



MADISON POLICE DEPARTMENT

Shon F. Barnes, Chief of Police
City-County Building
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Madison, WI 53703
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5-16-23

Colten Bartholomew
Wisconsin State Journal

Dear Records Requestor:

RE: Madison Police Records: 23-172925


The Madison Police Department has received your request for a copy of the record(s) associated with the matter identified above. I have reviewed the record(s) and have determined the records are not disclosable for the reason(s) indicated below:

- ☐ I am unable to release the record(s) requested, as it is a confidential juvenile record and no exceptions apply. See Wis. Stats. §§ 48.396 and 938.396.
- ☒ The investigators assigned to this matter have advised that their investigation of the incident is continuing and that the release of the record(s) at this time may unduly hamper their investigation. Therefore, I will not release the record(s) at this time.
- ☒ The record(s) is associated with a pending criminal prosecution by the Dane County District Attorney's Office. At this time, the case is undergoing review and/or has not had initial court review. There is the distinct potential that additional investigation may be done and that release of these reports could compromise the integrity of such investigation. In addition, release of the record(s) while this case is pending may seriously jeopardize prosecution, as it would allow persons to identify witnesses and potentially intimidate them or otherwise improperly influence their testimony. Finally, as this case is in the intake process, the point at which the District Attorney is deciding upon what, if any, charges may be issued, the release of these report could unfairly impugn and damage the reputations of persons who may ultimately not be charged with any crime. As a result, I will not release the record(s) at this time. You may wish to contact me again at a later date. **Please note: the DA's Office has advised that due to COVID-19, some court activity has been delayed.**
- ☐ I am advised by ADA _____ that the release of these records at this time would be contrary to the public interests because:

- ☐ I am unable to release the record(s) requested because the record would identify a confidential source of information or a confidential informant in violation of Wis. Stats. §§ 19.35(1)(am)2.b. and 19.36(8).
- ☐ I am unable to release the record(s) requested because the record is associated with an investigation of a sensitive nature. It includes highly personal and private information, the disclosure of which would likely have a substantial adverse effect on important public interests because it:
 - ☐ Would deter persons from reporting allegations cooperating in investigations and prosecutions.
 - ☐ Would disclose sensitive investigative techniques or procedures.
 - ☐ Would disclose guidelines for law enforcement investigations or prosecutions that could reasonably be expected to risk circumvention of the laws.
 - ☐ Would endanger the life and safety of any individual in violation of Wis. Stats. § 19.35(1)(am)2.a.
 - ☐ Would endanger or compromise the security of a public or private building or facility.

I have reached the above conclusions after applying appropriate statutes, state laws, court case decisions, and after weighing the reasons for nondisclosure against the public interest in disclosure. For the reason(s) set forth above, I have concluded that the public interest in nondisclosure of the record requested outweighs the public interest in disclosure. Pursuant to Sec. 19.35(4)(b) Wis. Stats., I advise you that this determination is subject to review by Mandamus under Sec. 19.37(1) Wis. Stats., or upon application to the Wisconsin Attorney General or the Dane County District Attorney. I have consulted with the City Attorney's Office, per 3.70(6) MGO.

Sincerely,


Julie A. Laundrie
Madison Police Records Custodian

JAL/KLD