

Subject: WEC Response to WI-WEC-21-1562 and WI-WEC-21-1564
Date: Wednesday, January 5, 2022 at 11:21:51 AM Pacific Standard Time
From: Elections PIO
To: AO Records
Attachments: Fwd: Sioux Falls SD Symposium .eml

EXTERNAL SENDER

Dear Ms. Colombo,

This email is in response to two of your three public records requests sent to the Wisconsin Elections Commission (WEC) on October 29, 2021. The requests are labeled WI-WEC-21-1562 and WI-WEC-21-1564.

First, regarding the “expenses and costs” requested in WI-WEC-21-1562, the WEC does not possess any responsive records because Commissioner Spindell traveled to the “Cyber Symposium” as a private citizen and paid all of his costs himself. The WEC did not pay for any costs related to Commissioner Spindell’s trip. His travel expenses are thus purely personal and do not qualify as public records under Wis. Stat. § 19.32(2).

Second, regarding email communications concerning the symposium and any materials related to that event as requested in WI-WEC-21-1564, the WEC has attached to this email a message from Commissioner Spindell stating that he is attending the event as a private citizen and will not be representing the WEC or conducting any business in his public role as a Wisconsin Elections Commissioner. Any of his other communications concerning this event or any materials related to this event are purely personal and do not qualify as public records under Wis. Stat. § 19.32(2). However, if the invitation mentioned in the email was sent to him in his public capacity, that invitation will be provided as part of the WEC’s response to WI-WEC-1566, the third request sent to the agency on October 29. Commissioner Spindell is conducting a search for communications between himself and the individuals listed in WI-WEC-1566, as any such communications may have been sent to him in his public capacity or responded to by him in his public capacity. Regarding the last sentence in the record, neither Administrator Wolfe nor any WEC staff member sent any communications to Commissioner Spindell in response.

Additionally, Commissioner Spindell has stated that he attended the event and that he is happy to answer questions about it. Patrick Marely interviewed him during the event, and he is open to the possibility of answering other questions concerning it. He also stated that any handouts, agendas, or summaries provided to him at the event would be identical to those made available to any other attendee.

To the extent that this response denies any part of your public records request, the WEC’s determination is subject to review in an action for mandamus under Wis. Stat. § 19.37(1), or by application to a

district attorney or the Attorney General.

Please let me know at Electionspio@wisconsin.gov or by calling (608) 267-0714 if you have any questions about the WEC's response to these requests or any other public records questions.

Sincerely,

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