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Milwaukee Safety Commission

January 11, 2000

Mr. Grant Langley, City Attorney
200 East Wells Street Room 801
Milwaukee, WI 53202

Dear City Attorney Langley,

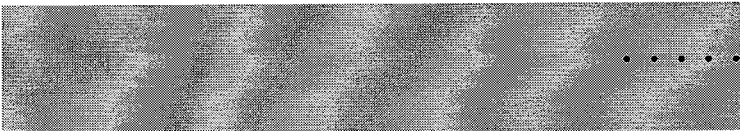
At the January 11, 2000 meeting of the Milwaukee Safety Commission, the Commission asked that I request a legal opinion on the relationship between the eighteen citizen member body called the Milwaukee Safety Commission and the Chief of Police.

In 1989, during a reorganization of city government, the support staff of the Milwaukee Safety Commission and the city's School Crossing Guards were transferred to the Milwaukee Police Department. Up until 1999, the relationship between the Commission, its staff and the Police Department ran relatively smoothly. The Commission, charged in ordinance with advising elected officials, city agencies and the public on matters of safety and giving the greatest possible publicity to matters of safety, did so. It gave opinions on pending legislation and safety matters independently of the Chief of Police. Its staff provided the community with safety education materials, letters of advice and programs, and reached the public with safety messages through news releases, news events and press contacts to give the highest degree of exposure to matters of safety.

In April, the Chief directed that the Safety Director no longer speak for the Safety Commission at any time, including to the press and no longer sign any correspondence on behalf of the Commission. In October, after the annual letter of advice on Halloween safety precautions was mailed to schools under the Commission chairman's signature as decreed by the Chief, and a news release informing the public of safety precautions and hours of trick or treat was sent to the press on Safety Commission release stationery, the Chief ordered all Safety Commission stationery and news release forms removed from the Safety office. The Chief also ordered that no materials be distributed under the identification of the Milwaukee Safety Commission. It is therefore questionable whether all materials bearing the Milwaukee Safety Commission name are allowed to be used.

It would also appear that the Chief believes that the eighteen-member citizen Commission is answerable to him. Because of his actions, we are unable to fulfill our charge under city ordinance since he has taken away most means of doing it. Before pursuing other alternative actions, we ask for legal clarification of the following questions.

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January 12, 2000
Page 2

1. Is the eighteen-member citizen Milwaukee Safety Commission presently under the command of the Chief of Police?
2. Does the Chief have the right to withhold resources that were established to support the Safety Commission's efforts?
3. Based on the ten years following the reorganization and support given to the Commission since the reorganization, is the Chief complying to the intent of the ordinance in this matter?
4. Is action needed legislatively to rectify the current situation?

The Commission will meet next on February 8, 2000 and has asked for a reply to these questions by that date. We are most concerned that efforts to safeguard the public cannot be carried out while this situation exists. If you have any questions, please feel free to call me at home at 769-0941. Please send your reply to my home, 4272 South Taylor Avenue, Milwaukee, Wi. 53207.

On behalf of the Milwaukee Safety Commission, I appreciate your attention to this matter.

Sincerely,

Lawrence W. Mueller
Chairman
Milwaukee Safety Commission