

## RECORD REQUEST RESPONSE

**INSTRUCTIONS:** Please print (use a pen) or type this response. Prepare an original and one copy for file.

**YOUR APPEAL RIGHTS:** If your request was made in writing and all or a portion of the request was denied, you may appeal the denial by writing to the Department Legal Custodian, Bill Clausius, at Department of Corrections, P.O. Box 7925, Madison, WI 53707-7925, within 90 days of the date of the denial. Please include a copy of your original request as well as a copy of this form. If the Department Record Custodian upholds this decision, you can further appeal by petitioning the Circuit Court for a writ of mandamus ordering release of the record(s), or you may apply to the Attorney General or the District Attorney of the county where the records are held.

REQUESTER'S NAME: Anelisa Benavides  
Prison Information Project  
University of Michigan Law School  
ADDRESS: 625 South State Street  
CITY, STATE, ZIP CODE: Ann Arbor, MI 48109-1215

REQUESTER'S TELEPHONE NUMBER: <u>n/a</u>	REQUESTER'S FAX NUMBER: <u>n/a</u>	REQUESTER'S E-MAIL: <u>prison.info.project@umich.edu</u>	LOCATION OF RECORDS COUNTY: <u>Dane</u>
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<b>REQUEST INFORMATION</b>	DATE OF REQUEST: <u>2/13/14</u>	DATE REQUEST RECEIVED: <u>2/18/14</u>
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REQUEST FORMAT - Your Request Was: (Check One)

- ORAL       IN WRITING

RECORDS REQUESTED - You Asked For: (Check One)

- Record(s) as described in the attached copy of your request. (ATTACH COPY)
- The following record(s):
1. Any current prisoner handbook or manual (including any inmate orientation handbook or manual), system-wide or institution-specific.
  2. All current prisoner grievance regulations, policies, guidelines, manuals, directives, rules, etc., including general grievance policies/guidelines/etc. and specific grievance policies/guidelines/etc. relating to, for example, health care or sexual assault.
  3. Any record, created or updated from 2003 to the present, tallying or reporting:
    - The number of grievances filed and resolved each year.
    - The categories or subject matter of grievances filed and resolved, and number of grievances in each subject matter category used (for instance, grievances related to food, health care, use of force, etc., and including both ordinary and "sensitive" complaints such as those involving allegations of staff misconduct)
    - Grievance outcomes or resolutions each year, by subject matter category and year.
    - Statistics or data on length of time to resolve grievances, by subject matter category and year.
  4. Any current policy for prisoner mail or correspondence, including regular and legal mail, prisoner receipt of newspapers, magazines, newsletters, and books.

**RESPONSE (Check all that apply)**

- GRANT OF REQUEST See "ADDITIONAL COMMENTS" section for details about the manner in which you will receive record access.
- Your ENTIRE request is granted. See "Additional Comments" section for details about the manner in which you will receive

record access.

The following PART of your request is granted:

#1 and #4 of your request: See response below in the Comments Section.

**INSUFFICIENTLY LIMITED REQUEST** Your request is not reasonably limited as to subject matter or length of time represented by the record(s). Therefore, the request does not qualify under Wisconsin's Public Records Law. However, if you revise your request, it will be re-evaluated.

Your ENTIRE request is insufficiently limited.

The following PART is insufficiently limited:

**STATUTORY "RECORD" DEFINITION** Wisconsin's Public Records Law applies only to materials within the statutory definition of a record". Requests for materials exempt from the "record" definition do not qualify under the Public Records Law.

Your ENTIRE request asked for material which is exempt from the "record" definition because:

The following PART of your request asked for material which is exempt from the "record" definition because:

**NO DOCUMENTS**

NO DOCUMENTS or other materials were found meeting your description.

For the following PART of your request we found no documents or other materials:

**DENIAL OF REQUEST**

Your ENTIRE request is denied.

The following PART of your request is denied:

**REASON FOR DENIAL**

**CONFIDENTIALITY LAW.** Your access to the record(s) is prohibited by the following statutes, rules, or regulations:

**COMMON LAW BALANCING TEST** (where no confidentiality law applies). Your access to the record(s) would be so harmful to the public interest as to outweigh any presumed right to access to the record(s). Disclosure would be of overriding harm for the following reason(s):

An INVESTIGATION in progress would be impeded by the record access.

INFORMANTS described in the record(s) would be jeopardized by the record access by being subject to retaliation, discouraging future informants.

The RECORD SUBJECT may be jeopardized by being subject to harassment or other intimidation of a nature contrary to the public interest.

A BREACH OF SECURITY would result from the record access.

OTHER:

**EXPLANATION OF FEES:**

Fees Waived  Pre-Payment Required  Payment Required Upon Receipt

Total Fees: \$

\$	Copying Fee {	page(s) at \$	per page}	\$	Certification Fee	\$	Shipping/ Postage	Other: \$
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**MAKE PAYMENT TO:**

**SEND PAYMENT - WITH A COPY OF THIS REQUEST TO:**

NAME:

ADDRESS:

CITY/STATE/ZIP:

**ADDITIONAL COMMENTS:**

Pursuant to Wisconsin State Statute 19.35(3) (a) an authority may impose a fee upon the requester of a copy of a record which may not exceed the actual, necessary and direct cost or reproduction and transcription of the fee and Wisconsin State Statute 19.35(3) (d) allows for charging for postage. Also, Wisconsin State Statute 19.35(3) (f) states that an authority may require prepayment of a requestor. The Wisconsin Department of Corrections charges \$0.25 per page (per side) plus postage. If the cost of these records exceeds \$5.00, payment will need to be prepaid prior to preparation of records.

The number of pages for each institution inmate handbooks will range from 30 to possibly 90 or 100 pages. There are 20 correctional institutions and 16 centers.

The current prisoner policy (DAI Policy 309.20.03) for mail is 23 pages.

Your request for a fee waiver is denied. Please notify me how you would like us to proceed with your request.

Your request has been forwarded to our Corrections Complaint Examiner for response to #2 and #3 of your request.

PRINT OR TYPE RECORD CUSTODIAN'S NAME

Bonnie Utech

OFFICE / FACILITY REPRESENTED

Division of Adult Institutions

RECORD CUSTODIAN'S SIGNATURE

*Bonnie Utech*

DATE SIGNED

March 31, 2014