



Fire and Police Commission

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Memorandum

To: Honorable Members of the Milwaukee Common Council

From: Leon W. Todd, Executive Director
Barbara Cooley, Research and Policy Analyst

Date: May 11, 2023

RE: Common Council File 211270

This report is a response to Common Council File 211270:

Resolved, By the Common Council of the City of Milwaukee, that the Common Council requests the executive director of the Fire and Police Commission to collaborate with the Fire and Police Departments to develop and implement a survey to be given to sworn Police and Fire personnel who choose move outside the city of Milwaukee to understand why they have chosen to do so; and, be it

Further Resolved, That the executive director of the Fire and Police Commission shall submit an annual report to the Common Council with the results of each survey.

Wis. Stat. § 66.0502 Determining Residency Requirements for Fire and Police Officers:

The statute can be found online [here](#). The full text is as follows, with pertinent provisions highlighted:

66.0502 Employee Residency Requirements Prohibited

- (1) The legislature finds that public employee residency requirements are a matter of statewide concern.
- (2) In this section, "local governmental unit" means any city, village, town, county, or school district.
- (3)
 - (a) Except as provided in sub. (4), no local governmental unit may require, as a condition of employment, that any employee or prospective employee reside within any jurisdictional limit.
 - (b) If a local governmental unit has a residency requirement that is in effect on July 2, 2013, the residency requirement does not apply and may not be enforced.

(4)

- (a)** This section does not affect any statute that requires residency within the jurisdictional limits of any local governmental unit or any provision of state or local law that requires residency in this state.
- (b)** Subject to par. (c), a local governmental unit may impose a residency requirement on law enforcement, fire, or emergency personnel that requires such personnel to reside within 15 miles of the jurisdictional boundaries of the local governmental unit.
- (c)** If the local governmental unit is a county, the county may impose a residency requirement on law enforcement, fire, or emergency personnel that requires such personnel to reside within 15 miles of the jurisdictional boundaries of the city, village, or town to which the personnel are assigned.
- (d)** A residency requirement imposed by a local governmental unit under par. (b) or (c) does not apply to any volunteer law enforcement, fire, or emergency personnel who are employees of a local governmental unit.

History: [2013 a. 20.](#)

Because, by its plain language, this section uniformly affects every city or village, it trumps the city of Milwaukee's charter, and the city may not enforce its residency requirement. *Milwaukee Police Association v. City of Milwaukee*, [2016 WI 47, 364 Wis. 2d 626, 869 N.W.2d 522, 14-0400.](#)

Although this section abolishes residency requirements generally, it does not create a vested right for law enforcement, fire, and emergency personnel to live wherever they want. Quite the opposite, it grants local governments the authority to adopt a 15-mile radius requirement for those employees. *Milwaukee Police Association v. City of Milwaukee*, [856 F.3d 480](#) (2017).

Survey Design and Administration:

The survey was designed by the FPC Research and Policy Analyst and was emailed in June, 2022, by MPD to all MPD sworn members who had moved out of the City and by MFD to all MFD sworn members who had moved out. MPD sent their survey using the Survey Monkey website and MFD used the Cognito website. Respondents were not identified.

The survey consisted of seven questions (see Appendix).

- The first question was designed to determine the trend of exits from the City. The first option was “Before 2016” because there were members who had already left the City before the Legislature approved the statute permitting them to do so. Six MPD members were already living outside the City when they were hired. The Legislature made permission retroactive to 2013.
- The second question included four possible reasons for moving, and a fillable “Other” category. These were to be ranked in importance. Survey Monkey, used by MPD, supported this forced ranking, but Cognito, used by MFD, did not and therefore many respondents did not, responding, for instance, “most important” to more than one reason. Therefore, the MFD responses are not perfectly consistent with the MPD responses, although the final result was essentially the same for both.
- The third and fourth questions were open-ended and asked for elaboration on the “Most important” choice, as well as for any other comments on their decision.
- Questions 5 through 7 obtained demographic information.

Response rates were good. 932 MPD members received the survey and 266, or 28%, responded. 404 MFD members received the survey; 109, or 27%, responded. An average email survey response rate is considered to be 25% and a good response rate is one that exceeds the average, as these do. Statistical

significance is not an issue because rather than a random sample, the entire population of MFD and MPD members who had left City residency was polled.

Both MFD and MPD responses were given a score of 5 for “most important” down to a score of 1 for “slightly important,” regardless of whether responses were appropriately ranked or not. A blank could be left if no choice applied; blanks received a score of 0. Those scores were then totaled and the total divided by the number of responses for each question, resulting in a weighted average.

