

Editor - Gateway Publishing

From: Editor - Gateway Publishing <editor@baldwin-telecom.net>
Sent: Wednesday, January 6, 2016 10:16 PM
To: DOA Public Records Board Comments
Subject: REQUEST TO REVERSE DECISION ON TRANSITORY RECORDS
Attachments: Public Records Board Decision Regarding Transitory Records - 1-6-16.doc

Please see the attached letter requesting the reversal on the Aug. 24 decision regarding Transitory Records.

Thank you.

Sincerely,

Paul J. Seeling – Editor/Publisher - **Gateway Publishing, Inc**

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Mathew Blessing
Board Chair, Wisconsin Public Records Board
4622 University Ave. Room 10-A, Madison, WI 53705

January 6, 2016

Re: Public Records Board Decision Regarding Transitory Records

Dear Chairman Blessing:

As the publisher of two weekly newspapers and a citizen of the great state of Wisconsin I respectfully request that the Public Records Board reverse its August, 24, 2015 decision to allow for the immediate disposal of “transitory records.” The immediate disposal of public records runs contrary to the presumption of openness mandated by the Wisconsin Public Records Law.

This policy change, which included an expansion of the definition of a “transitory record,” already has had significant, unintended, adverse consequences for open government.

The Public Records Board’s action has been interpreted by some public officials as sanctioning the immediate disposal of the exact records that state statutes require them to maintain.

The Public Records Law does not define records by their perceived usefulness, and the statutory definition is broad enough to include records in virtually any medium.

If public officials conduct government business using text messages, for example, it is this Board’s obligation to order that those records be preserved for public inspection. Wis. Stat. § 16.61(3).

The authority to define a record and to render records exempt from public disclosure lies with the legislature. Unfortunately, some public officials have taken the Board’s action as excepting from public access a broad swath of important public records.

I appreciate the Board’s willingness to reconsider its earlier action, and ask the Board to return to the citizens of the State of Wisconsin the access and transparency they are entitled to at the upcoming meeting of the Public Records Board on Monday, January 11, 2016.

Your time and attention to this matter is greatly appreciated.

Sincerely,

Paul J. Seeling, Publisher

Sample text