Wisconsin Freedom of Information Council names 'Opee' winners

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Contact: Bill Lueders (608) 669-4712

blueders@gmail.com

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A police department that helped a student journalism class promptly obtain records of unsolved missing person cases is among the winners of this year's Openness in Government Awards, or Opees, bestowed by the <u>Wisconsin Freedom of Information Council</u>. So is a television station that fought to obtain records regarding questionable police witnesses and a news outlet that successfully sued a police department over improper delays and a city over excessive charges.

Other winners include a contractor who has since 2008 been blowing the whistle on alleged overcharging by a utility company and a national liberal watchdog group that had to sue to pry loose records of a disastrous state probe. And the mayor of Madison was given negative recognition for bashing the press.

The Opee Awards, now in their 19th consecutive year, recognize outstanding efforts to protect the state's tradition of open government as well as highlight some threats to it. They are being announced in advance of national <u>Sunshine Week</u> (sunshineweek.org), March 16-22. Winners have been invited to appear at the <u>Wisconsin Openness Awards Dinner</u> in Madison on March 6, part of the Wisconsin Newspaper Association's annual convention.

"We had a good number of nominees this year for both positive and negative recognition," said Bill Lueders, council president. "Defending and advancing our state's tradition of open government is a constant struggle, as these awards serve to remind."

The Wisconsin Freedom of Information Council is a nonprofit, nonpartisan group that seeks to promote open government. It consists of about two dozen members representing media and other public interests. Sponsoring organizations include the Wisconsin Newspaper Association, Wisconsin Broadcasters Association and Wisconsin Associated Press.

The judging committee for this year consisted of Lueders, Council vice president Christa Westerberg (who recused herself from several categories in which she had connections with nominees), former La Crosse Tribune editor and publisher Rusty Cunningham, Wisconsin Newspaper Association executive director Beth Bennett, and WMTV 15 news director Jessica Laszewski.

Awards are being given this year in six categories. The winners are:

Public Openness Advocate (Popee): Milwaukee Police Sensitive Crimes Division and Open Records Division

When Jessica McBride's UW-Milwaukee journalism class launched a full-semester project to delve into unsolved missing persons cases, she was impressed by the cooperation she received from Milwaukee police, especially Capt. Erin Mejia of the department's sensitive crimes division and Sgt. Jason Kotarak of its records division. "They provided the full, unredacted missing person files for each case submitted by the students in just a few weeks," McBride wrote in making this nomination. "The level of transparency and openness was unprecedented in my experience." Credit goes also to the students, who produced an impressive collection of stories called Missing in Milwaukee.

Citizen Openness Advocate (Copee): American Oversight

This liberal advocacy group fought for years to obtain records from the probe into Wisconsin's 2020 election conducted by former state Supreme Court Justice Michael Gableman. In the end, the group got the records and was awarded its <u>legal costs</u>. Meanwhile, Gableman's disregard for the state's transparency laws was flagged in several of the ten counts of alleged misconduct <u>filed against him</u> by the Office of Lawyer Regulation. All in all, the probe cost taxpayers nearly \$2.5 million and turned up no evidence of wrongdoing other than that committed by Gableman himself.

Media Openness Advocate (Mopee): Wisconsin Examiner

The two biggest recurring problems with the state's open records law are excessive charges and improper delays. This nonpartisan, nonprofit news-site, represented by attorney Tom Kamenick of the Wisconsin Transparency Project, in 2024 won cases dealing with each. It sued the city of Black River Falls for seeking to charge reporter Henry Redman thousands of dollars to obtain records from a third-party vendor regarding the disappearance of an Indigenous man. It also sued the Wauwatosa Police Department, on behalf of reporter Isiah Holmes, for failing to respond promptly to records requests. Both cases settled with \$5,000 payments, with Black River Falls saying its records system was changed to avoid these huge charges.

Open Records Scoop of the Year (Scoopee): TMJ4 for "Ghosted"

When this Milwaukee <u>television station</u> asked the Milwaukee County District Attorney's Office for its "Brady list" of law enforcement officers who have had issues that impact their credibility as witnesses, it was denied a complete copy. But it hired attorney Brendan Healey and pressed for more information, which was <u>reported in a series called</u> "Ghosted," about a hit-and-run accident in Milwaukee. It is the first in a series of reports on the serious accountability and transparency concerns the station found. This reporting is ongoing, in partnership with Wisconsin Watch and the Milwaukee Journal Sentinel.

Whistleblower of the Year (Whoopee): Todd Heath

This operator of a business that audits telecommunications bills has endured 17 years of litigation over his federal whistleblower <u>claim</u> that Wisconsin Bell overcharged schools and libraries millions of dollars for internet access and other services. In February, the U.S. Supreme Court <u>ruled</u> unanimously in Heath's favor, which will allow his claim to proceed (yes, it's not over yet). The case <u>could</u> reinforce federal programs that make broadband more accessible, and affirm accountability and taxpayer protections in whistleblower cases.

No Friend of Openness (NOPEE): Satya Rhodes-Conway

At a <u>press conference</u> on Dec. 17, the day after a deadly mass shooting at Abundant Life Christian School, Madison's mayor delivered a tongue-lashing to the press for asking too many questions. "It is absolutely none of y'all's business who was harmed in this incident," Rhodes-Conway admonished. "Please have some human decency and respect" for the victims and their families. "Don't feed off their pain." Her comments were deeply unfair to the reporters, who were hurting too. Bashing the press for political gain is contrary to the cause of openness. Enough already.