

**MILWAUKEE POLICE DEPARTMENT  
MEMORANDUM**



**Date:** October 18, 2019  
**To:** Finance & Personnel Committee Members  
**CC:** Budget and Management Division  
**From:** Nick DeSiato, Chief of Staff  
**Re:** Budget Hearing Follow-Up Questions

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Below please find the Milwaukee Police Department's responses to the following questions asked at, or after, the Department's October 10, 2019 budget hearing:

1. Overtime controls implemented by MPD
2. Squad car replacement history (2016 – 2019)
3. Impact of divesting \$25 million
4. Impact of delays in promotional lists for Detective, Sergeant and Lieutenant

Other questions more suited toward the Budget and Management Division will be addressed by their office under separate cover.

**1. Overtime controls implemented by MPD**

MPD takes its overtime budget seriously. The Executive Staff receives an overtime report for every pay period, which breaks down the overtime by bureau. The Budget Office also provides analysis about where the Department's overtime usage is for that pay period based on projections and allocated budget hours. Each Assistant Chief is responsible for managing the overtime use in his bureau. The Assistant Chiefs work actively with each Division/District Captain or Manager to ensure that overtime is used appropriately. For example, each Captain yearly submits an overtime cost control plan and is accountable for any overages from that plan.

Starting in the Spring of 2019, MPD began adding a 10% administrative fee for its Extra Duty and Special Events to offset the costs MPD was previously absorbing as part of its overtime budget. Starting in 2020, it will also work actively to reduce unreimbursed Special Events service.

Until there are current promotional lists for sworn positions (Detective, Sergeant and Lieutenant) and key civilian positions (e.g., Emergency Communications Operators), it will be difficult to reduce overtime while still performing core functions. Any reduction in sworn strength will also likely increase overtime.

**2. Squad car replacement history (2016 – 2019)**

The following was budgeted for squad car replacement:

- 2016: 25 autos/2 prisoner Conveyance Vehicles
- 2017: 32 autos/2 prisoner Conveyance Vehicles
- 2018: 50 autos/2 prisoner Conveyance Vehicles

- 2019: 50 autos/5 prisoner Conveyance Vehicles

There are currently 25 autos that MPD ordered and is awaiting to receive from 2019.

The loss of squads (“dismantled”) is outpacing the replacements covered in the budget. In 2017, 49 vehicles were dismantled (-17 squads), 57 vehicles in 2018 (-7 squads) and currently 46 vehicles (+4 squads) have been dismantled with two months to go in the year. In addition, 80-85 vehicles are typically in for service throughout the year as repairs have been taking longer as vehicles age due to the difficulty in finding parts. In order to keep up with industry standards, MPD would need to budget for 100-125 vehicles in 2020.

It is important to note that the average age of MPD vehicles is 9.7 years, whereas the industry standard is closer to 4-5 years. The average mileage of our vehicles is approximately 93,000 miles, with about 375 vehicles over 100,000 (about 46% of our fleet). It should be noted that mileage *grossly* underestimates the wear and tear on vehicles as many vehicles remain idling for long periods of time creating excess wear and tear. By not replacing these squad cars based on the industry standard, officer safety is significantly compromised. A reduction in squads will also impact the Department’s ability to continue its traffic initiatives.

### **3. Impact of divesting \$25 million (MPD)**

A \$25 million divestment in the Milwaukee Police Department would have a devastating impact on the operations of the Milwaukee Police Department, would greatly impact police-community relations and would likely result in the city losing a costly lawsuit. 95% of the police budget is personnel, so this reduction would gut the staffing of the Department. As a reminder, MPD does not control its staffing: employees are hired through the FPC and contracts are bargained through DER.

According to the Budget Office, a \$25 million divestment would:

- Eliminate 2019 class of 65 recruits
- Eliminate 2020 proposed class of 65 recruits
- Estimated layoffs of over 200 current officers
- Average strength reduced to approximately 1,530

MPD is currently at 1,848 sworn strength, which is nearly 100 less officers than the *average* sworn strength of the Department since 2000 (1,932). A reduction to 1,530 would be a 20% decline from that average. To provide context, the proposed cuts (330 sworn members) are larger than MPD’s two largest police districts (D3 and D5) combined (324 sworn members between the two districts).

