

Wisconsin

October 16, 2024

Wisconsin Department of Corrections
Secretary Jared Hoy
3099 E. Washington Avenue
Madison, WI 53704

Via: Wisconsin DOC Public Records Center

Dear Secretary Hoy,

The ACLU of Wisconsin has become aware that the Department of Corrections has implemented changes to its policies regarding legal mail and receipt of publications including books. In light of these policy changes, the American Civil Liberties Union of Wisconsin submits this request pursuant to the Wisconsin Open Records Act, Wis. Stats. §19.35, to request copies of the following records:

Legal & Privileged Mail

1. Any records describing the current legal mail and privileged mail policy.
2. Procedures, policies, manuals, training materials, or guidelines established by the Department of Corrections describing the screening process for legal and privileged mail. This includes but is not limited to records related to the inspection, testing, handling, and processing of legal/privileged mail addressed to individuals in DOC custody.
3. Any records describing incidents of contraband discovered on legal mail and privileged mail in 2022-2024, including, but not limited to,
 - a. the total number of incidents,
 - b. types of contraband discovered,
 - c. method of detection, and
 - d. DOC actions and investigations taken in response.
4. Any records reflecting the number of times that contraband found in legal mail, or other types of privileged mail was sent to a crime lab for additional drug testing, reported to the Division of Criminal Investigation (DCI), or reported to another law enforcement agency between 2022-2024.

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Publications & Donated Books

5. Any records describing the current mail policy as it relates to publications and books.
6. Any records listing, referencing, or otherwise relating to any list of recognized “commercial sources” from which people in DOC custody may receive publications.
7. Procedures, policies, manuals, training materials, or guidelines established by the Department of Corrections concerning the screening process for publications, including but not limited to the inspection, testing, handling, and processing of donated books.
8. Any records describing incidents of contraband discovered in donated publications/books from 2022-2024, including, but not limited to,
 - a. the total number of incidents,
 - b. types of contraband found,
 - c. the method of detection, and
 - d. DOC actions and investigations taken in response.
9. Any records describing incidents of contraband discovered in books from Wisconsin Books to Prisoners from 2022-2024, including, but not limited to,
 - a. the total number of incidents,
 - b. types of contraband found,
 - c. method of detection, and
 - d. DOC actions and investigations taken in response.
10. Any records reflecting the number of times that contraband found in donated publications or donated books were sent to a crime lab for additional drug testing, reported to the Division of Criminal Investigation (DCI), or reported to another law enforcement agency between 2022-2024.

In this request, the term "records" includes all information recorded in any form whatsoever, including, but not limited to, papers, digital electronic media, and recording media such as audio and video tape recordings. Privileged mail includes but is not limited to medical records, IRS documents, and documents related to PREA.



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

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

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Note that Wisconsin law requires that requested documents be produced “as soon as practicable and without delay.” Wis. Stat. § 19.35(4)(a). The Wisconsin Department of Justice policy is that 10 days is ordinarily a reasonable time for response to an open records request. Wisconsin Department of Justice, *Wisconsin Public Records Law Compliance Outline* at 15 (October 2019).

Please send the requested records to:

Nour Kalbouneh
American Civil Liberties Union of
Wisconsin
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 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 the charges, 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 Nour Kalbouneh.

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

Thank you for your prompt attention to this matter.

Sincerely,

Nour Kalbouneh
Paralegal
ACLU of Wisconsin