



The Agency Sunshine Report

A Public Records Audit

Nineteen Wisconsin state agencies and constitutional offices, measured against the ten-business-day standard the State set for itself.



INSTITUTE FOR
REFORMING GOVERNMENT

Center for Investigative Oversight

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ABOUT

About the Institute for Reforming Government and the Center for Investigative Oversight

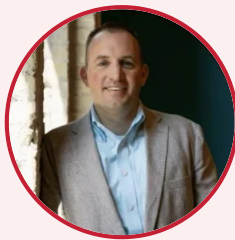
The Institute for Reforming Government (IRG) is focused on developing free-market and limited-government reforms, taking action on them, and getting results for Wisconsin. Founded in 2018, IRG has quickly grown into one of the state's largest think tanks, boasting an elite policy team with decades of experience in state and federal government, trade associations, and statewide campaigns. Most importantly, IRG gets results for the conservative movement in Wisconsin.

IRG's Center for Investigative Oversight (CIO) exists to hold Wisconsin's government to the standards it has set for itself—and to give the public the tools to check the record without having to take the government's word for it. Government transparency is not a

partisan cause, and this report does not treat it as one. It measures what Wisconsin's executive agencies actually do against one standard—the State's own—and applies that standard to every office the same way, regardless of the office's size, its mission, or the party of the official who runs it.

The Institute for Reforming Government is a 501(c)(3) non-profit that wants to give all Wisconsinites an opportunity to succeed and prosper. IRG does this by developing policy reforms, engaging communities, and holding government accountable. Its Center for Investigative Oversight supports rigorous, independent, and objective oversight of state government and its agencies.

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Executive Summary

How long should a Wisconsinite wait to see a public record?¹ A day? A week? A year? Under Wisconsin law, the answer is “as soon as practicable and without delay,” and for a simple request, the State’s own Department of Justice treats 10 business days as the outer edge of reasonable.² From 2016 until 2019, the public did not have to ask how agencies were doing: two executive orders required every agency to track its records requests and post its response times on a public dashboard. That dashboard went dark in 2019.

Nobody repealed the orders that built it. The current administration simply stopped treating them as binding and put nothing in their place. So, IRG’s Center for Investigative Oversight did what the former public dashboard once did for free. We asked 19 state agencies and constitutional offices for their own public record requests and tracking logs. We measured how fast, and how honestly, each one answers the public.

The spread is enormous, and it is a choice. The best agencies answer the public the same day, with the staff and budget they already have. The worst is to make the public wait the better part of a year, then certify, in writing, that everything was handled “without delay.” What separates them is how each office treats the public’s right to know: as a duty to meet, or as an inconvenience to manage.

RANK	STATE AGENCY / AUTHORITY	REQUESTS LOGGED	MEDIAN WAIT	OUTSTANDING	GRADE
1	DFI (Financial Institutions) §	695	0 days	1.3%	PASS
2	DNR (Natural Resources)	17,831	1 day	0.3%	PASS
3	DSPS (Safety & Prof. Services)	1,091	1 day	0.4%	PASS
4	DOT (Transportation)	30,808	1 day	1.8%	PASS
5	WHEDA (Housing Authority)	188	6 days	10.1%	FAIL
6	DHS (Health Services)	2,422	8 days	28.0%	FAIL
7	DCF (Children & Families)	1,324	9 days	2.5%	PASS
8	DOA (Administration)	1,583	9 days	4.4%	PASS
9	DWD (Workforce Development)	782	14 days	2.7%	FAIL
10	Office of the Governor	404	18 days	9.2%	FAIL
11	PSC (Public Service Commission) ‡	35	23 days	14.3%	FAIL
12	DOJ (Justice) †	2,614	41 days	12.7%	FAIL
13	SOS (Secretary of State)	59	169 days	0.0% *	FAIL

† DOJ was never sent a request; it is scored from its own published reports. Median converted from the 58 calendar days that DOJ reported for January-June 2026. Volume and outstanding share are requests closed during the audit window plus requests pending on August 4, 2026 that were opened on or before April 22, 2026; ‡ PSC produced a 2026 long only—35 requests received January 6 to April 27, 2026—against a request covering January 1, 2024 forward; § DFI produced 2024-2025 only and no 2026 log; Backlogs rise sharply in 2026 across this data, so DFI’s window is the one that excludes the hardest year.; *SOS shows 0% outstanding because every visible request is closed; it holds requests for months and closes them in batches.

¹ See [Wis. Stat. § 19.32\(2\)](#); see also Wisconsin DOJ, [Public Records Law Compliance Guide](#) at 3 (defining “record” as “[a]ny material on which written, drawn, printed, spoken, visual, or electromagnetic information or electronically generated or stored data is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority.”)

² See [Wis. Stat. § 19.35\(4\)\(a\)](#) (an authority must, “as soon as practicable and without delay,” either fill a records request or notify the requester of its determination to deny); see also Wisconsin DOJ, [Public Records Law Compliance Guide](#) at 15 (June 2025) (10 business days generally reasonable for a simple request).



Key Findings

Best in class: the Department of Financial Institutions (DFI): median zero business days across 695 logged requests, 98 percent within the benchmark.

Speed scales: the Department of Natural Resources (DNR, 17,831 requests) and Department of Transportation (DOT, 30,808 requests) both answer the typical request in one business day. The slowest offices on this board handle a fraction of that volume.

The floor: the Secretary of State (SOS): median 169 business days, not one request closed within 30, while its cover letter certifies everything was resolved “without delay.” Its own data says otherwise.

A finished answer can sit on a shelf: the Department of Administration’s response to IRG was written and saved on the morning of May 18, 2026 — 18 business days after the request. IRG did not receive it until July 9, 38 business days later. The wait was not search time.

Agencies do not measure themselves: SOS, DWD, DCF, DOA, DOT and PSC each reported that they keep no response-time records. Their own logs contain every date needed to compute the number. IRG computed it for them.

The office at the top sets no example: the Governor’s Office took 59 business days to produce its log, answered only one of the request’s three parts, ranks tenth of thirteen, and is slowing. Its median wait has risen every year since 2024. The Department of Justice publishes its weekly pending requests and monthly response times on its own initiative. DOJ is slower than the Governor’s Office and ranks below it here. It is also the only office on this board whose numbers the public could check without asking.

Good paperwork can hide a backlog: DHS acknowledges every request within a business day and files quarterly reports, yet carries the study’s heaviest backlog (roughly 28 percent open), and its published average understates the typical wait roughly fourfold.

Two agencies have simply gone dark: as of August 20, 2026, the Department of Agriculture, Trade and Consumer Protection (DATCP) and the Department of Revenue (DOR) have produced nothing—no records, no denial—for 86 business days. A 2019 review found both answering in nine business days.³

The fix already runs inside state government: DOT still tracks requests in a system built to Executive Order #189, down to a SharePoint address named “open-eo189,” and DVA still publishes the public dashboard the orders envisioned. Every practice this report recommends is running today inside at least one Wisconsin agency.

³ Libby Sobiech & CJ Szafir, Policy Brief: [Lurching Towards Darkness: An analysis of how the Evers administration handles open records requests](#), Wisconsin Institute for Law & Liberty, (Sept. 2019).



Background

Wisconsin's open records tradition is older than the statute that carries it. The 1849 revised statutes opened county officers' records to inspection. Chapter 178, Laws of 1917 extended that policy to state, municipal, and school district records generally, and it stood largely unchanged until the modern law took effect in 1983. That law opens with a declaration that the people are entitled to "the greatest possible information regarding the affairs of government."⁴ When a citizen asks for a record, the custodian has two lawful choices: produce it or deny it in writing, "as soon as practicable and without delay." Compliance at some unspecified future time is not among the options⁵ This report therefore counts a request left open without an answer as outstanding; a violation in progress. The State's own June 2025 compliance guide is to the same effect, instructing custodians to respond to every request, including those for which no responsive records exist. A requester who prevails in court may recover fees and damages, and an arbitrary delay can draw punitive damages and a forfeiture. That fee remedy is narrower than it reads. In 2022 the Wisconsin Supreme Court held that fees under § 19.37(2)(a) require a judicially sanctioned change in the parties' legal relationship, which means an authority that sits on records for months and releases them only once it is sued may owe the requester nothing.⁶