As the Chief has repeatedly said, increases in police staffing do not necessarily reduce crime but they impact legitimacy. Given the already limited size of the Department, in order to address the core functions of a police department, the divestment would result in many critical reductions in services, including but not limited to:

- **Reduction in community relations:** The first units of MPD that would be affected are those non-critical to public safety, which include the Office of Community Outreach and Education (OCOE) and the Community Prosecution Unit (CPU). This would greatly impact the Department's participation in community events, schools and community relations (e.g, staffing the Ice Cream Truck, National Night Out, etc.). It would also significantly decrease, if not eliminate, police support at special events where it is not reimbursed (e.g. Juneteenth Day, parades, etc.).
- **Impact on businesses:** MPD values its relationships with local businesses and provides additional support when there is capacity. The reduction in sworn strength will naturally impact those relationships. MPD also appreciates that businesses, particularly large businesses from outside of Milwaukee, look at crime as a major factor and foresees that the reduction of services, even if it just impacts the perception of crime, will negatively affect bringing in new business.
- **Reduce or eliminate shifts:** MPD has already been forced to cut a shift at the Sensitive Crimes Division due to staffing limitations. The proposed cuts would likely require additional reductions, if not eliminations, of shifts at the district-level.
- **Reduce or eliminate specialty units:** As other police departments facing budget cuts have done, MPD would consider reducing or eliminating specialty units in their entirety, such as the Mounted Horse Patrol, K-9 unit and Boat Patrol.
- **Impact on calls for service:** The dramatic decrease in strength would greatly increase the response time for calls for service, which the Department has steadily improved upon over the past two years. Not only would those gains be lost, but the Department would need to reconsider what calls it would respond to. For example, property crimes, traffic incidents and low-level nuisance behavior (noise, dog barking, prostitution, panhandling, etc.) may no longer receive timely responses. In some instances, there may not be a police response at all. Five aldermanic districts account for half of all calls for service (49.9%) and will likely be impacted the most:
  - Alderman Stamper (District 15): 11.7% of calls
  - Alderwoman Coggs (District 6): 10.4% of calls
  - Alderman Rainey (District 7): 9.8% of calls
  - Alderman Bauman (District 4): 9.3% of calls
  - President Hamilton (District 1): 8.7% of calls
- **Reduced supervision:** Fewer officers mean less supervision, as officers will be stretched thin to cover a wider area with less support. This creates a significant risk management concern and increases the likelihood of future litigation.
- **Increased overtime:** With fewer officers, there will certainly be increased overtime to manage core functions and maintain minimum staffing levels (that are already difficult to meet). Increased overtime also creates a risk management issue as tired cops make mistakes.
- **Added expenses for DNC:** By reducing sworn strength, MPD will need to pay additional outside agencies to provide law enforcement support for the DNC. It also impacts the amount of staffing available to police the rest of the city during the event. The draft DNC budget currently accounts for the full \$50 million grant, meaning additional costs would need to be paid by the city.
- **Impede investigations:** By reducing staffing, there will be fewer resources to investigate crimes. This will impact justice for victims, clearance rates and the prevention of crime by impeding the apprehension of offenders who would otherwise commit further criminal

activity (i.e. the “10%” of offenders who commit the most crime). It will also impact *internal* investigations, as the reduction in sworn strength will limit staffing for internal affairs.

