

Your Right to Know column for July

Lawsuit put end to abusive practice

By Arn Pearson

Wisconsin's open records law applies to all records requests, big or small. But under former Attorney General Brad Schimel, the Wisconsin Department of Justice implemented a restrictive policy that limited access based on the number of potentially responsive emails.

After being sued by the Center for Media and Democracy (CMD), the Justice Department rescinded its policy and turned over hundreds of records concerning the Affordable Care Act.

The case began last summer, when CMD asked for all records and communications regarding the ACA involving the Attorney General's office and the Wisconsin solicitor general. The request covered an eight-month period.

At that time, Wisconsin held a leading role in a multi-state lawsuit aimed at striking down the ACA and eliminating health coverage for pre-existing conditions.

The department acknowledged identifying 1,940 records potentially responsive to CMD's request, but claimed it would be "excessively burdensome" to review and redact them. It also claimed the request was not reasonably limited as to subject matter or time. It denied the request.

CMD filed suit in response and, in the course of the litigation learned that Schimel's office had adopted a policy of rejecting open records requests based on an arbitrary 500-email threshold.

The DOJ's rule pertained to potentially responsive emails, not actually responsive emails. Requesters are then pressured to narrow the scope of their request.

The problem? While the open records law does require requests to have "a reasonable limitation as to subject matter or length of time," there is no "burdensomeness" exception, and the 500-email threshold is not recognized anywhere in state law.

In May, the department backed off in a settlement with CMD that states the policy "is no longer in place and that references to this policy have been removed from the Department of Justice website." The change came after the state elected a new attorney general, Josh Kaul.

"This is a victory for the public and journalists, and recognizes that Schimel's policy went too far in denying the public's right to know," says Christa Westerberg, an attorney representing CMD. Westerberg also serves as co-vice president of the Wisconsin Freedom of Information Council.

In addition, Kaul's Justice Department has affirmed that public officials cannot defeat Wisconsin's open records law by using private email or other digital dodges. There has been a growing national trend in which major influence operations, such as the Republican Attorneys General Association (RAGA) and American Legislative Exchange Council (ALEC), use online apps or members-only portals to evade state records retention and freedom of information laws.

In RAGA's case, corporations that donate \$25,000 or more are able to purchase access to an online site called the "Briefing Room," where Republican AGs and their staff may review policy documents, draft briefs and regulatory letters, and convene regular policy conference calls using RAGA's 501(c)(4) arm, the Rule of Law Defense Fund.

But the CMD-DOJ settlement says materials that otherwise meet the definition of records are "not exempt from disclosure by virtue of their location on private email accounts, online apps, or file-sharing services."

Documents obtained by CMD concerning Schimel's ACA litigation will be analyzed and published on the group's websites, ExposedbyCMD.org and PRWatch.org.

Your Right to Know is a monthly column distributed by the Wisconsin Freedom of Information Council (wisfoic.org), a group dedicated to open government. Arn Pearson is executive director of the Center for Media and Democracy, a nonprofit investigative watchdog group focused on corporate influence and money in politics.



PEARSON



Letter to the Editor

Dear Editor,
The Sterling North Home/Museum, winner of the 2019 Best of Kosh award for area museums, is going to be open both Saturday and Sunday for the Tobacco Heritage Days weekend. We invite you to stop by the home, not only keeping in mind that it's air conditioned, but that it is a chance to step back in time to the early 1900s and reflect on Sterling North's boyhood home.

This home became a mu-

seum because of the interest of members of the Edgerton community. It was children, maybe you were one of them, who collected pennies, nickels, dimes and quarters to donate for the purchase of the home. It was five local men, Walt Diedrick, John Fahlgren, George Stanek, Ron Brewster and Al Brown, who volunteered over 12,000 hours to renovate this beautiful home to its 1917 setting. It's local volunteers who donate hours to open the museum on Sun-

days, as well as offering tours to area schools and other groups.

This house truly is a local treasure and if you are new to the community or have lived here your whole life, but never visited the home, please plan to do so on Tobacco Heritage Days weekend when we will be giving away books, strawberry soda and a basket of books and a free membership or plan a visit on a Sunday from 1 to 4 p.m.