Summary of results:

By a considerable margin, safety was the primary reason for moving out of the City, for both MPD and MFD members. The second-highest scoring reason for both groups was schools. Cost of living was third-highest and population density was fourth.

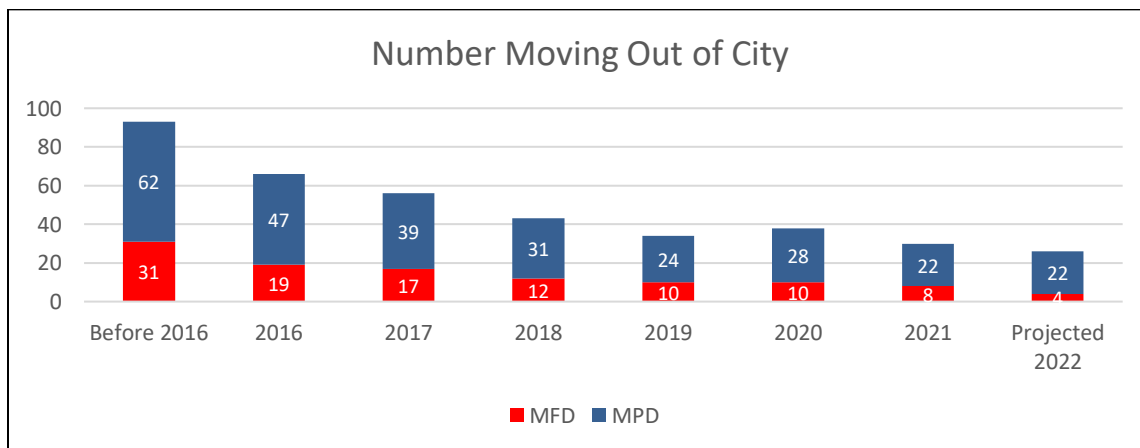
Average scores on each option by race/ethnicity, age group and gender yielded similar results (see below for detailed results). Concerns about safety had the highest average score in nearly every group; schools ranked highest for female members, the 21-25 and 56-65 age groups, and for Asian members, although there were only three responses from Asian members. In the 21-25 age group, schools and cost of living were tied for the highest score.

The “other” category, although not used by most respondents, came in third as a weighted average. Most of those “other” responses echoed the choices already given; some others cited such things as location close to family/friends/spouse’s employment, political leanings or dissatisfaction with leadership.

Detailed results and analysis:

Question 1. Number of Sworn Members Moving Out of the City of Milwaukee, by Year:

It can be seen in the chart below that the number of sworn members moving out of the City has declined since the residency rule was changed. This can be expected to level off or continue to decline as any backlog of those who had wished to move is eliminated.