- **Compromise officer safety:** Fewer officers mean less “two man cars,” which creates greater risk to officer safety. By limiting calls for service to higher priority calls, these officers will be responding almost exclusively to high risk calls, often alone. MPD has already endured three officer involved deaths in the past two years.
- **High risk of litigation:** The proposed plan includes laying off over 200 current officers. MPD is unsure how that could be legally accomplished. Officers have a collectively bargained property right in their employment and, by statute, have rights to protect against termination. This would likely lead to litigation and a potential costly payout.
- **Impact ACLU compliance:** It would be extremely difficult for MPD to maintain compliance with the terms of the ACLU Settlement Agreement while facing such significant cuts. Staffing needs are highlighted by the independent consultant, CJI, throughout its recent Annual Report. For example:
  - *While the individuals with whom we work in Milwaukee are cooperative and committed, presently, too few people are thinking about and working towards compliance with the Settlement Agreement across the City. It is true that the change activities rest in the MPD and the FPC, but the cultural, operational, and budgetary challenges require a full on effort by leadership at all levels in the City. This includes engagement and attention from the offices of the Mayor, City Attorney, Common Council, and the FPC Commissioners. (pg 6)*
  - *Vacant positions at MPD—patrol officers, detectives, and supervisors— impede the Department’s ability to achieve successful compliance at the same time as the MPD is struggling to maintain effective operations while engaged with the complexities of preparation necessary to host the Democratic National Convention (DNC) in July 2020.... In order to meet the requirements of the Settlement Agreement while meeting the needs of the DNC and continuing to do the regular day-to-day duties of policing the City of Milwaukee, MPD needs to be fully staffed with patrol officers and supervisors. (pg. 7)*
  - *It will take the commitment and attention of many in the City including the Mayor’s Office, members of the Common Council, FPC Commissioners, the City Attorney’s Office, as well as MPD and FPC staff to ensure the staffing levels are appropriate and that requirements of the Settlement Agreement are met moving forward. (pg. 8)*
  - *Inadequate staffing, in the present and the future, at both the FPC and the MPD are hardships for those agencies not only to achieve their core mission but also with the additional work required by the Settlement Agreement. The Settlement Agreement in section IV.E.3. anticipates the need for the FPC “to hire additional staff and/or employ experts or consultants to conduct the audits described...” and certainly, it would be difficult or impossible for either the FPC or the MPD to achieve compliance with less staff given the emphasis on supervision throughout the Settlement Agreement. (pg 19)*
- **Send message Milwaukee does not support law enforcement:** A \$25 million divestment in police is a political decision. By drastically cutting officers in response to activist group demands (and redirecting those funds), the Common Council is sending a message that it does not value police officers or public safety. This will impact the retention of employees (both

sworn and civilian) as well as future recruitment efforts. It also tells a national narrative that Milwaukee does not value its law enforcement. In a 2017 report conducted by the FPC, 72.6% of residents reported being “very” or “somewhat satisfied” with the Milwaukee Police Department. Assuming that satisfaction is similar or higher now, this reduction is contrary to overall public opinion of the police.

#### **4. Impact of delays in promotional lists for Detective, Sergeant and Lieutenant**

Each of the promotional lists is 3-4 years old (e.g., the Lieutenant eligible list was adopted on 7/16/15) and is currently expired after multiple extensions. Without any active sworn promotional list from the FPC, the Department cannot promote for Detective, Sergeant or Lieutenant. MPD has repeatedly, both publicly and privately, requested current promotional lists for years.

Without adequate promoted positions, the Department faces considerable risks. For example, the Department is a relatively young department that will continue to get younger with a significant amount of anticipated retirements (244 sworn members are eligible to retire by the end of 2020). Without Sergeants (front line supervisors) and Lieutenants (shift commanders), there is inadequate supervision. This lack of supervision is highlighted by CJJ’s report highlighted above as a risk for ACLU compliance. It is also a risk with the upcoming DNC. Even if the promotional lists were available by the end of 2019 (which is an unlikely scenario) there is little lead time to train up the new supervisors and give them enough experience before July’s convention.

The understaffing due to the lack of promotional lists also expands the span of control for each supervisor. It dilutes their shift oversight and diminishes the effectiveness of their supervision. It also makes it more difficult to have an adequate number of Lieutenants to be shift commanders, meaning that more Sergeants have to fill in as “Acting Lieutenant.”

Of all the promoted positions, Detectives have been hit the hardest and the Department has identified this position as needing a promotion exam first. There are currently over 40 vacancies for Detectives, which has a significant impact on investigations and clearance rates. By pushing out investigations into the districts, the already depleted Districts must take officers off the streets, which in turn affects response time, community relations and traffic enforcement.