's Office. Such communications are public records on their own merit.

Furthermore, the emails themselves contain key information the public deserves to see. For example, a recent FOX6 story showed that state lawmakers were using personal email accounts to do government business; cyber security experts weighed in on the potential security threats of these activities. This information was not uncovered through arbitrary key words and search terms; it was uncovered through a routine request of two week's worth of emails. In this case, the "subject matter" is the email itself, not its contents. *Lueders v. Krug* acknowledges that the words in an email are not the only portion of the email that constitute as a "record."

With that said, I am willing to narrow our request even more to the following:

-The Governor's emails (sent and received) on June 14, 2019.

I look forward to receiving your response to my amended request.

Sincerely,

Amanda St. Hilaire
Investigative Reporter
FOX6 News
441-587-2963

From: Deeley, Erin - GOV <erin.deeley1@wisconsin.gov>
Sent: Thursday, October 3, 2019 1:59 PM
To: St. Hilaire, Amanda <Amanda.St.Hilaire@fox6now.com>
Subject: [EXT] Public Records Request

EXTERNAL EMAIL

Kindly see the attached.

Erin Deeley
Assistant Legal Counsel

Office of Governor Tony Evers

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