Two Governor Walker-era executive orders supply the best-practice baseline. [Executive Order #189 \(March 11, 2016\)](#) directed agencies to fulfill simple requests within 10 business days where practicable, acknowledge receipt within one business day, maintain a tracking system, cap staff-time fees, and build a performance dashboard. [Executive Order #235 \(March 9, 2017\)](#) directed agencies to post their numbers (requests received, completed, and average time to fulfill) on a public dashboard, updated quarterly. The orders worked, and someone outside the administration said so. The Wisconsin State Journal measured roughly a 30 percent improvement in agency response times in the year after the first order issued, and in 2018 the non-partisan Wisconsin Freedom of Information Council gave Governor Walker its "Opee" award for Political Openness.⁷ The benchmark is not a partisan artifact either. The ten-business-day figure belongs to the Department of Justice, and Attorney General Kaul recommends it today as his predecessor Attorney General Schimel did before him.⁸

What happened next is the part most often gotten wrong, in both directions. No one repealed the orders, and no one gutted the records law. Executive Orders #189 and #235 have never been rescinded. The current administration simply declined to treat them as binding, taking the position that it follows state public records law and Department of Justice guidance, "not executive orders issued by prior administrations."⁹

⁴ [Wis. Stat. § 19.31](#) (declaration of policy); [§§ 19.32–19.39](#). On the lineage: [Wis. Rev. Stat. ch. 10, § 137](#) (1849) (county officers' records open to inspection); [ch. 178, Laws of 1917](#) (extending the policy to state, municipal and school district records generally); [ch. 335, Laws of 1981](#) (current law, effective Jan. 1, 1983)

⁵ [WTMJ, Inc. v. Sullivan](#), 204 Wis. 2d 452, 457–58, 555 N.W.2d 140 (Ct. App. 1996).

⁶ [Wis. Stat. § 19.37\(1\)](#) (mandamus); § 19.37(2)(a) (fees and damages); [§ 19.37\(3\)–\(4\)](#) (punitive damages and forfeiture); [Friends of Frame Park, U.A. v. City of Waukesha](#), 2022 WI 57 (fees under [§ 19.37\(2\)\(a\)](#) require a judicially sanctioned change in the parties' legal relationship; rejecting the court of appeals' causal-nexus test).

⁷ Matthew DeFour, [State agencies responding more quickly to records requests since last year](#), Wisconsin State Journal (Mar. 12, 2017) (roughly 30 percent improvement; the figure is the newspaper's, not IRG's); Wisconsin Freedom of Information Council, press release naming its 2018 "Opee" award recipients (Mar. 7, 2018).

⁸ Wisconsin DOJ, [Public Records Law Compliance Guide](#) (June 2025). The guide is older than either administration this report discusses: Attorney General Van Hollen's office issued earlier editions, updating the 2010 version in 2012. The ten-business-day guidance has been carried forward since by Attorney General Schimel, whose office created the Department's Office of Open Government in 2015, and by Attorney General Kaul.

⁹ See statement of the Governor's office to the Wisconsin Freedom of Information Council, reported in Bill Lueders, [Your Right to Know: Evers can do better on openness](#), Wisconsin Watch (Oct. 9, 2019). Neither order has been rescinded, and no successor order on public records has been issued.



A governor is entitled to that view of a predecessor’s internal directives, and IRG does not contend otherwise. The problem is what went with them. The statutory floor did not move an inch; the layer above it did. Gone was the one-day acknowledgment. Gone was the five-day status update, the mandatory tracking fields, the uniform fee schedule, and the published numbers. By February 2019 the statewide dashboard was offline, and a September 2019 review found it gone.¹⁰ No replacement standard has been issued in the seven years since.

What Wisconsin gave up was not its open records law. It was the only mechanism that made compliance with that law measurable from outside.

This report asks how closely agencies follow those practices today: how quickly they respond, and how many requests remain unfulfilled.

The Transparency Scorecard: Grading Agency Performance¹¹

Agencies differ in size, mission, and workload. The standard here does not. We measured every office in this Report two ways:

1. **Speed:** The Department of Justice (“DOJ”) advises that 10 business days, roughly 14 calendar days, is the reasonable outer edge for a simple records request. An office clears this prong if the median request in its own log closed in 10 business days or fewer.
2. **Backlog:** A request left open without an answer is a violation in progress, not a pending matter. An office clears this prong if fewer than 10 percent of the requests it logged during the audit window, January 1, 2024 through April 22, 2026, remain outstanding.

Where two offices share a median, the one with the lower outstanding rate ranks higher.

The Transparency Scorecard: Grading Agency Performance

Agencies differ in size, mission, and workload. The standard here does not.

1 SPEED
≤ 10 business days
about 14 calendar days

An office clears this prong if the median request in its own log closed in 10 business days or fewer — the outer edge DOJ advises for a simple request.

2 BACKLOG
< 10% still open
Jan 1, 2024 – Apr 22, 2026

A request left open without an answer is a violation in progress, not a pending matter.

TIEBREAK Where two offices share a median, the one with the lower outstanding rate ranks higher.

¹⁰ See Sobie & Szafir, *supra* note 3.

¹¹ See Appendix II of this Report at p. 20 for a detailed explanation of the process (methodology) and grading definition.



Agency by Agency Ranking

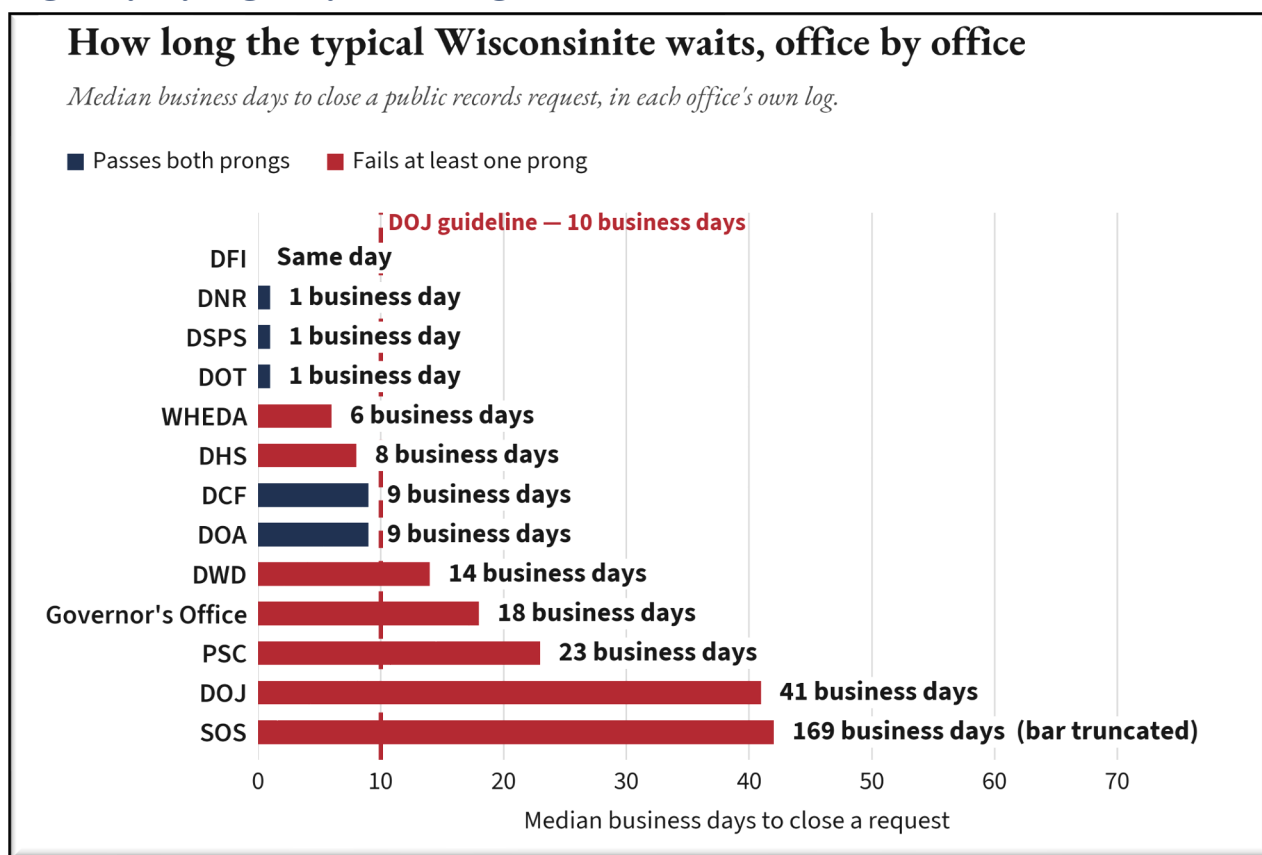


Figure 2. The Citizen Baseline. Median business days to close a public records request, across 57,187 logged rows plus DOJ's published reports, plotted against the DOJ's own 10-business-day guideline.