The Sterling North Society

WCLO named 'Small Market Station of Year'

Submitted by
Timothy W. Bremel
WCLO AM-1230; FM 92.7

On Thursday, June 20, during The Conclave radio conference held in Minneapolis, Minn., one station in each of four market sizes was recognized as being the best in community and radio industry contributions by their peers. WCLO 1230-AM and 92.7FM received the award in the small market category from a group

of five finalists including WZFX in Fayetteville, N.C.; WAXX in Eau Claire, Wis.; WPLR in New Haven, Conn. and college station WSOU at Seton Hall University, N. J.

WCLO Operations Manager and Talk Host, Tim Bremel said, "It was a humbling experience knowing that from stations across the country, many owned by large corporations, that WCLO's heritage of community service and involvement stood out."

The award comes six weeks after WCLO received the "medium market station of the year" designation from the Wisconsin Broadcasters Association. It's also likely it is the final award the station will receive under the 89 consecutive years of ownership by Bliss Communications which announced the sale of the station to Ben Thompson in early June.

WCLO has been on the air in Janesville, Wis., since 1930.

KANDU and Hendricks award 'King of the Grill'

Submitted by
KANDU Industries, Inc.

KANDU Industries, Inc. and Diane Hendricks recently co-hosted the 10th Annual Party at The Pitts on June 13. During the evening, six chefs from area restaurants and businesses provided dinner for guests while competing for the King of the Grill and People's Choice Awards.

Chefs grilling this year were: Sarah Boyd of MacFarlane Pheasants with Emma Trainor and Dan Knick assisting; Doug Buchman of Janesville Country Club with Brad Bandt assisting; Victor Garcia of The Beloit Club with Carlos Tovar and Victor Hernandez; Robert Patrick of Blackhawk Technical College with Lynn and Anthony Moczynski assisting; James

Pfaff of THREE F's Chefs with Chelsey Mueller assisting; and Bobby Walker Jr. of Merrill & Houston's Steak Joint with Valentin Hernandez assisting.

Chef Victor Garcia was crowned King of the Grill, Chef Doug Buchman was awarded second place, Chef Sarah Boyd was awarded third place and the People's Choice was awarded to Chef Bobby Walker Jr.

Edgerton Police Report

The police report is compiled from information provided by the Edgerton Police Department but is not a complete list of police activities. Persons listed in the police report as having been arrested or issued citations should be presumed innocent until proven guilty.

Officer Chilson arrested Angel Koppes, Edgerton, on the afternoon of June 25 and issued her citations for operating while intoxicated (first offense) and operating with a prohibited alcohol concentration (greater than .15). He then drove Koppes to the emergency room at Mercyhealth Hospital and Trauma Center in Janesville.

Lt. Vierck and Officer

Hellmeth were on patrol on the night of June 27 when they heard fireworks explode in the air, near the intersection of North Main Street and Canal Street. After an investigation, Vierck issued Joseph Hurckman, Edgerton, a citation for a fireworks violation.

At about 12:30 a.m. on June 29 Officer Dempsey issued Anthony Stowell, Edgerton, a citation for a fireworks violation, after three people called the police and complained about fireworks exploding in the vicinity of St. John Lutheran Church on East High Street.

Officer Kanable arrested Joseph Edward Morgan, Edgerton, for disorderly con-

duct on the afternoon of July 1. After Kanable arrested Morgan, he drove him to the Rock County Jail.

THE GRAMMAR GUY

by Curtis Honeycutt

Is 'gotten' rotten?

Can something sound wrong, but actually be right? Take, for instance, French fries dipped in Wendy's Frosty. This combination shouldn't be good, but it's actually a dollar menu match made in heaven. There's something indelibly delicious about the salty, slightly crispy potato strips when they fuse with the frozen soft-serve sweetness of the Frosty. Believe me, Wendy's isn't paying me as some kind of a grammar columnist/cultural influencer (although, I'd happily accept tall stacks of its fine Frosty money). Fries dipped in a Frosty sounds wrong—but it's so right.

