



May 22, 2024

**VIA EMAIL**

Hon. Cavalier Johnson  
Mayor, City of Milwaukee  
City Hall, 200 E. Wells Street, Room 201  
Milwaukee, WI 53202  
[mayor@milwaukee.gov](mailto:mayor@milwaukee.gov)

**Re: Public Records Law Request**

Dear Public Records Officer:

Pursuant to Wisconsin's public records law, Wis. Stat. §§ 19.31–19.39, American Oversight makes the following request for copies of records.

**Requested Records**

American Oversight requests that your office produce the following records “as soon as practicable and without delay”:<sup>1</sup>

1. All records reflecting internal communications (including emails, email attachments, text messages, messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp), telephone call logs, calendar invitations, calendar entries, meeting notices, meeting agendas, informational material, draft legislation, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or other materials) between and among the Mayor and/or staff within the Office of the Mayor regarding the decision not to reappoint Claire Woodall to the position of Executive Director of the City of Milwaukee Elections Commission.
2. All records reflecting communications (including emails, email attachments, text messages, messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp), telephone call logs, calendar invitations, calendar entries, meeting notices, meeting agendas, informational material, draft legislation, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or other materials) between (a) Mayor and/or staff within the Office of the Mayor, and (b) any of the external entities or individuals listed below, regarding the decision not to reappoint Claire Woodall to the position of Executive Director of the City of Milwaukee Elections Commission:

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<sup>1</sup> Wis. Stat. § 19.35(4)(a).



- a. Anyone communicating from an email address ending in milwaukee.gov
- b. Anyone communicating from an email address ending in legis.wisconsin.gov
- c. Wisconsin Election Commissioner Robert Spindell (including [cd4.chairman@wisgop.info](mailto:cd4.chairman@wisgop.info), [rspindell@gottesman-company.com](mailto:rspindell@gottesman-company.com), and [robert.spindell@wisconsin.gov](mailto:robert.spindell@wisconsin.gov))
- d. Wisconsin Election Commission Chair Don Millis
- e. Anyone communicating on behalf of the Republican Party of Wisconsin (including anyone communicating from an email address ending in wisgop.org)
- f. Anyone communicating on behalf of the Republican National Committee or its 2024 convention planning committee (including anyone communicating from an email address ending in gop.org, gop.com, rnc.org, or gopconvention2024.com)
- g. Anyone communicating on behalf of Donald Trump or his Presidential campaign (including anyone communicating from an email address ending in donaldtrump.com, donaldjtrump.com, trumpvictory.com, 45office.com, or trumporg.com)
- h. Anyone communicating on behalf of Eric Hovde or his campaign for United States Senate (including anyone communicating from an email address ending in erichovde.com)
- i. Anyone communicating on behalf of the National Republican Senatorial Committee (including anyone communicating from an email address ending in nrsc.org)

Please note that American Oversight does not seek, and that part 2 of this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications forwarding such emails are responsive to this request. In other words, for example, if a custodian received a mass-distribution news clip email from a listed external individual or entity, that initial email would not be responsive to this request. However, if that custodian forwarded that email to another individual with their own commentary, that subsequent message would be responsive to this request and should be produced.

- 3. All records reflecting complaints, whether formal or informal (including emails, memoranda, complaint forms, or other written products), submitted by City of Milwaukee employees, appointees, board members, or contractors, to anyone in the Office of the Mayor regarding Claire Woodall.

To be clear, for part 3 of this request, American Oversight is not asking your agency to release the names of any individuals who have submitted responsive documents and does not object to withholding the name of any individual who expressed a complaint about Claire Woodall.

**For all parts of this request, please provide all responsive records from October 1, 2023 through May 6, 2024.**

## **Fee Waiver Request**

In accordance with Wis. Stat. § 19.35(3)(e), American Oversight respectfully requests that the records be produced without charge. Providing American Oversight with a waiver of fees is in the “public interest” because American Oversight will, in accordance with its organizational mission, make the records available to the public without charge. These disclosures will likely contribute to a better understanding of relevant government procedures by the general public.

American Oversight’s work is aimed solely at serving the public interest. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight’s financial interest. Rather, American Oversight’s mission is to serve the public by promoting transparency in government, educating the public about government activities, and ensuring the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media.<sup>2</sup> American Oversight also makes materials it gathers available on its public website<sup>3</sup> and promotes their availability on social media platforms, such as Facebook and Twitter.com.<sup>4</sup>

The public has a significant interest in understanding the rationale for leadership changes at the City of Milwaukee Election Commission. Records with the potential to shed light on this issue would contribute significantly to public understanding of operations of government, including the reasons underlying this leadership change. American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available, and the public’s understanding of

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<sup>2</sup> See generally *News*, American Oversight, <https://www.americanoversight.org/blog>; *State Investigations*, American Oversight, <https://www.americanoversight.org/states>; see, e.g., *State Government Contacts with Voting-Restriction Activists*, American Oversight, <https://www.americanoversight.org/investigation/state-government-contacts-with-voting-restriction-activists>; *Wisconsin Documents Offer Window into Early Uncertainty over COVID-19*, American Oversight, <https://www.americanoversight.org/wisconsin-documents-offer-window-into-early-uncertainty-over-covid-19>.

<sup>3</sup> *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

<sup>4</sup> American Oversight currently has approximately 16,000 followers on Facebook and 111,400 followers on X (formerly Twitter). American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited May 21, 2024); American Oversight (@weareoversight), X (formerly Twitter), <https://twitter.com/weareoversight> (last visited May 21, 2024).

the government's activities would be enhanced through American Oversight's analysis and publication of these records.

American Oversight asks that if its request for a fee waiver is denied in whole or in part, that you contact us prior to incurring any costs.

### **Guidance Regarding the Search & Processing of Requested Records**

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records.<sup>5</sup> If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

### **Conclusion**

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact David Kronig at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 897-3915. Also, if American Oversight's

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<sup>5</sup> Wis. Stat. § 19.36(6).

request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ David Kronig  
David Kronig  
on behalf of  
American Oversight