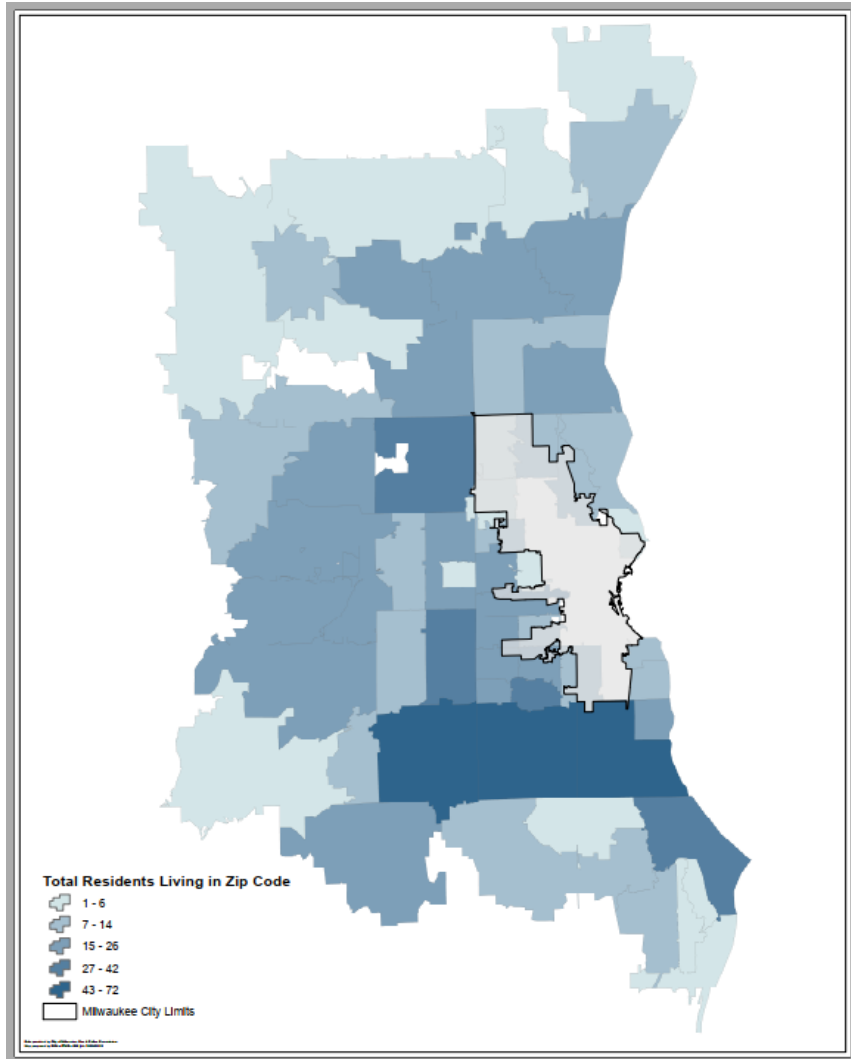


Please note that the column “Before 2016” does include four years, 2013-2016. The number for 2022 was projected based on the rate of departures in the first five months of 2022. It assumes the same rate will apply through year-end 2022.



The following map illustrates the frequency by zip code of MPD members who left the City. Location information for MFD members was not obtained. Note that some zip codes overlap City boundaries. In addition, because zip code boundaries are not defined, several zip codes could be included in a block of color. The legend refers to zip code densities.

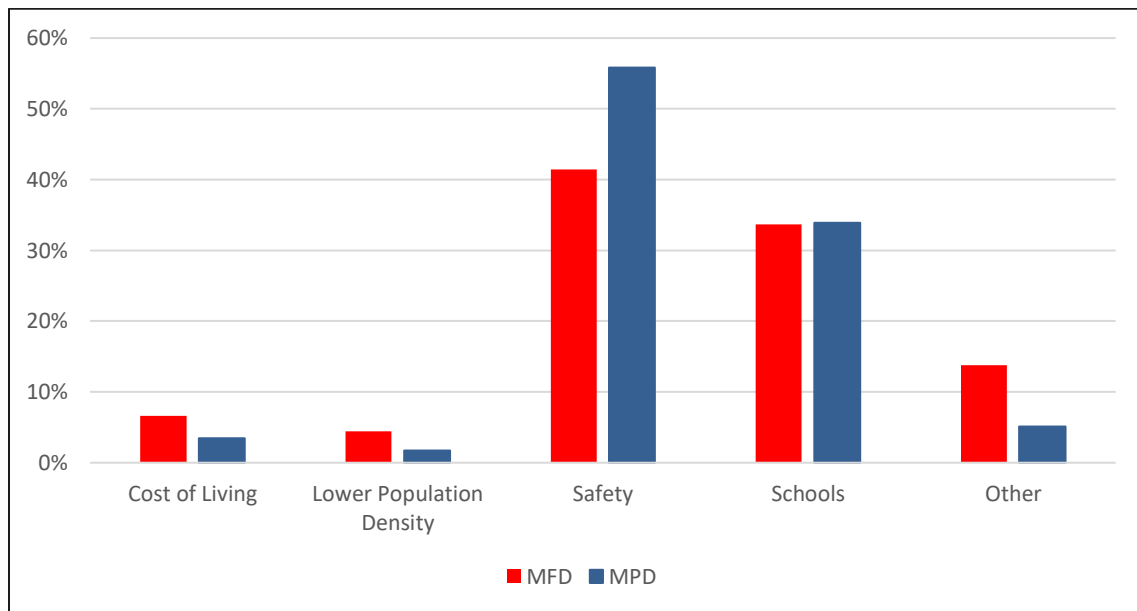
Density of MPD Members Residing Outside City of Milwaukee Boundaries by Zip Code



Question 2. Relative Importance of Reasons for Moving

The following graphs demonstrate the range of responses for each reason for moving. The number of blanks left for each possible reason is small, indicating that the choices were valid. Because MFD members could select more than one reason in each category from most to least important, the totals in some categories are greater than the number of MFD members who took the survey. The results are also shown as weighted averages (percentages of total responses) to correct for the greater number of MPD than MFD members who took the survey (266/109).

