ACLU
AMERICAN CIVIL LIBERTIES UNION FOUNDATION
Wisconsin

207 East Buffalo Street, Ste 325
Milwaukee, WI 53202
(414) 272-4032
aclu-wi.org

November 6, 2026

Hon. Kent Lovern
Milwaukee County District Attorney
821 W State St.
Milwaukee, WI 53233
Via Email to: milwaukee.da@da.wi.gov and via U.S. Postal Service

Re: Open Records Request regarding the Milwaukee County District Attorney's Office "Program" deploying armed attorneys and investigators to polling places in Milwaukee County on November 3, 2026

To District Attorney Lovern or Whom It May Concern,

The American Civil Liberties Union (ACLU) of Wisconsin Foundation submits this request pursuant to the Wisconsin Open Records Act, Wis. Stat. §19.35, to obtain copies of public records related to the Milwaukee County District Attorney's Office program involving deployment of your office staff to polling places in Milwaukee County during the 2026 midterm elections on November 3, 2026 (hereinafter, the "Program").

For context, the ACLU of Wisconsin has been engaged in Election Protection efforts alongside a broad coalition of non-partisan organizations across the state for many years. With our coalition partners, we provide individual assistance to voters through the Election Protection Hotline and work to address systemic issues impacting voters at the polls. On November 3, 2026, we received numerous reports of armed individuals patrolling and entering polling places in Milwaukee County. Reports we received believed these individuals to be ICE officers or other federal agents. Upon further investigation, we learned that these individuals were actually Milwaukee County District Attorney's Office employees, including attorneys and "investigators" on your staff, appearing at polling places in plain clothes with visible firearms, and in at least one instance, in "police" body armor. This Program conducted by your office appears to have needlessly caused significant confusion and apprehension among voters and poll workers, with, as we understand it, at least one Chief Inspector calling the police to report unidentified individuals with guns at their polling place. We have significant concern about the propriety of this Program, and request the records named below to further investigate.

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Accordingly, we request copies of the following records, either newly created, received, or in effect or active use and maintained by your office **from August 1, 2026, to the present**:

1.) All policies, procedures, directives, guidance documents, protocols, memoranda, and written instructions governing the deployment, assignment, conduct, or supervision of District Attorney's Office personnel at or near polling locations as part of the Program, including specifically any policy or internal guidance requiring individuals involved in the Program to carry a firearm.

2.) All operational plans, proposals, staffing roosters, schedules, assignments, deployment lists, training materials, and other records concerning the implementation or proposed implementation of any election-monitoring program involving District Attorney's Office personnel or accompanying law-enforcement officers, including, but not limited to the Program.

3.) All internal emails, text messages, memoranda, meeting notes, and other communications between District Attorney's Office employees concerning the Program, including communications regarding personnel assignments, carrying of firearms, plainclothes attire, use of unmarked vehicles, and procedures for interacting with voters or election officials as part of this Program.

4.) Records indicating the names, job titles, ranks, and official roles of all individuals authorized or permitted to carry a firearm as part of the Program, and copies of applicable permits, firearm licenses, training certifications and any other documentation maintained by your office regarding the use and authority to carry a firearm for each person involved in the Program, including for each Assistant District Attorney participating in the Program.

5.) All written communications between any person employed by the District Attorney's Office and any other government agencies or outside entities concerning the Program, including communications with municipal clerks, individual poll workers or Chief Inspectors, the Milwaukee Election Commission, the Milwaukee County Clerk, any Police Department, the Milwaukee County Sheriff's Office, the Wisconsin Elections Commission, and any federal law-enforcement agencies.

6.) Records of all complaints, reports, inquiries, incident reports, and communications received by or generated by the District Attorney's Office concerning the presence of investigators or armed personnel at polling locations or central count locations as part of this Program.

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7.) Records of all after-action reports, evaluations, internal reviews, and recommendations concerning the Program or its implementation, including evaluation of the Program's success, and any recommendations regarding continuation or modification of the Program for future elections.

For clarity, this request is limited to records created, received, or maintained during August 1, 2026, through the present, but any otherwise responsive record that is the most current and up-to-date version of a record should be produced, even if that record was originally created prior to this date. For example, a particular policy or set of internal guidance, or a firearm training certification, for example, that is currently in force, but created before this date, should be produced as one that is "maintained" during this period.

I respectfully request these records be provided in electronic format (PDF, email attachments, etc.), if available, in order to reduce cost and expedite processing. Such materials should be sent electronically to my office to legal@aclu-wi.org. If any materials cannot be sent in electronic format, I am able to receive them by mail at the following address:

Attn: Legal Department
American Civil Liberties Union of Wisconsin
Foundation
207 E. Buffalo St., Suite 325
Milwaukee, WI 53202

I request that the documents be provided without charge pursuant to Wis. Stat.§ 19.35(3)(e). The ACLU of Wisconsin Foundation is a not-for-profit charitable and educational organization dedicated to the protection of civil liberties and government accountability, and waiving fees is in the public interest. Should you decline to waive any fees, please inform us in advance if you expect that the costs of producing the requested documents will exceed $50. If there are any questions related to this request, please contact my office through e-mail at legal@aclu-wi.org.

In accordance with Wisconsin law, we further request that all documents be produced "as soon as practicable and without delay." Wis. Stat. § 19.35(4)(a). The Wisconsin Department of Justice indicates that 10 business days is ordinarily a reasonable time for response to an open records request. *See* Wisconsin Department of Justice, *Wisconsin Public Records Law Compliance Outline* at 15 (June 2025).

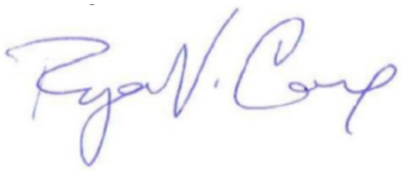
If you deny any or all of this request, I request the reasons for that denial in writing.

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Thank you for your prompt attention to this matter.

Sincerely,



Ryan Cox
Legal Director
ACLU of Wisconsin Foundation, Inc.
rcox@aclu-wi.org

Cc: Kent Lovern, Kent.Lovern@da.wi.org
Matthew Westphal, Matthew.Westphal@da.wi.gov
Scott F. Brown, Scott.Brown@milwaukeecountywi.gov