What's the grammar equivalent of the Frosty-French fry connection? How about the word "gotten"? You probably use it and simultaneously think "wait, that can't be right—can it?" Let's explore.

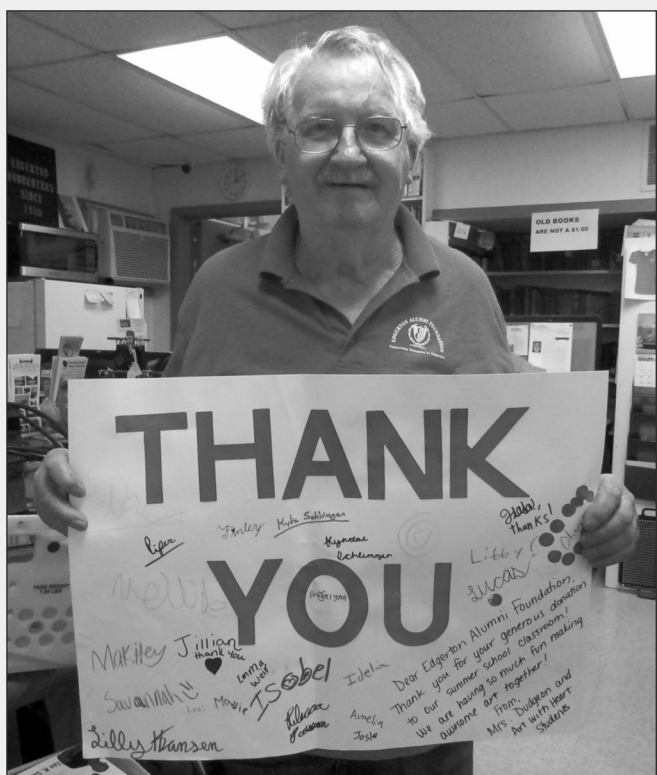
I'll clear this up right away: British English doesn't use "gotten;" instead, it used "got" as the past participle of "get." The British also call "French fries" "chips" and drive on the wrong side of the road. I suppose you can't be right all the time.

"What is a past participle?" some may ask. Let's have a quick refresher. A past participle is one of the four principle parts of a verb. It usually signifies an action that has been completed. With regular verbs, simply add had, have or has before the verb and -ed to the end to get your past participle. Examples include "have played," "had closed" and "has purchased." However, many verbs are irregular; get is one of these irregular verbs (and adding fiber to its diet hasn't changed a thing).

The present tense of get is "get." Get's past tense is "got." In American English, the past participle of get is (have) "gotten." You would be correct to say "I have gotten lazy in studying my Eastern European capitals lately." Consider another example: I have gotten many angry emails from red pen-toting grammar purists lately. Even though it may sound wrong, it's technically correct grammar to use "gotten" with a companion word like have, has, or had. That doesn't mean I like it.

No, I don't like "gotten." Instead, I encourage you to use nicer-sounding words like "become" or "grown" in the first above example or "obtained" or "received" in the second example. When you read Grammar Guy next week, I hope to write something like: This columnist has received a lifetime endorsement deal from Wendy's; after all, sometimes the most unlikely combinations turn out to be perfect partnerships.

Curtis Honeycutt is a syndicated humor writer.



Grant aids art students

The Edgerton Alumni Foundation (EAF) gave a grant of \$150 to Annie Dudgeon, Art from the Heart teacher, to purchase art supplies for the Edgerton Summer School Art Program. Sixty students are enrolled in the morning classes and the afternoon Art Camp program. Here is a 'thank you' from the students to the EAF held by Jerry Selvog, Chairman.

Photo submitted

Legal News Today



Full text of these legal notices appears on 10 & 11

- Town of Albion public hearing
- Town of Albion open book
- Town of Porter monthly meeting
- City of Edgerton council minutes-June 3
- City of Edgerton council minutes-May 20
- City of Edgerton council minutes-June 17
- City of Edgerton tree removal bids

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