



September 14, 2023

VIA EMAIL

Edward Blazel
Assembly Chief Clerk
17 West Main Street, Room 401
Madison, WI 53703
ted.blazel@legis.wisconsin.gov

Representative Robin Vos
Speaker, Wisconsin State Assembly
State Capitol, Room 217 West
P.O. Box 8953
Madison, WI 53708
rep.vos@legis.wisconsin.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”:¹

1. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments), text messages (including complete text message threads or conversations), and messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, Twitter direct messages, Facebook messages, WhatsApp, Signal, Telegram, or Parler) sent or received by the Office of Representative Robin Vos officials listed in Column A below and containing any of the key terms listed in Column B below.

Column A: Office of Rep. Robin Vos Officials	Column B: Key Terms
<ol style="list-style-type: none">1. Robin Vos2. Jenny Toftness3. Tyler Clark	<ol style="list-style-type: none">1. Protasiewicz2. Impeach3. Impeachment

¹ Wis. Stat. § 19.35(4)(a).



4. Steve Fawcett	4. "Supreme Court"
5. Angela Joyce	5. Recusal
6. Joseph Knilans	6. Recuse
7. Moriah Krogstad	7. Redistricting
8. Alex Richter	8. Rigged
9. Abbey Rude	9. "Judge Janet"
10. Jake Wolf	10. "Justice Janet"
11. Kelly Wright	11. "Justice P"
12. Anyone else working on any issues related to the possible impeachment of Justice Protasiewicz or the panel formed to probe the idea	12. "Judge P"
	13. "criteria panel"
	14. Roggensack
	15. Prosser
	16. Butler
	17. Wilcox
	18. Sykes
	19. Geske
	20. Ceci

Please note that American Oversight does not seek, and that 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 Speaker Vos received a mass-distribution news clip email referencing a listed key term, that initial email would not be responsive to this request. However, if Vos forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

- All records reflecting communications (including emails, email attachments, text messages, messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, Twitter direct messages, Facebook messages, WhatsApp, Signal, Telegram, or Parler), 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) the Office of Representative Robin Vos officials listed in Column A below, and (B) the external individuals listed in Column B below, or anyone communicating on their behalf such as a scheduler or assistant.

Column A: Office of Rep. Robin Vos Officials	Column B: External Individuals
1. Robin Vos	1. Former Wisconsin Supreme Court Justice Patience Roggensack
2. Jenny Toftness	2. Former Wisconsin Supreme Court Justice David Prosser
3. Tyler Clark	
4. Steve Fawcett	
5. Angela Joyce	
6. Joseph Knilans	

<ol style="list-style-type: none"> 7. Moriah Krogstad 8. Alex Richter 9. Abbey Rude 10. Jake Wolf 11. Kelly Wright 12. Anyone else working on any issues related to the possible impeachment of Justice Protasiewicz or the panel formed to probe the idea 	<ol style="list-style-type: none"> 3. Former Wisconsin Supreme Court Justice Louis Butler 4. Former Wisconsin Supreme Court Justice Jon Wilcox 5. U.S. Court of Appeals for the Seventh Circuit Judge Diane Sykes 6. Former Wisconsin Supreme Court Justice Janine Geske 7. Former Wisconsin Supreme Court Justice Louis Ceci 8. Former Wisconsin Supreme Court Justice Daniel Kelly 9. U.S. Senator Ron Johnson 10. Chief of Staff to Sen. Ron Johnson Sean Riley 11. Deputy Chief of Staff to Sen. Ron Johnson Julie Leschke 12. Any individual participating in any panel created by Speaker Vos considering the criteria for impeachment proceedings against Wisconsin Supreme Court Justice Protasiewicz
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For all parts of this request, please provide all responsive records from April 4, 2023, through the date the search is conducted.

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.² American Oversight also makes materials it gathers available on its public website³ and promotes their availability on social media platforms, such as Facebook and Twitter.com.⁴

The public has a significant interest in the Wisconsin Assembly's potential impeachment of Justice Janet Protasiewicz.⁵ Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including whether and to what extent Assembly Speaker Vos has communicated with external parties regarding the potential impeachment. American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available, and the public's understanding of 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

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term "record" in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

² 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>.

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

⁴ American Oversight currently has approximately 16,000 followers on Facebook and 112,000 followers on Twitter.com. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Sept. 14, 2023); American Oversight (@weareoversight), Twitter.com, <https://twitter.com/weareoversight> (last visited Sept. 14, 2023).

⁵ See e.g., Scott Bauer, *Wisconsin Republican Leader Asks Former State Supreme Court Justices to Review Impeachment*, Associated Press (Sept. 13, 2023, 1:10 PM), <https://apnews.com/article/wisconsin-supreme-court-justice-impeachment-03d6f56ef7d27c6c45913a4310df7953>.

Please search all locations and systems likely to have responsive records regarding official business. **You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts.** Emails conducting government business sent or received on the personal account of the authority's officer or employee constitutes a record for purposes of Wisconsin's public records laws.⁶

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.⁷ 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 Ben Sparks at downloads@americanoversight.org or (202) 873-1741. Also, if American Oversight's

⁶ Wisc. Dep't of J., *Wisconsin Public Records Law Compliance Guide*, Oct. 2019, at 3, <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf>.

⁷ 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/ Ben Sparks
Ben Sparks
on behalf of
American Oversight