Most Important Reason for Moving



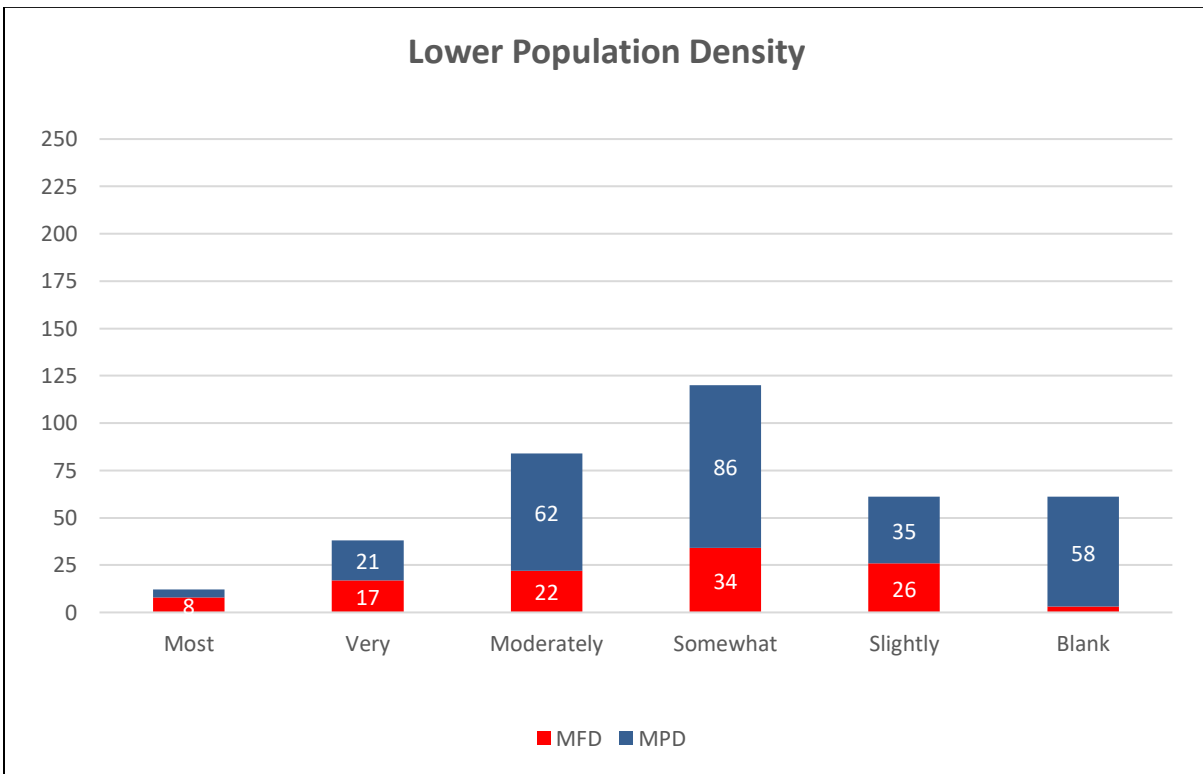
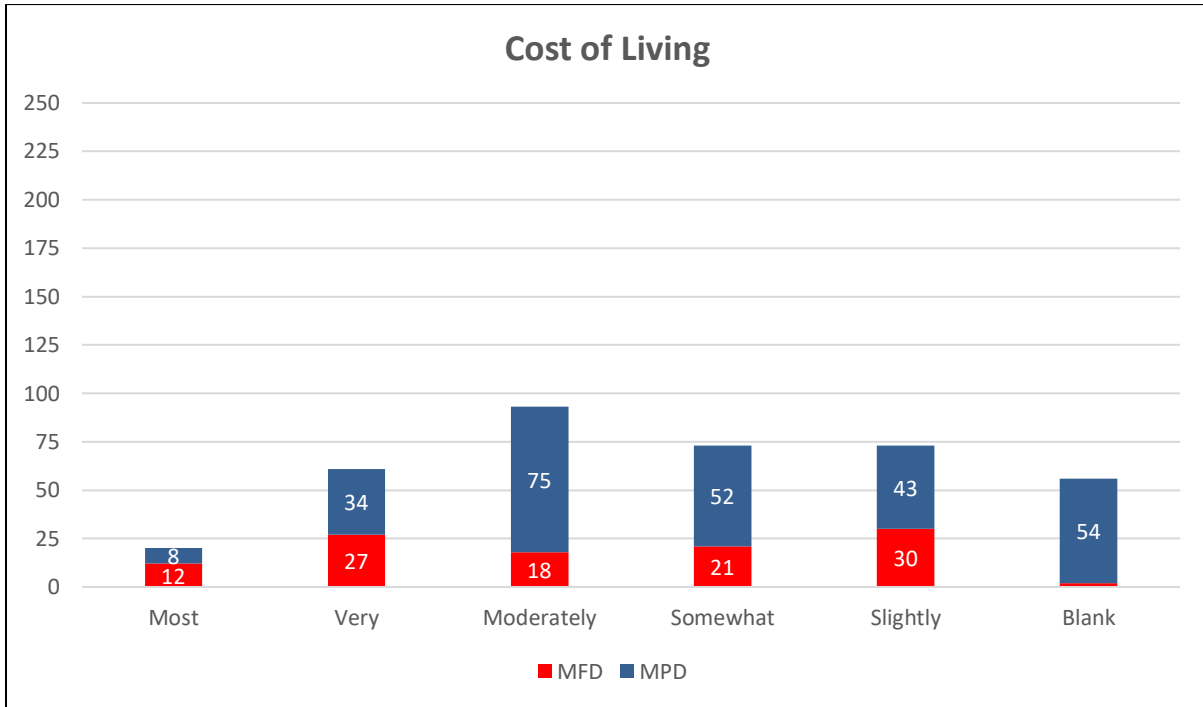
	MFD		MPD	
	Count	%	Count	%
Cost of Living	12	7%	8	3%
Lower Population Density	8	4%	4	2%
Safety	75	41%	130	56%
Schools	61	34%	79	34%
Other	25	14%	12	5%
Total	181	100%	233	100%

