



Police Department

Arthur L. Jones  
Chief of Police

September 11, 2003

The Board of Fire and Police Commissioners  
200 East Wells Street – Room 706  
Milwaukee, WI 53202

Dear Commissioners:

This letter comes in response to your correspondence of September 5, wherein the Common Council requests that you issue a directive to me limiting overtime expenditures. State Statute 62.50 gives the Board of Fire and Police Commissioners authority to review policy as it relates to the operations of the Milwaukee Police Department. The Board may issue a written directive following review of a given policy.

I wish to remind you that the deployment of resources is not a policy; it is a mandate imposed upon the Chief under State Statute 62.50. The budget is not a Milwaukee Police Department policy. The budget and associated spending is a policy set by elected officials, the Mayor and Common Council.

I also wish to bring to your attention that before my tenure, the Common Council never asked the Fire and Police Commission to issue the Chief of Police a directive, much less one related to overtime. My predecessors, Chiefs Breier, Ziarnik, and Arreola, all exceeded their yearly budgeted amounts for overtime and were granted additional funding.

I share your concerns about overtime, and I am well aware that you and the Budget Office have been monitoring our overtime expenditures. I have considered the maximum amount of \$375,000 per pay period, however, I cannot simply agree to that limitation. I am charged with preserving the public peace and enforcing all laws and ordinances of the city. Under current conditions, I regard the safety of citizens and visitors to the City of Milwaukee as a priority. The amount of overtime expended must be balanced against public safety concerns – real or perceived.

I will take the request under advisement.

Sincerely,

ARTHUR L. JONES  
CHIEF OF POLICE



**Fire and Police Commission**

September 5, 2003

**Woody Welch**  
Chairman

**Carla Y. Cross**  
Vice-Chairman

**Eric Mandel Johnson**  
**Leonard J. Sobczak**  
**Ernesto A. Baca**  
Commissioners

**David L. Heard**  
Executive Director

**Cassandra K. Scherer**  
Examinations Supervisor

**Steven Fronk**  
Hearing Examiner

Arthur L. Jones, Chief of Police  
Milwaukee Police Department  
749 W. State St.  
Milwaukee, WI 53233

Dear Chief Jones:

The Fire and Police Commission, at its Regular Meeting of Thursday, September 4, 2003, received an updated report from the Budget Office concerning expenditure of overtime in the Milwaukee Police Department. A copy of the report is attached, as is a copy of the resolution adopted by the Milwaukee Common Council at its meeting of Wednesday, September 3, 2003.

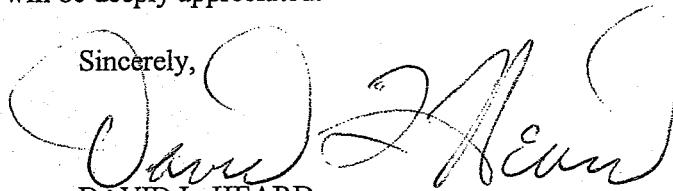
In the ensuing public discussion of this matter with Budget Director Joseph Czarnecki and David Schroeder of the Budget Office, your appearance before the Finance and Personnel Committee in July of this year was recalled. Specific reference was made to the discussion held at that time in which it was stated that if the Finance Committee, along with the Common Council and the Mayor, imposed a spending cap on overtime in the department, then you would not spend one penny more than the cap. It was also made clear that there may be consequences associated with an imposed restraint.

The Fire and Police Commission has received written reports from the Budget Office on an ongoing basis. Budget Office personnel have appeared before the Commission to brief members on the reports and respond to questions.

Given your above-referenced appearance before the Finance Committee, the Commission wishes to know if the Milwaukee Police Department can live within the monetary amount proposed in the attached resolution, that of \$375,000 per pay period. We would be gratefully appreciative of a written response to our inquiry and ask if you would please respond by Friday, September 12, 2003.

Your consideration of this request will be deeply appreciated.

