

November 12, 2002

The Honorable Common Council  
City of Milwaukee  
City Hall, Room 205

Re:

Resolution to approve the expenditure of \$10,000 from the Outside Counsel/Expert Witness Fund Special Purpose Account for the purpose of retaining an expert to assist in evaluating the claims of reverse race discrimination and adverse impact relative to promotions to Captain in the Milwaukee Police Department

Dear Council Members:

A series of discrimination charges have been filed against the City alleging reverse race discrimination based upon adverse impact in the rates of promotions to Captain in the Milwaukee Police Department. These allegations are based in large part on statistics. An expert's services are needed to assist the City Attorney in evaluating these claims. The resolution enclosed appropriates \$10,000 from the Outside Counsel/Expert Witness Fund Special Purpose Account for that purpose.

The City Attorney believes it is in the City's best interest to retain an expert witness in this matter, at this time. It is unknown whether or not the sum requested will be sufficient for all such services as may be required, as the future course of litigation is uncertain.

The Outside Counsel/Expert Witness Fund has sufficient funds available for this resolution. Further, a sufficient balance will be left in that fund to cover other expenses reasonably anticipated for that fund in other matters through the end of 2002.

The Honorable Common Council

November 12, 2002

Page 2

If the Council wishes further discussion on this matter, the City Attorney is also requesting that the Judiciary and Legislation Committee convene in executive session for purposes of discussing strategy and advice pertaining to on-going litigation.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

Miriam R. Horwitz  
Assistant City Attorney

MRH/mrh

1032-2002-3147

Enc.

c: Joseph Czarnecki, FPC Executive Director  
Chief Arthur Jones, Milwaukee Police Department  
Marianne Walsh, Legislative Reference Bureau  
Thomas E. Hayes, Sp. Dep. City Attorney  
Laura Engan, director of Budget & Management