

Wisconsin Transparency Project: Kenosha sheriff releases records, settles lawsuit

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Faced with an open records lawsuit, the Kenosha County Sheriff's Department relented in its refusal to turn over nearly 20-year-old records of a sheriff's deputy stopped (but not arrested) for drunk driving. The Sheriff initially claimed the routine incident reports were exempt medical records, a claim that would not have held up in court.

Kevin Mathewson, the local private investigator who requested the records, reached a settlement agreement with the Sheriff in which the Sheriff turned over the records and paid Mathewson's court costs, attorney fees, and statutory damages as provided by state law. The case was then dismissed.

"Record custodians need to realize their job is to provide the greatest possible access to government information," said Tom Kamenick, President and Founder of the Wisconsin Transparency Project, which represented Mathewson. "Too often they look for any excuse, no matter how flimsy, in order to deny a request. Strict enforcement of record laws is necessary in order to discourage such behavior."