Sincerely,

  
DAVID L. HEARD  
Executive Director

DLH:rk

Att. (2)



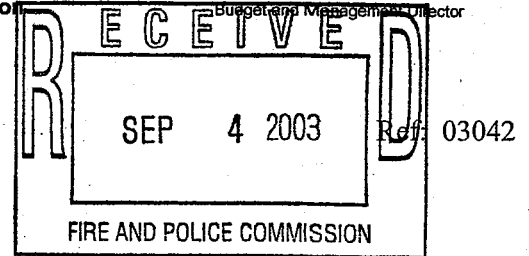
Department of Administration  
Budget and Management Division

September 4, 2003

**John O. Norquist**  
Mayor

**Michael J. Soika**  
Director

**Joseph J. Czamezki**  
Budget and Management Director



Mr. Robert Welch, Chairman  
Fire and Police Commission  
City Hall, Room 706

Subject: Police Department Overtime and Salaries – Pay Period 17 Update

Dear Mr. Welch:

This letter contains an update of Milwaukee Police Department's overtime, Violent Crime Task Force, and overall salaries through Pay Period 17 (August 28, 2003 check date).

**Overtime**

Depicted in Figure 1, as of Pay Period 17, the Police Department overtime has totaled \$11.2 million, or \$660,000 per pay period (adjusted for the Milwaukee Police Association (MPA) settlement).

Using the per pay period average of \$660,000, the department could spend over \$17.1 million on overtime for 2003, or \$7.3 million over its MPA settlement adjusted \$9.8 million budget. The budgeted pay period average for overtime is approximately \$380,000.

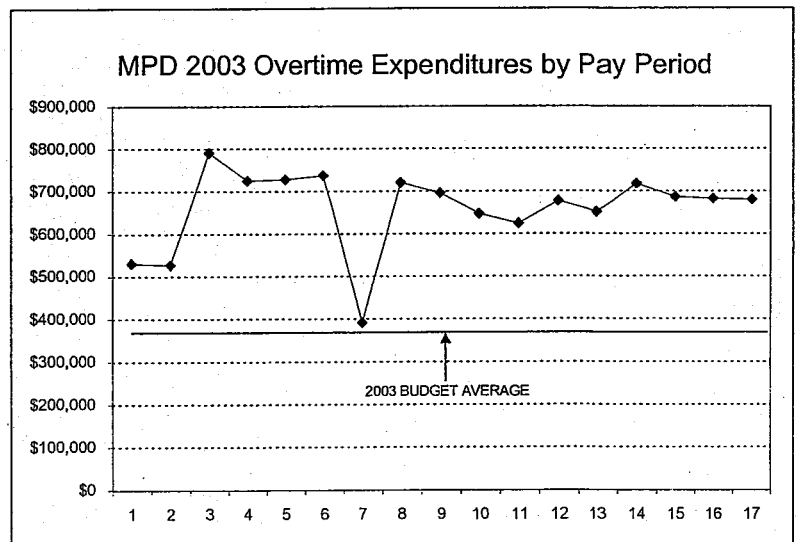
**Violent Crime Task Force**

Since Pay Period 2, the Violent Crime Task Force has expended \$4.1 million in overtime and accumulated \$1.1 million in compensatory time, for a total liability of \$5.2 million. If the department continues implementation of the task force at its current pay period average, the Violent Crime Task Force could spend \$6.4 million in overtime and accumulate \$1.7 million in compensatory time in 2003.

**Salaries**

The MPA settlement adjusted salary budget for the Milwaukee Police Department is \$128.7 million for 2003. This amounts to a per pay period average of more than \$4.9 million. The

Figure 1



September 4, 2003

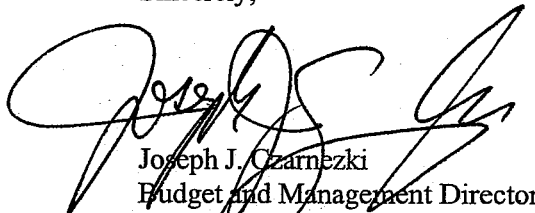
department's actual average is \$5.2 million or approximately \$250,000 more than budgeted. The Police Department could spend \$138 million in salaries for 2003 or approximately \$9.2 million more than budgeted.

