

LINCOLN COUNTY SHERIFF

SHERIFF:

Ken Schneider

kschneider@co.lincoln.wi.us

CHIEF DEPUTY:

Nathan Walrath

nwalrath@co.lincoln.wi.us

JAIL ADMINISTRATOR:

David Manninen

dmanninen@co.lincoln.wi.us

04/22/2019

Wausau Pilot & Review
Shereen Siewert
500 N. Third St. Suite 208-8
Wausau, WI 54403

RE: Open Records Request, dated 04/22/2019

Ms. Siewert:

We are in receipt of your request for records. I must decline at this time to disclose the records you requested.

It is my understanding that this complaint is a pending investigation, with the possible prosecution of suspect(s). The denial of records is also based on Wisconsin Statute 19.35(1)(2)(a)(b)(c)(d), in addition to the following stated reasons. This statute serves to protect the information contained within these documents that may identify informants, endanger an individual's safety, staff safety and compromise the rehabilitation of person(s) in our custody.

Your right to inspect a record containing personally identifying information does not extend to records collected or maintained in connection with a complaint, investigation or other circumstances that may lead to an enforcement action, administrative proceeding, arbitration proceeding or court proceeding.

I have balanced the public interest in disclosure of this email record in this case with the various considerations that weigh against disclosure and have determined that the considerations that weigh against disclosure outweigh the public interest in disclosure.

Specifically:

-Information contained in our investigative reports could, if disclosed, result in efforts on the part of (a) potential defendant(s) to thwart the inquiry. Likewise, release of such information at this time could result in efforts on the part of (a) named or potential defendant(s) to tamper with prospective testimony, secret evidence or collect perjured testimony for a trial.

1104 EAST FIRST STREET • MERRILL, WISCONSIN 54452

Merrill Office715-536-6272

Records715-536-6274

Jail715-536-6275

Tomahawk Office715-453-5747

Office Fax715-536-7910

Jail Fax715-536-3466

-Disclosure would compromise our ability to maintain the secrecy of our investigative records at this time, also frees witnesses from the threat of retaliation.

-Disclosure would jeopardize law enforcement's ability to conduct additional or follow up interviews, or to obtain accurate and truthful information in those interviews.

-Disclosure reasonably might be expected to result in destruction, concealment, or alteration of evidence not yet obtained by law enforcement.

-Disclosure reasonably might interfere with an ongoing investigation or prosecution.

-Evidentiary privileges, i.e. officer's names.

-Disclosure reasonably might interfere with policy business, privacy and reputation, uncertain reliability of raw investigative data, revelations of law enforcement techniques, danger to persons named in reports.

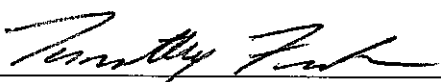
- Disclosure reasonably might impede or undermine a related criminal investigation.

-Disclosure reasonably might identify an informant; endanger crime victims or other persons,

-Until the investigation is complete and a charging decision is made, withholding the information you seek also serves to prevent testimony which may be mistaken or untrue or irrelevant from becoming public.

Please be advised that to the extent this may be construed as a denial of access, it is subject to review by mandamus under § 19.37(1), Wis. Stats., or upon application to the attorney general or a district attorney.

Sincerely,

By 
Lt. Timothy Fischer, 911 Administrator