DFI — Rank 1, [Pass](#). The median request closes the same or next business day; 98 percent close within the benchmark; nine of 695 logged requests remain open. DFI answered IRG in three business days, and its log shows that pace is the rule.¹² One caution: DFI produced its log as scanned images and, starting in 2025, stopped recording what each request was about. A log that no longer says what was asked will make the next round of oversight harder, however fast the answers come.

DNR — Rank 2, [Pass](#). The newest arrival on the board is one of its best performers. Across 17,831 requests in four log systems, the typical request closes in one business day (86 percent within benchmark; 0.3 percent outstanding). Even the hard cases move: complex requests, the multi-program searches where policy records live, run a 15-business-day median. The route the log took to reach IRG is harder to defend: DNR sat silent for 57 business days, missed the June 3 target its own tracking system had assigned to IRG's request, and produced records on July 10 and 15 only after IRG's July 9 letter invoking its mandamus remedies. An agency this good at answering the public was this slow to show its work.

¹² 695 count strictly covers DFI's native 2024–2025 logs to preserve exact, symmetrical comparison windows with DHS and other multi-year reports.



DSPS — Rank 3, Pass. Passes at scale: 1,091 requests, a one-day median, 81 percent within benchmark, four requests outstanding. Its log is richly built: receipt, acknowledgment, response dates, the agency’s own days-to-fulfill count, outcome, and channel, even though it arrived as scanned images.

DOT — Rank 4, Pass. DOT answers more records requests than every other agency in this study combined: 30,808 across seven divisions, 95 percent of them State Patrol traffic. It answers the typical one the next business day. The result survives every cut: excluding the State Patrol entirely, the remaining 1,642 requests close at a two-day median; excluding statutory carve-outs changes nothing. Two blemishes. First, the exception to DOT’s speed was IRG’s own request: its divisions compiled their logs by May 6, ten business days in, and the package then sat in the general counsel’s office until July 21, 64 business days, and was answered eight business days after IRG raised mandamus. Second, DOT told IRG it “does not track response time,” making the study’s fourth-fastest agency one more office whose own log contains a number it never computes. To DOT’s credit, it never stopped running the executive-order machinery: its trackers carry column headings lifted from Executive Order #189, one division’s log lives at a SharePoint address named “open-eo189,” and 94.5 percent of requests are acknowledged within one business day. DOT is also this report’s clearest evidence that an agency can change. In 2019 it was one of two departments that produced nothing at all: it acknowledged the request, sent a status update four weeks later, and then went silent past 40 business days. Today it answers the typical member of the public in a single business day. It still took 64 to answer the one request that asked how fast it answers.

WHEDA — Rank 5, Fail. The best-organized tracking system in the study: twelve fields, redaction reasons, the specific confidentiality statute cited for each denial. Its six-day median is timely too. WHEDA fails anyway, on backlog: 19 of 188 requests (10.1 percent) remain outstanding, with a tail of 2025 requests left open past 100 business days.

DHS — Rank 6, Fail. The best reporting machinery in this study: standardized quarterly reports, every request acknowledged within a business day. It also carries the widest gap in this study between what an agency reports and what requesters experience. The median closes in eight business days, but roughly 28 percent of 2,422 logged requests remain open, concentrated in nursing-home survey records at its quality-assurance division (median near 31 business days; more than 150 requests open past 100; the longest at 428). Its published average of roughly 15 days counts every division equally; weighted by where requests actually land, the real figure is closer to 60. The eight-day median understates the wait for the same reason the Governor’s 2026 cohort does: it is computed on requests that have closed, and more than a quarter of DHS’s have not. DHS has been here before. The 2019 review found the department averaging nine business days, comfortably inside the benchmark, with 112 of its 487 logged requests carrying no response date at all: 23 percent. Seven years and a change of administration later, the speed has held and the backlog has not been worked down. It has grown.



FIGURE 3

One division carries the backlog: inside DHS

A department-wide median of eight business days conceals an average of 128 in the division that handles nursing-home survey records.

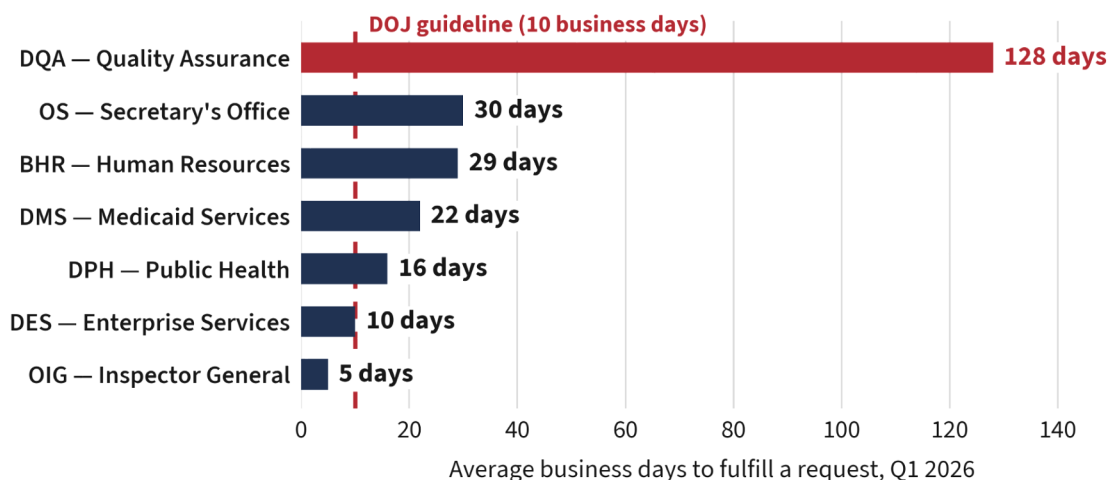


Figure 3. DHS Division-Level Backlogs. A detailed operational breakdown showing how DHS's department-wide eight-business-day median masks an average of 128 business days inside the Division of Quality Assurance (DQA).

DCF — Rank 7, [Pass](#). The closest call on the board: a nine-day median across 1,324 requests, one day inside the benchmark, 2.5 percent outstanding. The pass is real and so is the tail. Only 54 percent of requests closed within ten business days, and the slowest quarter ran past 20. DCF is the other department that produced nothing for the 2019 review, having told it the records were forthcoming and then not sending them. This time, however, it timely produced its records.

DOA — Rank 8, [Pass](#). The Department of Administration passes the test and still supplies this report's sharpest illustration of how a records request goes wrong. Across 1,583 logged requests—the second-largest body of requests any office here was willing to hand over—the typical one closes in nine business days, 56 percent close within the benchmark, and 69 (4.4 percent) carry no closing date at all. On the two numbers this report scores, DOA clears both. Then there is the way DOA handled IRG's own request. It took 56 business days—78 calendar days—to produce, the second-slowest response in the study, behind only the Governor's Office. But the answer was not slow to prepare. DOA's cover letter is dated May 18, 2026, and the two files it eventually sent were created on the morning of May 18—the letter at 8:40 a.m., the log eleven minutes later—and neither was touched again. The response was finished 18 business days after the request. It reached IRG on July 9, 38 business days. After that, in the same week IRG began writing to the offices that had gone silent. Whatever the thirty-eight days were spent on, they were not spent searching. The records were done.

What DOA produced, and what it would not. DOA answered the first part of the request with its weekly pending-request logs for 2024 through April 2026. On the second part it reported that it has no responsive records: the department that houses the State's central administrative machinery does not compute its own response times. On the third it declined outright, holding the request insufficiently specific as to subject matter



under Wis. Stat. § 19.35(1)(h) and citing *Seifert v. School District of Sheboygan Falls* for the proposition that a custodian need not guess what a requester wants.

Credit where it is owed. DOA’s redaction practice is the most carefully documented in this study. Each category of withheld material is tied either to a statute or to an articulated balancing test, with citations to the public-assistance confidentiality statutes, Marsy’s Law, *Linzmeier v. Forcey*, and *MacIver Institute v. Erpenbach*. It closes by advising the requester of the review available under Wis. Stat. § 19.37, as the statute requires. DOA explains its withholdings better than any other office on this board. It simply does not explain its calendar.

The log, and the trend. DOA’s log runs six fields—receipt date, requester, organization, subject, closing date, decision—with no acknowledgment date, no legal basis recorded request by request, and no fees. Sixteen of the 69 rows with no closing date carry a decision anyway; those files were resolved and DOA simply never recorded when. The other 53 record no outcome at all. And the current cohort is turning:

Cohort	Requests	Median business days	% still open
2024 receipts	638	9	1.1%
2025 receipts	682	9	1.8%
2026 receipts (through April 29)	263	10	19.0%

The 2026 cohort is measured while it is still open, so the ten-day median flatters it—quick requests close first. What the cohort already shows is a backlog rate seventeen times the 2024 figure, in a log the department produced itself.

