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Background on Impact of Proposal LRB 4367 & 4368:

The City of Milwaukee Fire and Police Commission (FPC) is governed by WI State Statute §62.50. It is proudly the oldest independent civilian-run law enforcement oversight board in the nation. As currently written, the proposed legislation makes over 20 substantive changes to 62.50. It would decimate FPC's independence, create a local financial crisis, and severely erode community trust in the oversight of law enforcement. LRB 4367 & 4368 protects the most egregious offenders who compromise the safety, professionalism, and legacy of our respected police force. Over the last decade, state and federal courts have upheld our fair, impartial, and efficient process to seek truth and justice when an officer is accused of misconduct or criminal behavior. The proposal stands to rescind that process at extreme cost to our local taxpayers. Moreover, the accompanying co-sponsorship memo erroneously states that the proposed recommendations largely derive from the 2006 Police Assessment Resource Center (PARC) Report on Promoting Police Accountability. In fact, the majority of the sixty-two recommendations stated in the report have already been adopted either fully or partially. These recommendations were reevaluated in 2013. Furthermore, portions of the proposed bill actually go against some of the PARC recommendations.

Budget Impact: This proposal would add millions of dollars to the municipal budget and would create a dramatic financial burden that would reduce other critical city-funded services.

- This bill would revert back to a period during which taxpayers funded the salaries and benefits of police officers undergoing disciplinary review. The State Legislature addressed this policy as a result of the criminal charges brought forth against Milwaukee Police officers who brutally attacked Frank Jude, Jr. in 2004. At that time, City of Milwaukee taxpayers paid nearly \$600,000 in salaries to those criminally charged officers. The State addressed this egregious abuse of city tax dollars through the legislative process. This proposed bill would undo the actions that state leaders took to address the demands of our taxpayers.
- **The City Budget Office estimates the taxpayers would be responsible for nearly \$1 million annually** for police members collecting salary and benefits while simultaneously undergoing disciplinary review. Rates previously paid from 2005 – 2007 have been updated for 2017 to demonstrate the severe fiscal impact of this proposal:

Year	Dismissed With Pay Pre Appeal	Adjusted for 2017 Wage Rates	Estimated Pension impact	Total
2005	\$576,378	\$755,344	\$226,603	\$981,947
2006	\$632,279	\$828,602	\$248,581	\$1,077,183
2007	\$532,843	\$698,291	\$209,487	\$907,778

In addition, the extended disciplinary review process would place an additional budgetary burden of \$105,000 to facilitate an average of 12 disciplinary hearings per fiscal year:

Hearings	\$25,000
Additional support staff (includes Fringe Benefits)	\$60,000
Arbitration	\$20,000
Total additional costs	\$105,000

Disciplinary Action: LRB 4367 & 4368 increases the amount of disciplinary cases that are subject to appeal by extending the application of the appeals procedure to suspensions of only four days (from the previous five day suspension requirement). **The proposal would also require the City to pay all costs of any appeal, placing an immense burden on local resources.** The proposal allows the offending employee to redo the disciplinary process in either circuit court or binding arbitration, allowing the employee to select which process he or she finds most advantageous to their own disciplinary proceedings. This change occurs at the taxpayers' expense, limiting the FPC's ability to enforce the strict ethical standards our public safety community commits to uphold. **The current process already allows for a robust and thorough review process.** In addition, the bill changes the already high standard of substantial evidence to clear and convincing evidence for disciplinary action – note that this change applies to other municipalities, mandating the burden beyond the City of Milwaukee.

Examples of egregious member behavior which has warranted disciplinary action include:

- Milwaukee firefighter formerly of Engine 29, pled guilty on federal charges of possessing and distributing child pornography while on duty.
- Three former MPD officers convicted of federal civil rights charges for the 2004 assault of Frank Jude.
- Former MPD officer terminated for punching a handcuffed woman in the face, a decision upheld by appeals court.
- MPD officer dismissed due to fraudulent use of taxpayer-funded salary and benefits.

Veterans' Preference Points: Veterans are already highly qualified candidates for opportunities within our law enforcement ranks. Due to their educational and professional experiences they consistently score higher than the average non-veteran applicant and already receive established preference points.

Membership:

- The bill allows for non-local representation on the Commission, reducing local participation and increasing the likelihood for non-locally driven decisions and determinations.
- The proposal requires the Mayor to make political appointments rather than choosing the most qualified Commissioners, politicizing oversight of our public safety efforts.