



## **MEA Asks Court to Find that Natural Resources Official Violated Public Records Law**

*Dozens of Text Messages Reveal Coordination between Fred Prehn and Politicians and Lobbyists*

**For immediate release: November 16, 2022**

**Contact:** Peg Sheaffer, MEA Communications Director  
(608) 247-9684, [psheaffer@midwestadvocates.org](mailto:psheaffer@midwestadvocates.org)

**Madison, WI**—In a hearing today, Midwest Environmental Advocates asked a Dane County Circuit Court to find that Dr. Frederick Prehn, a member of the Wisconsin Natural Resources Board (NRB), violated the Wisconsin Public Records Law by withholding communications related to his refusal to step down from the NRB following the expiration of his term.

Attorney Adam Voskuil asked the Court to grant MEA's [motion for summary judgment](#), which was filed in September 2022 after MEA attorneys discovered the existence of dozens of text messages that Prehn failed to turn over in response to a public records request submitted by MEA more than a year ago.

Dane County Circuit Court Judge Everett Mitchell indicated during the hearing that a written decision would be issued soon.

In today's hearing, Voskuil argued that Prehn's alleged violation of the Public Records Law was especially egregious. In response to MEA's June 2021 records request, Prehn turned over emails revealing that he had communicated with staff of Republican legislators and lobbyists about holding over, but he denied the existence of any relevant text messages.

Before the lawsuit was initiated, Prehn was asked to confirm that he searched his cell phone for relevant text messages. He replied in an email to DNR staff that he had none on his phone. When Prehn's subsequent attempt to dismiss the case against him failed, MEA attorneys negotiated an agreement that gave forensic investigators access to Prehn's cell phone and other digital devices and led to the discovery that dozens of relevant text messages existed and had been withheld.

Prehn's text messages reveal the true extent of his coordination with politicians and lobbyists. Six months before his term on the NRB ended, Prehn exchanged text messages with former Governor Scott Walker about his decision to remain on the board. In another text, Prehn told a lobbyist for Wisconsin Manufacturers and Commerce that he wanted to "see if I can hang on till Becky gets in," an apparent reference to holding his seat on the NRB until former Lieutenant Governor Rebecca Kleefisch was elected governor.

Prehn continued to send and receive numerous text messages about his decision to remain on the board—including text messages sent to Kleefisch and U.S. Representative Tom Tiffany—in the days leading up to and immediately following MEA's records request.

“Fred Prehn should be held accountable to the law, just like any other public official,” **said MEA Staff Attorney Adam Voskuil**. “He violated his duty to search for and produce public records, and we’ve asked the Court to recognize that violation.”

“Not only has Dr. Prehn’s decision to withhold public records led to unnecessary and costly litigation, it has also contributed to the ongoing erosion of democratic norms and institutions like the Wisconsin Natural Resources Board,” **said MEA Executive Director Tony Wilkin Gibart**.

“Fred Prehn could have complied with the Public Records Law. Instead, it appears that he chose not to and ignored the public’s right to open and transparent government,” **said MEA Staff Attorney Rob Lee**.

Visit [MEA’s website](#) to learn more about this case.

*Midwest Environmental Advocates is a nonprofit law center that combines the power of law with the resolve of communities facing environmental injustice to secure and protect the rights of all people to healthy water, land, and air. Learn more at [www.midwestadvocates.org](http://www.midwestadvocates.org) or <https://www.facebook.com/MidwestEnvironmentalAdvocates>*

###