DWD — Rank 9, Fail. DWD told IRG it keeps no response-time records and no pending-request snapshot. In its own account, it does not measure itself. Its list carries a Date Closed column anyway, so IRG computed what DWD does not: a 14-day median across 782 requests, only 41 percent within benchmark, a tail reaching 284 days. Few requests are abandoned (2.7 percent outstanding); the failure is speed. Its redactions, by contrast, were handled by the book.

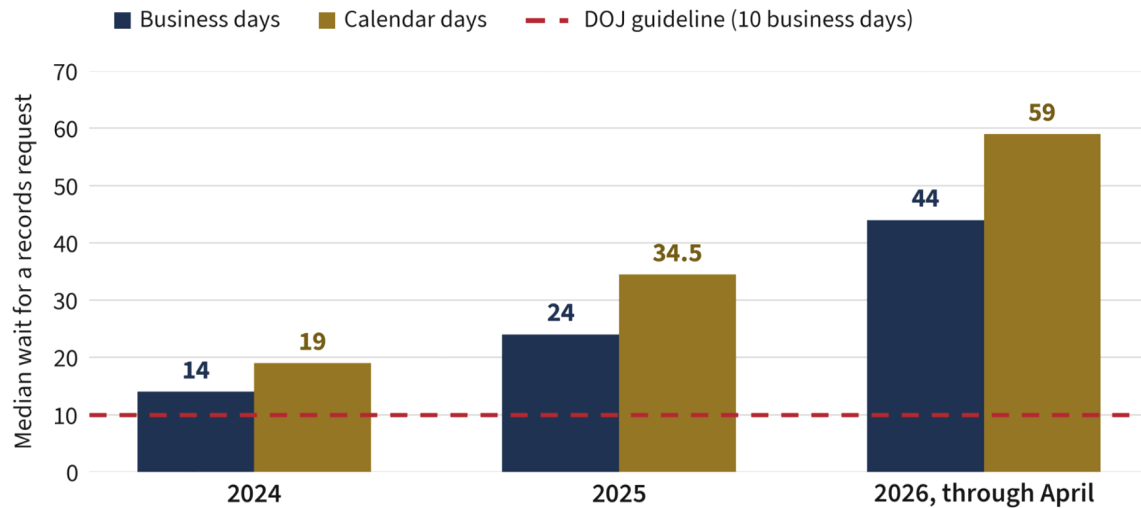
Office of the Governor — Rank 10, Fail. The office took 59 business days to answer a request about how quickly it answers requests, and answered only one of the request’s three parts. It produced a tracking log and asserted a blanket attorney work-product withholding, then said nothing at all about the other two parts: no records, no statement that none exist, no denial addressed to either one. The State’s own June 2025 guidance tells custodians that where no responsive records exist, they should say so. The log it produced ranks it ten of twelve. Across 404 requests, the typical one closed in 18 business days; only 40 percent closed within ten; 37 remain open, the oldest pending since January 2025. The office’s own log shows the wait rising every year.



FIGURE 4

Leading by poor example: the Governor's Office is slowing

The typical wait has more than tripled in two years, in the office's own log.



Source: Office of the Governor public records tracking log produced to IRG.

Figure 4. Executive Slowdown at the Top. A multi-year trend chart demonstrating the tripling of median citizen response times inside the Office of the Governor from 2024 to 2026.

PSC — Rank 11, Fail. The Public Service Commission took 63 business days to answer a request about how quickly it answers requests, and the log it produced shows the pace is the rule. Across 35 logged requests, the typical one closed in 23 business days; 7 of the 30 closed requests met the benchmark, and 5 of the 35 carry no response date at all. PSC misses both thresholds. The result survives every cut: set aside the 2025 carryover that waited on an invoice, the one file recorded as an initial response only, and IRG’s own entry, and the median never falls below 20.

What the log does not cover. PSC produced 2026 only—35 requests received between January 6 and April 27, 2026—against a request whose stated period ran from January 1, 2024. No 2024 or 2025 log was produced, and the response does not say that none exists. On the second part of the request, PSC confirmed in writing that it holds no records of average monthly response times, the sixth office in this study to report that it does not measure itself.

The denial. PSC declined the third part of the request as insufficiently specific under Wis. Stat. § 19.35(1)(h), citing *State ex rel. Gehl v. Connors* for the proposition that a custodian need not guess what a requester wants, and stating that greater specificity and a timeframe were required. The request states its timeframe on its second page: the relevant period “shall be between January 1, 2024 and the date of this request.” The Commission’s letter reproduces the three numbered items and omits the paragraph that supplies what the letter says is missing.



DOJ — Rank 12, [Fail](#). The Department of Justice was never sent a request. It did not have to be. It publishes a snapshot of every pending request each Monday, monthly response-time reports, and mid-year and year-end statistical releases. This report scores it from those. Every number that follows is the Department’s own.

The speed is falling. DOJ’s median response time was 26 calendar days in 2024, 14 in 2025, and 58 in the first half of 2026—four times its 2025 figure and more than five times its mid-2025 figure, on falling volume. It answered 545 requests through June, thirty-five fewer than in the same period of 2025. Its mean response time is 101 calendar days. The share of requests answered inside the ten-working-day guidance DOJ itself wrote fell from roughly 59 percent at mid-2025 to roughly 25 percent at mid-2026. On its 2025 figures DOJ would have ranked ninth on this board. On its 2026 figures—58 calendar days, or roughly 41 business days—it ranks eleventh of twelve.¹³

The backlog is the harder number. On August 4, 2026, 568 requests were pending. One hundred three had been open more than a year, forty-one more than two years, and three more than five. The oldest, a request for Division of Criminal Investigation records, was filed on February 22, 2021 and had been pending 1,989 days. Measured against the audit window, roughly 13 percent of DOJ’s requests remain outstanding — and that is the conservative construction. Counted against the full pending list, the figure is closer to 20 percent. Either way it fails the threshold this report set in advance.

None of which is the point. Every figure in the three paragraphs above came from the DOJ’s own website. The Department computed them, published them, and updates them weekly without anyone filing anything. The Secretary of State’s 169-day median had to be pried loose by a records request. The DOJ’s sits on a public page. That distinction is the argument of this report. An office can be slow and still be accountable. It cannot be quiet and be accountable. DOJ is the only office on this board that published its own failing grade.

SOS — Rank 13, [Fail](#). The floor of the study. Its response packet lists 59 requests at a median of 169 business days, none closed within 30. Cross-referencing its older log puts routine certified-copy requests near 248 business days, roughly a year. It keeps no response-time records. And its cover letter certifies that all 2024 and 2025 requests were resolved “within a timeframe that was practicable and without delay,” a claim its own production contradicts.

¹³ Wisconsin DOJ, Office of Open Government Reports Its Mid-Year Performance Statistics for 2026 (July 30, 2026) (545 responses; mean 101 calendar days; median 58 calendar days; approximately 25 percent within the ten-working-day guideline); Office of Open Government 2025 Year-End Report (2024: median 26, mean 85 calendar days; 2025: median 14, mean 58 calendar days; approximately 53 percent within the guideline); Office of Open Government Mid-Year Report 2025 (July 23, 2025) (median 11 calendar days; approximately 59 percent within the guideline); WI DOJ Pending Public Records Requests as of Aug. 4, 2026 (568 pending; oldest opened Feb. 22, 2021). Annual medians and means for 2024 are as plotted in the Department’s own Annual Public Records Requests chart. Pendancy ages and per-year counts computed by IRG from the August 4, 2026 snapshot.



Best-Practice Responders and Other Offices

DOJ, and what a public dashboard actually buys. The Department of Justice is scored above, at Rank 11, and it fails. It is listed here anyway, because it is the only office on this board whose numbers were public before IRG asked for them. DOJ posts its pending requests every Monday, its response times every month, and a statistical summary twice a year. That is the only reason this report could measure it at all. Compare the Governor's Office, which took 59 business days to produce a log of how quickly it produces things, or the Secretary of State, whose 169-day median surfaced only because someone filed a request for it. Publishing the numbers does not make an office fast. It makes an office checkable, which is the precondition for everything else this report recommends.