**Summary**

This projected shortfall means that the department will not have sufficient funds to cover payroll for Pay Periods 25 and 26 (November 23 through December 20, 2004). If the Police Department reduces overtime to its budgeted average for the remainder of the year, the salary account will still go negative by approximately \$7.0 million. The Common Council and the Administration will soon be deciding the best direction on how to cover this impending shortfall.

If you have further questions on this matter, please feel free to contact David Schroeder of my staff at extension 8524.

Sincerely,



Joseph J. Czarnecki  
Budget and Management Director



David Schroeder  
Budget and Management Special Assistant

DS:dmr

cc. Finance and Personnel Committee  
Fire & Police Commission  
Mayor's Office  
Police Chief Arthur Jones  
City Attorney Grant Langley

DAVID  
HEARD  
X5050

IMMEDIATE ADOPTION

..Number

..Version  
SUBSTITUTE 1

..Reference  
030156

..Sponsor  
ALD. D'AMATO, GORDON AND MURPHY

..Title  
Resolution requesting the Fire and Police Commission to direct the Police Chief to limit expenditure of funds for police overtime.

..Analysis  
This resolution requests the Fire and Police Commission to direct the Police Chief to limit the expenditure of funds for police overtime to a maximum of \$375,000 per pay period, commencing with Pay Period 19, which begins August 31, 2003.

..Body  
Whereas, The Common Council approved File Number 021045 on November 8, 2002, a resolution implementing a footnote provision of the 2003 City budget relating to police overtime pay; and

Whereas, File 021045 directed that the money in the Police Department's 2003 overtime account be transferred to a Special Purpose Account under the Control of the Common Council; that one-quarter of the total funds in this account shall be disbursed to the Police Department at the start of each quarter for use in paying police overtime; that the Police Chief is requested to present, in person, within 45 days of the start of each quarter, a report to the Finance & Personnel Committee detailing the status of the Police Department's overtime expenditures; and that the Comptroller is authorized and directed to create all accounts and to establish the accounting procedures necessary to fulfill this intent; and

Whereas, The provisions of File 021045 were not implemented; and

Whereas, As of pay period 15, July 3, 2003, Police Department overtime has totaled \$9.85 million, or approximately \$656,000 per pay period as adjusted for the Milwaukee Police Association (MPA) settlement; and

Whereas, Using the pay period average of \$650,000, the Police Department could spend over \$17.1 million on overtime in 2003, or \$7.2 million over its MPA settlement adjusted budget of \$9.8 million; and

Whereas, The Violent Crime Task Force has expended \$3.6 million in overtime and accumulated \$1.0 million in compensatory time for a total liability of \$4.7 million; and

Whereas, If the Police Department continues implementation of the task force at its current pay period average, the Violent Crime Task Force could spend \$6.5 million in overtime and accumulate \$1.8 million in compensatory time in 2003; and

Whereas, The MPA settlement adjusted salary budget for the Police Department is \$128.7 million for 2003, amounting to a pay period average of more than \$4.9 million; the department's actual average is \$5.2 million per pay period or approximately \$250,000 more than budgeted per pay period; and

Whereas, The Police Department could spend \$138.1 million in salaries or approximately \$9.3 million more than budgeted, yet this account cannot go negative or the Police Department will not have sufficient funds to cover the payroll for pay periods 25 and 26, November 23 – December 20, 2004; and

Whereas, It is in the best interest of the City of Milwaukee and its taxpayers to limit the further expenditure of funds for overtime for the remainder of 2003; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Police Chief is requested to limit the expenditure of funds for police overtime to a maximum of \$375,000 per pay period, commencing with Pay Period 19, which begins August 31, 2003; and, be it

Further Resolved, That the Board of Fire and Police Commissioners has reviewed the expenditure of funds for police overtime and is requested to direct the Chief, pursuant to the Board's authority under S.62.50(23), Wis. Stats., to comply with the Common Council's request to limit the expenditure of funds for police overtime to a maximum of \$375,000 per pay period, commencing with Pay Period 19, which begins August 31, 2003.

..Requestor

..Drafter  
mcw/lrb  
msd.mpd.ot.limit.1  
7/30/03