

STATE OF WISCONSIN

CIRCUIT COURT  
BRANCH 2

JEFFERSON COUNTY

ARCHDIOCESE OF MILWAUKEE,

Plaintiff,

**MEMORANDUM DECISION  
ORDER**

v.

WISCONSIN DEPARTMENT OF  
CORRECTIONS and

Case No. 21CV157

KEVIN A. CARR, in his official  
Capacity as Secretary of the Wisconsin  
Department of Corrections,

Defendants.

**FILED**  
**JUL 14 2022**  
Jefferson County  
Circuit Court

For reasons set forth in the Memorandum Decision of this same date;

Plaintiff's Motion for Summary Judgment is GRANTED.

Defendants' Motion for Summary Judgment is DENIED.

Upon granting Plaintiff's Motion for Summary Judgment; Plaintiff's request for the following relief is GRANTED:

Declaratory Judgment that the Defendants' refusal to permit members of Plaintiff's clergy to access state correctional institutions to provide religious services to inmates violates Wis. Stat. §301.33(1);

Declaratory Judgment that the Defendants' refusal to permit members of the clergy to access state correctional institutions to provide religious services to inmates violates Plaintiff's Constitutional Rights. Wis. Const. Art. I, § 18.

Permanent Injunction precluding Defendants from violating Plaintiff's clergy's statutory privilege and Plaintiff's Constitutional Rights to access state correctional institutions to provide religious services to inmates.

Upon consternation, Plaintiff's request for the following relief is DENIED;

Writ of Mandamus mandating Defendants to grant access to state correctional institutions to clergy under Wis. Stat. §301.33(1), in the reasonable exercise of clergy privilege under that statute is DENIED, in the discretion of the Court.

Writ of Mandamus concerning Plaintiff's Wisconsin Constitution Article I, § 18, claim is inapplicable given circumstances currently in existence.

The Court's provisional Writ of Mandamus is VACATED.

Dated this 14<sup>th</sup> day of July, 2022.

BY THE COURT:



William F. Hue  
Circuit Court Judge, Branch 2

**THIS ORDER IS FINAL FOR PURPOSES OF APPEAL.**