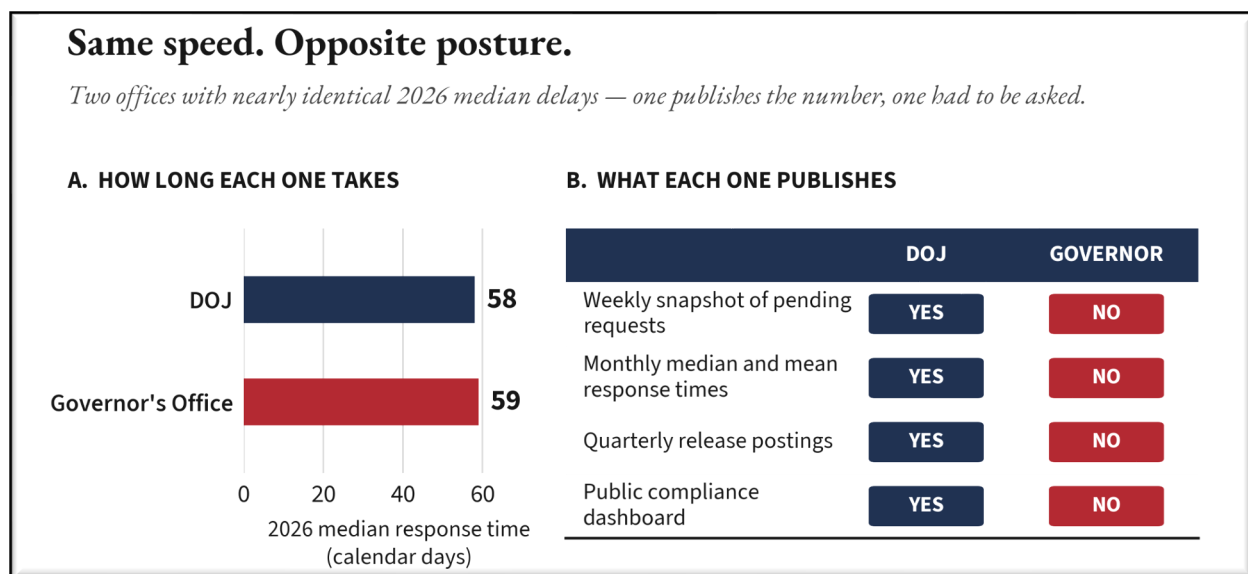


Figure 5. Complex Workloads: Response Delay vs. Active Transparency. Two offices with nearly identical 2026 median delays. One publishes the number; the other had to be asked.

OCI: tracking that measures itself. The Office of the Commissioner of Insurance answered IRG in two business days with three years of logs that already carry a per-request days-to-complete column and OCI's own computed averages. It volunteered that its 2026 averages are provisional because some requests remain open. That is the candor the failing agencies never offered. OCI counts days differently than this report, so its figures are reported as the office states them rather than folded into the rankings.

DVA¹⁴: the dashboard, still alive. The Department of Veterans Affairs answered in three business days with links: a public page of pending requests, a quarterly performance dashboard, and a list of closed files. That is the architecture the executive orders called for, maintained by a single agency on its own initiative. Any citizen can check DVA's record without filing anything.

State Treasurer. Answered in three business days; keeps no tracking log, citing its small size and volume. Recorded as a responding office; not scored.

¹⁴ The Department of Veterans Affairs administers state veterans benefits, operates the veterans homes at King, Union Grove, and Chippewa Falls, and maintains the state veterans cemeteries.



One office was left out on purpose. The Department of Corrections¹⁵ keeps no email intake for records requests; its process runs through a detailed form keyed to inmate and case numbers, and its request mix is overwhelmingly attorneys seeking individual inmate files. It is not comparable to the offices on this board and was not asked.

Still Waiting: DATCP and DOR

The law gives a custodian two responses: produce the records or deny the request. An office that does neither has made a decision.¹⁶ As of August 20, 2026, two offices, DATCP and DOR, have produced nothing in response to our April 22 request: no records, no denial, no fee estimate, nothing beyond automated receipts. That is 86 business days, more than eight times the State's benchmark, and counting. IRG sent each a written follow-up on July 7, which dates the delay without excusing it.

The history makes the silence louder. The September 2019 review measured the five cabinet agencies that were subject to the executive orders and found every one of them inside the benchmark: DNR at an eight-business-day average, and DATCP, DOA, DHS and DOR at nine. It did not single those five out for praise. They were simply all of the agencies it could measure, and all of them passed.¹⁷ Of that group, DNR now ranks second on this scorecard and DHS sixth, carrying the study's heaviest backlog. DATCP and DOR have not answered at all. Their standing here changes the day they answer; until then, this report counts the non-response as a result. IRG will update the live version of this report the day either agency responds, and will pursue its remedies under Wis. Stat. § 19.37 if neither does.

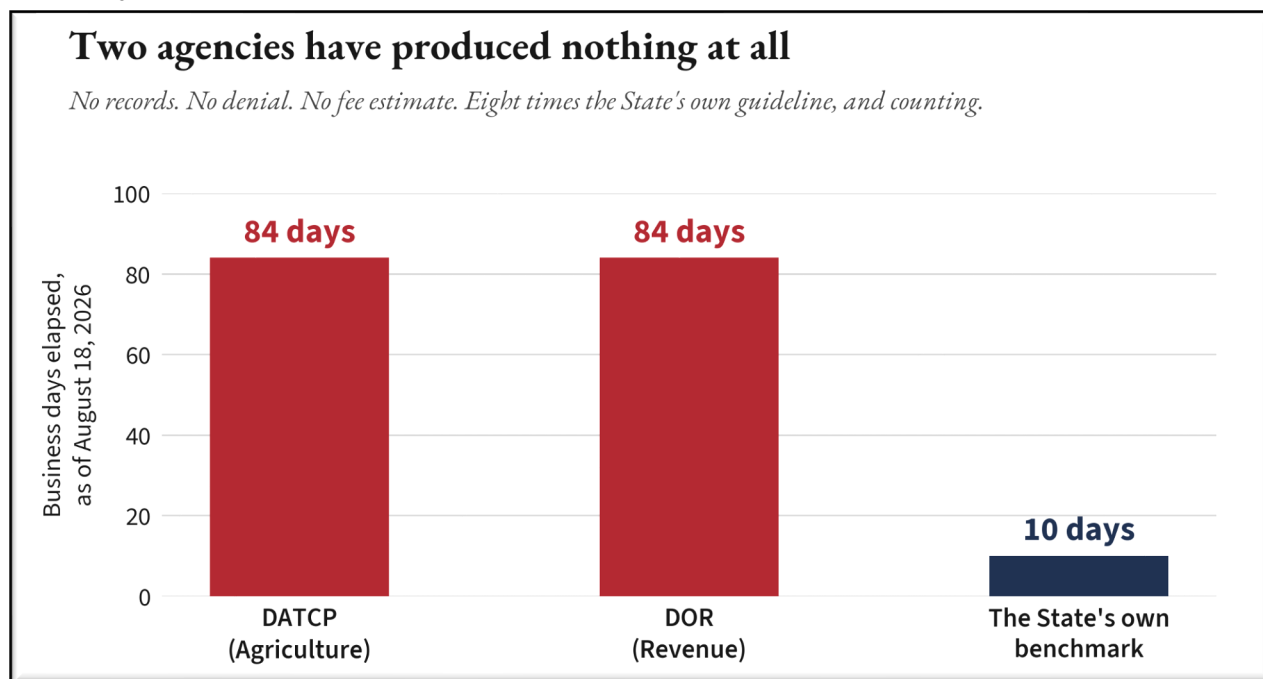


Figure 6. The Silence Tracker. A high-contrast timeline tracking the ongoing 86-business-day delay of DATCP and DOR compared to the state's traditional 10-day expectation.

¹⁵ The Wisconsin Department of Corrections manages state adult correctional facilities, oversees probation and parole, and runs programs to rehabilitate offenders to keep the public safe.

¹⁶ [Wis. Stat. § 19.35\(4\)\(a\)](#); Wisconsin DOJ, *Public Records Law Compliance Guide* (June 2025) (custodian must respond to every request, including one for which no responsive records exist).

¹⁷ See Sobiech & Szafir, *supra* note 3.



Recommendations

1. Re-embrace the standards already on the books. The Governor should direct agencies to follow Executive Orders #189 and #235: acknowledge promptly, fill simple requests within 10 business days where practicable, keep a log that records both dates, and publish the numbers on a restored public dashboard. Neither order was ever repealed, so this takes no new instrument, only a decision to treat them as live. Nothing here requires new authority or new money. DFI, DNR, DSPS, and DOT are meeting the standard now, and DOT never stopped running the system.

2. Close the gap between finishing and sending. Agencies should record, and publish, the date a response is transmitted to the requester, not merely the date it was prepared. DOA's answer to IRG was complete on the morning of May 18, 2026 and did not reach IRG until July 9, 38 business days later, and nothing in DOA's log would ever have shown it. A log that captures only receipt and closure cannot distinguish a search that genuinely took eight weeks from a finished file that sat on a shelf for eight weeks. Those are different failures with different remedies, and right now the public cannot tell them apart. This costs nothing: the date is already in the transmitting email.

