

Committee Name:
Senate Committee –
Judiciary, Corrections and Privacy
(SC–JCP)

Appointments

03hr_SC–JCP_Appt_pt00

Committee Hearings

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Executive Sessions

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Hearing Records
03hr_ab0196

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Misc.

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Record of Committee Proceedings

03hr_SC–JCP_RCP_pt00

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April 2003

To Members of the Legislature

Re: Open Records "Woznicki" fix AB196/SB78

From: Sandra George, Executive Director

A handwritten signature in black ink, appearing to read 'Sandra George', is written over the typed name.

The Wisconsin Newspaper Association has represented the newspapers of Wisconsin for over 150 years and has always been interested in access to open records. We support these bills to bring some structure to the open records law which was altered by the series of court cases that began with the *Woznicki* case.

That case involved a father trying to get the telephone records of a teacher that was accused of misconduct with his daughter. The DA agreed to release the records, but gave notice to the teacher. The Supreme Court did agree that the records should be released, but the problem resulted from its new expectation that a notice must be given in such cases.

The WNA supports these companion bills because we need an expedited procedure for the court-created requirement that public records custodians give notice before releasing public records that could be embarrassing to those named therein.

These bills represent a compromise which is better than the current situation because it narrows down the types of records subject to a Woznicki notice. For those records that are designated more sensitive and in need of such a notice, it also establishes a specific procedure.

The requirement that a public record custodian perform a balancing test to determine whether it is in the public's interest to have a record released remains and is intended to be unchanged.