



Van H. Wanggaard

Majority Caucus Chairman

Chairman, Senate Committee on Judiciary and Public Safety

VIA EMAIL

September 22, 2022

Secretary Kevin Carr
Department of Corrections
3099 East Washington Ave.
Madison, WI 53704

Dear Secretary Carr:

Four months ago, Senator Bradley and I made numerous requests for information with the Wisconsin Parole Commission (Commission), as created within Department of Corrections (DOC) by Wis. Stat. §15.145(1). With the exception of one request, we have not received any response of any kind for any other request.

To be clear, the following requests from myself or committee members have yet to be fulfilled:

- A copy of the report pursuant to Wis. Stat. §301.03(16), relating to individuals pardoned or released from imprisonment without completing his or her sentence.
- A list of everyone who has been paroled since 2014, including a breakdown of the underlying conviction.
- All records relating to Douglas Balsewicz from January 1, 2019 until present.
- The history of DOC policy changes on revocation; including old versions of DOC revocation handbooks.

As a citizen I should already have access to and possession of these records. As you know, Wisconsin's Public Records Law requires that any request "shall be construed in every instance with a presumption of complete public access." [Wis. Stat. §19.31] "As the denial of public access generally is contrary to the public interest, access may be denied 'only in an exceptional case.'" [*Hagen v Board of Regents*, 2018 WI App 43, ¶5.]

As Chairman of the Senate Committee on Judiciary & Public Safety, whose jurisdiction includes corrections, it is not unreasonable to expect my, or committee members', requests for information from DOC to be answered and answered in a timely manner.

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In addition, legislative service agencies, specifically the Legislative Reference Bureau (LRB) and Legislative Council have made similar (although not identical) requests for information on behalf of Senator Bradley and myself. As with our direct requests, Legislative Council and LRB have also been stymied and/or ignored in their efforts. This is particularly troubling given the statutorily-mandated strictly nonpartisan nature of these agencies. I remind you that Wis. Stat. §13.91 mandates that “departments and agencies **shall** cooperate with legislative council staff to the **fullest** possible extent.” (Emphasis added).

I will be blunt. It appears that the Department and/or the Commission is stonewalling and undermining the Legislature’s duty to oversee the DOC and Commission.

In order to avoid any confusion about access to these records, as Chairman of the committee with jurisdiction over Corrections and the Parole Commission, I am now invoking Wis. Stat. §13.45(7), which requires DOC to provide my committee “**ready** access to **any** books, records, or other information relating to [their] tasks.” (Emphasis added).

Therefore, I would like to know the status of these requests, and when I, Senator Bradley and the legislative service agencies can expect our **statutorily-required** responses to our **statutorily-authorized** inquiries.

I look forward to your response.

Regards,

A handwritten signature in black ink, appearing to read 'Van Wanggaard', with a long horizontal flourish extending to the right.

Van Wanggaard
State Senator
21st District