3. Failing that, legislative oversight. The government-operations committees should call the worst performers to account, and the Joint Legislative Audit Committee should direct the Legislative Audit Bureau to evaluate public records compliance statewide, using request-weighted response times, not the flattering averages some agencies publish.

4. Codify the floor. The Legislature should require every agency to keep a standardized log (date received, date acknowledged, date of final response, outcome, legal basis for any withholding, fees) and to report request-weighted response times publicly each quarter. DWD shows why reporting must be mandatory; SOS's certification that everything was timely, contradicted by its own production, shows why data integrity belongs in statute; DHS's misleading average shows why the metric must be defined by law.

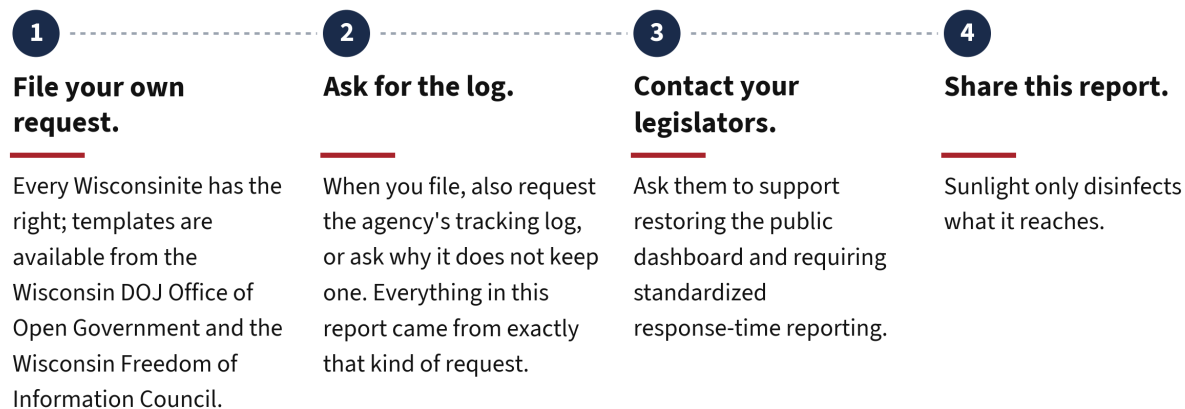
5. Restore the requester's remedy. A right with no affordable remedy is a suggestion. Since 2022 an authority that withholds records and releases them only after it is sued can leave the requester holding the legal bill, which prices ordinary Wisconsinites out of enforcing their own statute. 2025 Assembly Bill 190 and 2025 Senate Bill 194 would have restored fee recovery where a lawsuit was a substantial factor in prompting release. The bill passed the Senate, cleared committee nine to nothing, drew no registered opposition, and was backed by the Wisconsin Newspaper Association, the Wisconsin Broadcasters Association, the ACLU of Wisconsin, and WILL. It died in the Assembly on March 23, 2026 without a floor vote. It should be taken up again. Until it is, enforcement will keep happening the expensive way: on July 7, 2026, the Milwaukee Journal Sentinel and Wisconsin Right Now, sued the Department of Administration together in Dane County over records withheld from both of them, represented by the same lawyer.¹⁸

¹⁸ [*Friends of Frame Park, U.A. v. City of Waukesha*](#), 2022 WI 57; [2025 Assembly Bill 190](#) and [2025 Senate Bill 194](#) (Sen. Wanggaard; Rep. Novak), Assembly action of Mar. 23, 2026; *Milwaukee Journal Sentinel and Wisconsin Right Now v. Department of Administration* (Dane County Cir. Ct., filed July 7, 2026), Wisconsin Transparency Project counsel of record.



Take Action

Four steps, in order of effort



The Bottom Line

This report asks one question: when a Wisconsinite requests a public record, does the government answer promptly, honestly, and on the same terms for everyone? Some agencies do, with the staff and budget they already have. Others make the public wait nearly a year and then certify, in writing, that nothing was delayed. Two will not answer at all. Behind every entry in these logs is a Wisconsinite: a journalist chasing taxpayer dollars, a small-business owner trying to make sense of a regulation, a parent checking how a case was handled, all waiting for something the law already says is theirs. A year-long wait is a denial with a friendlier name.

Wisconsin met this standard within the last decade, and the offices at the top of this scorecard are meeting it today. The dashboard can be turned back on with an executive order and a spreadsheet. What is missing is the decision to do it.

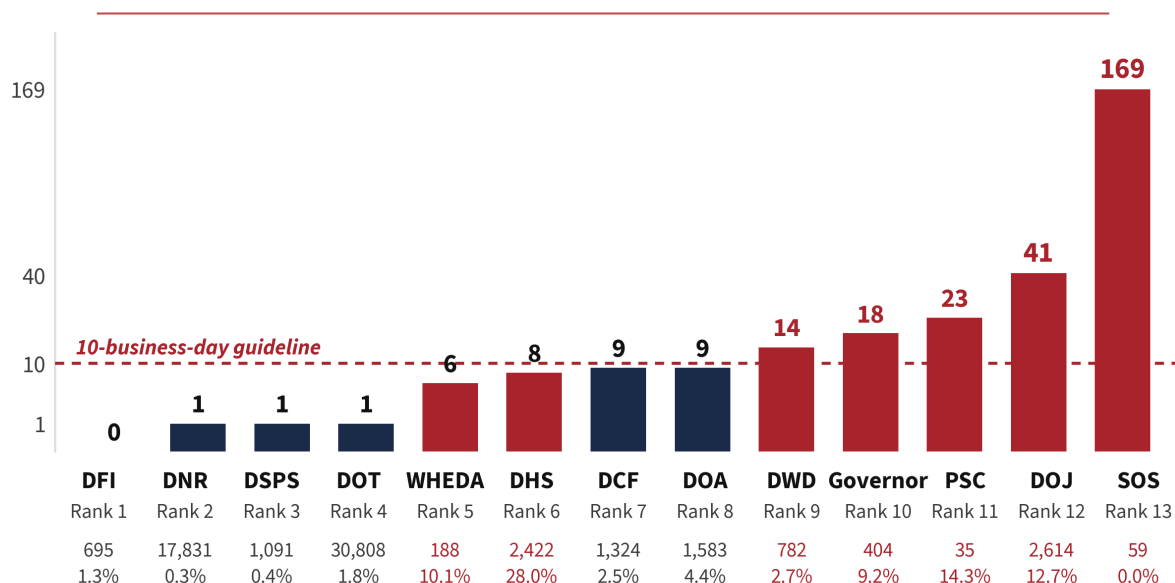


Appendix I: Two Visual Representations of Each Agency Ranked

RANK	STATE AGENCY / AUTHORITY	REQUESTS	MEDIAN	OUTSTANDING	GRADE
1	DFI (Financial Institutions)	695	0 d	1.3%	PASS
2	DNR (Natural Resources)	17,831	1 d ■	0.3%	PASS
3	DSPS (Safety & Prof. Services)	1,091	1 d ■	0.4%	PASS
4	DOT (Transportation)	30,808	1 d ■	1.8%	PASS
5	WHEDA (Housing Authority)	188	6 d ■	10.1%	FAIL
6	DHS (Health Services)	2,422	8 d ■	28.0%	FAIL
7	DCF (Children & Families)	1,324	9 d ■	2.5%	PASS
8	DOA (Administration)	1,583	9 d ■	4.4%	PASS
<i>10-business-day guideline</i>					
9	DWD (Workforce Development)	782	14 d ■	2.7%	FAIL
10	Office of the Governor	404	18 d ■	9.2%	FAIL
11	PSC (Public Service Commission)	35	23 d ■	14.3%	FAIL
12	DOJ (Justice)	2,614	41 d ■	12.7%	FAIL
13	SOS (Secretary of State)	59	169 d ■	0.0%	FAIL

■ Pass ■ Fail

Bars are drawn on a square-root scale. WHEDA and DHS fail on backlog, not speed; DOJ is scored from its own published reports; SOS's 0.0% outstanding is its own certification, contradicted by its production.



Appendix II

Methodology & Grading Definitions

Grading Definitions

Every office lands in one of two categories. There is no middle tier and no partial credit.

1. PASS — An office passes only by clearing both thresholds:

- A median response time of 10 business days or fewer, AND
- An outstanding backlog rate under 10 percent.
- *Performance profile.* Offices in this tier, DFI and DNR among them, show that routine requests can be answered almost immediately with the staff and budget already in place. Two offices clear the bar with little room to spare, and this report says so where they appear. DCF passes on a nine-day median, one day inside the benchmark, with 46 percent of its requests taking longer than 10 business days to close. DOA passes on speed and still carries 69 requests with no recorded closing date at all.

2. FAIL — An office fails by missing either threshold, or both. The failure takes one of two shapes:

- **Failure on backlog.** The office answers simple requests quickly and lets the complex, sensitive, or policy-related ones sit, pushing its outstanding rate past 10 percent. WHEDA fails at 10.1 percent; DHS carries 28 percent.
- **Failure on speed.** The office is slow by default, and its median exceeds the 10-business-day guideline: DWD at 14 days, the Governor’s Office at 18, the Department of Justice at 41, the Secretary of State at 169.

The Process:

To rebuild what the dashboard once showed, IRG’s Center for Investigative Oversight submitted identical records requests to each agency or office. Nothing here required an agency or office to do new work. We asked each one to show us the records it is *already required to keep*. On April 22 and 27, 2026, we sent an identical three-part request to 19 state agencies and constitutional offices: each office’s tracking log or weekly pending-request snapshot, any records of its average monthly response times, and any compilation of significant releases, covering January 1, 2024 through April 22, 2026.

Every elapsed-time figure in this report runs from the date that office was served. From each usable log, we counted business days from the date a request was received to the date of the agency’s final response, pooling every request rather than averaging division averages. Business days here are weekdays; state holidays are counted as business days, the same convention applied to every office and every elapsed-time figure in this report.

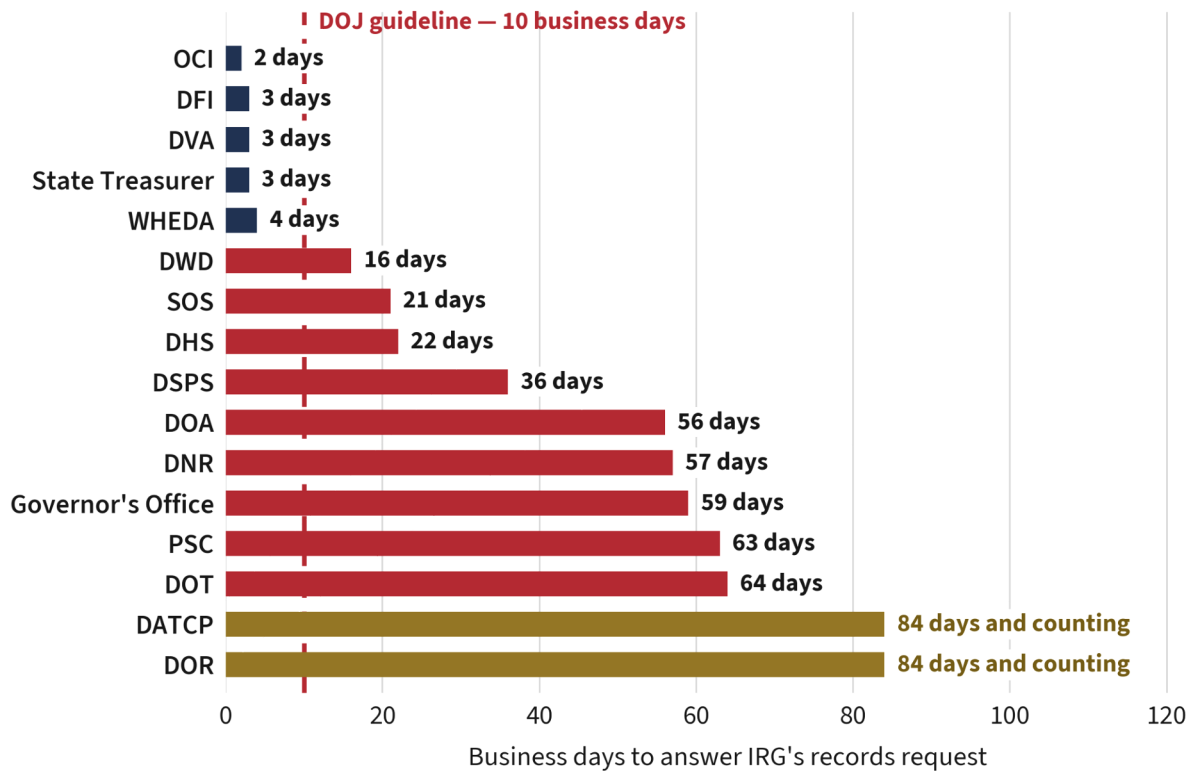
An agency passes if its median is 10 business days or fewer and fewer than 10 percent of its logged requests remain outstanding. Where two offices share a median, the lower outstanding rate ranks higher. One standard applied equally to each office. The second half of that test is not an invention of this report. The 2019 review reported, office by office, the share of logged requests carrying no response date at all: under 5 percent at DNR, 9 percent at DOJ, 23 percent at DHS, and roughly one in three at the Governor’s Office. Those are backlog rates under another name. This report measures the thing directly and states the threshold in advance.



Asked how fast they answer, most agencies were slow to answer

Business days each office needed to respond to IRG's identical three-part records request.

■ Within the 10-day guideline ■ Past the guideline ■ No response at all, as of Aug. 18, 2026



Source: IRG Center for Investigative Oversight. Elapsed time runs from the date each office was served.

Figure A2a. What It Took to Get an Answer. Business days each office needed to respond to IRG's identical three-part request, from two days at OCI to two agencies that have not responded at all. Every office received the identical request on April 22 or April 27, 2026, and each figure runs from the date that office was served.

Who is scored. A ranking requires a log. An office is graded only where it produced request-level records carrying both dates the test is built from: the date each request was received and the date of the final response. Eleven of the offices we asked produced logs of that kind. DOJ is ranked on the figures it publishes itself and is marked accordingly; it received no request and is not counted among the offices we asked. **The rest are described in the text rather than graded,** and the reason appears in each entry: the office keeps no tracking log at all (State Treasurer); it publishes performance data but no request-level log (DVA); or it reports response times computed on a different day convention, so its figures are given as the office states them rather than folded into a ranking built on different math (OCI).; or its production could not be transcribed reliably within the study window (PSC). DATCP and DOR produced nothing at all. **Not scored is not unexamined—every office in this study appears here, ranked, described, or counted as silent.**

Limitations. Five limitations are worth stating plainly.

First, the 10-business-day figure is DOJ policy for a simple request covering a limited number of easily identifiable records; the guidance itself allows that broader requests may reasonably take longer, and Wisconsin



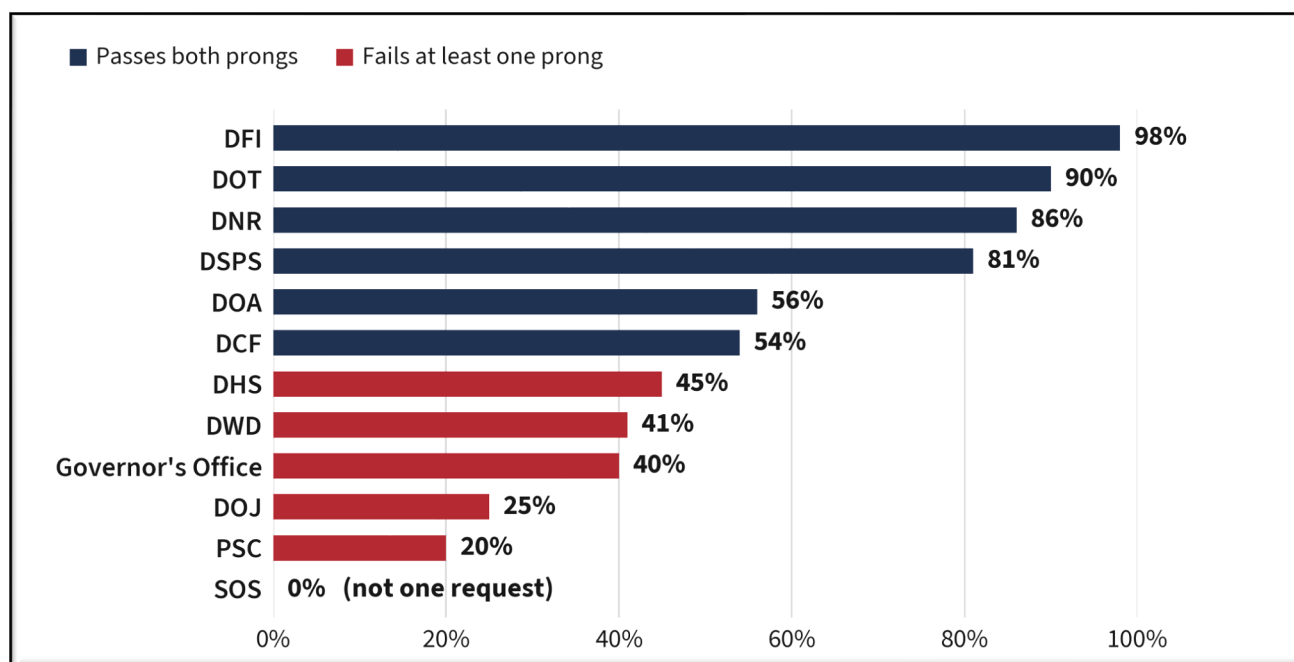
law sets no fixed deadline at all. This report does not treat any single request as late. It reports the median across every request an office logged, which is the measure the DOJ itself publishes for its own office, and a median across hundreds or thousands of requests is not moved by the handful that are genuinely complex.

Second, this report treats every request alike. Some searches are harder than others, and no agency's log distinguishes them. Request mixes differ as well: 95 percent of DOT's volume is State Patrol crash reports, which are routine. That objection can be tested. Strip the State Patrol out entirely, and DOT's remaining 1,642 requests still close at a two-day median. WHEDA, with 188 requests and the best-built tracking system in this study, takes six business days. The Secretary of State, with 59 requests, takes 169. Neither volume nor complexity explains that spread.

Third, the executive orders never reached every office on this board. They bound agencies under the Governor's supervision. The Secretary of State is a constitutional office outside that authority, as were the DOJ and the Department of Public Instruction, which the 2019 review treated as outside the orders' reach for exactly that reason. This Report scores them anyway, because the statute binds every authority on identical terms and the ten-day guidance is addressed to all of them. It does not claim the executive orders set their baseline.

Fourth, where this report compares an agency to its 2019 figures, the comparison is directional only. The 2019 review took a six-month window and averaged the requests that had closed; this report takes 28 months and reports the median across every request logged. Those two numbers do not subtract. They support a statement about which way an agency has moved, and not a precise delta.

Fifth, not every number here was read off a spreadsheet. Several offices—DOA, DFI, DSPS, and eight pages of DWD's log—produced page images rather than data, and their figures were recovered by optical character recognition. Two full pages of DOA's logs were re-read by hand and matched on 36 of 36 rows; across 1,514 closed DOA requests, two impossible dates were caught by a date-range rule and corrected, an observed error rate of 0.13 percent. DOJ, which was never sent a request, is scored from its own published summaries rather than from a log: its medians are the Department's published figures in calendar days, and its outstanding rate is the requests pending on August 4, 2026 that were opened on or before April 22, 2026, measured against the requests DOJ closed in the same window. That construction is not identical to the one applied to offices that produced logs. It is stated here so the reader can weigh it.



Appendix III

Why Five Offices Are Not Ranked

A rank in this report is a computed number, not an editorial judgment. Producing one requires two dates for every request an office received: the date the request arrived, and the date the office answered it. Five offices did not produce records carrying both. Ranking them would have required estimating the figure or adopting the office's own arithmetic. A scorecard on which 13 lines are built one way and one line is built another is not a single standard applied to every office. It is the practice this report criticizes.

The reason differs by office, and each one appears in that office's entry.

Office of the Commissioner of Insurance. OCI produced three years of logs. They carry the office's own days-to-complete count and its own computed averages, but not the receipt and closing dates the test is built from. IRG cannot recompute those days on this report's convention without adopting OCI's arithmetic, and a rank built on one office's math and 12 others' is not a rank.

Department of Veterans Affairs. DVA answered with links to a public page of pending requests, a quarterly performance dashboard, and a list of closed files. That is published performance data rather than a request-level log, and it does not carry both dates.

State Treasurer. The office answered in three business days and stated that it keeps no tracking log at all, citing its size and volume. There is no log to score.

Department of Agriculture, Trade and Consumer Protection. DATCP replied personally to say that records were forthcoming. The records never arrived. A promise produces nothing to compute.

Department of Revenue. DOR has sent an automated receipt and nothing else.

The Department of Corrections is a separate case, and it was never asked. Its intake runs through a form keyed to inmate and case numbers, and its requests come overwhelmingly from attorneys seeking individual inmate files. It is not comparable to the offices on this board. This report says so rather than omitting it quietly.

The Department of Justice is the mirror image, and it proves the rule. DOJ was never sent a request either. It publishes enough to be measured, so this report measures it, and marks the line on the scorecard to show where the figures come from and that they are stated in calendar days. IRG ranked the one unasked office that made ranking possible and declined to rank the offices that did not. The line is drawn by the evidence, not by who IRG would prefer to hold accountable.

Not ranked is not a pass. DATCP and DOR are the proof. Both are unranked, and both receive the sharpest treatment in this report: a section of their own, a figure of their own, and 86 business days of silence counted as a result rather than as the absence of one. Every office in this study appears somewhere, ranked, described, or counted as silent.

Estimating the missing figures would have cost more than it bought. The authority of this report rests on the fact that every scored number was recomputed from the office's own log on one convention. The moment a single line becomes an estimate, the argument stops being about an agency's backlog and starts being about IRG's method. That is a poor trade for a rank that would change none of the findings.

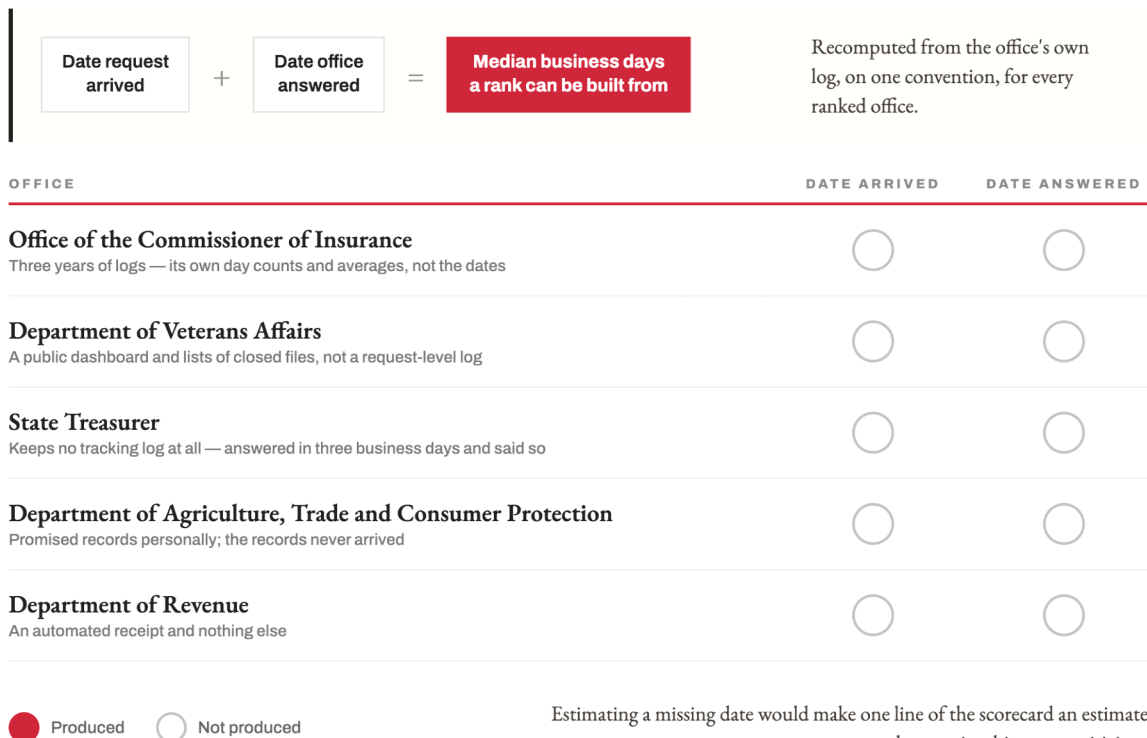


None of this counts against the offices that answered. OCI replied in two business days, and on its own arithmetic it is among the fastest responders in this study. It volunteered that its 2026 averages were provisional because some requests remained open, a caveat no failing office offered. DVA maintains the public dashboard the executive orders envisioned, and any citizen can check its record without filing anything. The State Treasurer answered in three business days and said plainly that it keeps no log. Candor of that kind serves the public better than a rank would.

The gap is closable. Two of these offices almost certainly hold the columns the test requires: OCI computed a days-to-complete figure from something, and DVA publishes lists of closed files. A short follow-up letter, rather than a new records request, would let a later edition of this report rank 15 offices instead of 13. That is a good reason to publish again. It is not a reason to withhold what the logs already show.

FIGURE A3 · APPENDIX III

A rank needs two dates. Five offices produced neither pair.



A Public Records Audit

Wisconsin met this standard within the last decade, and the offices at the top of this scorecard are meeting it today.

The dashboard can be turned back on with an executive order and a spreadsheet. What is missing is the decision to do it.

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