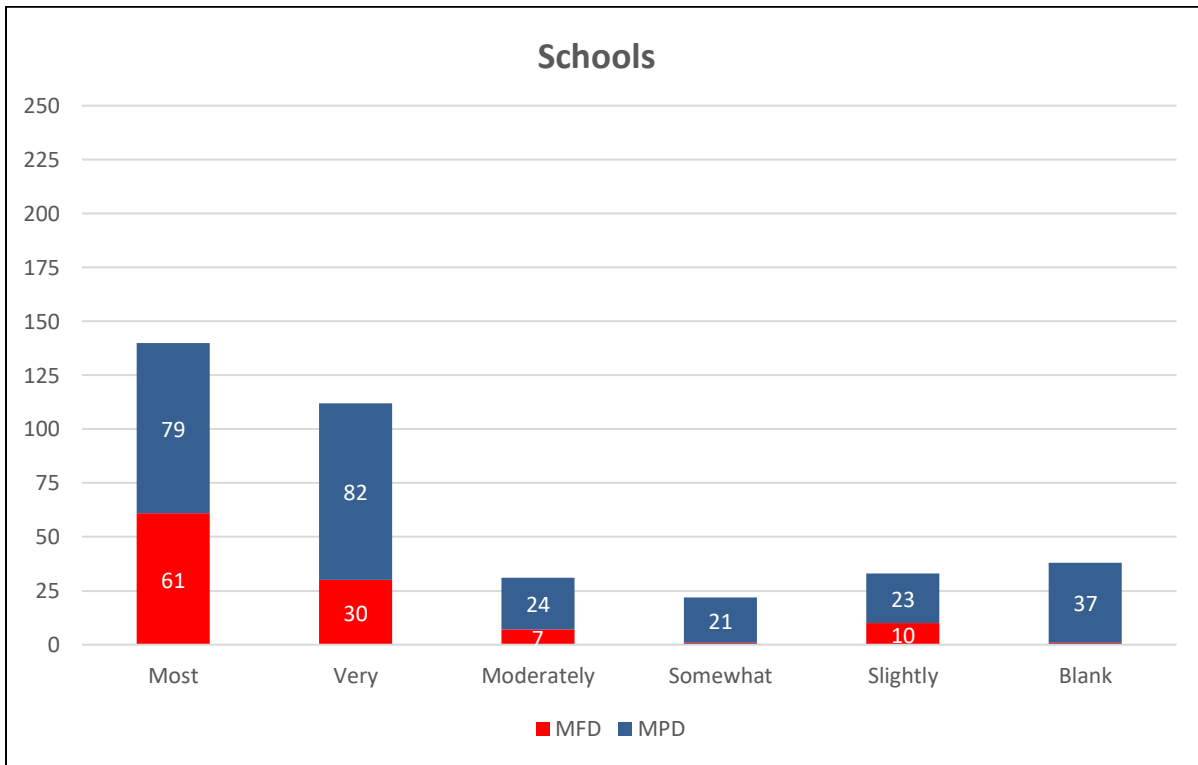
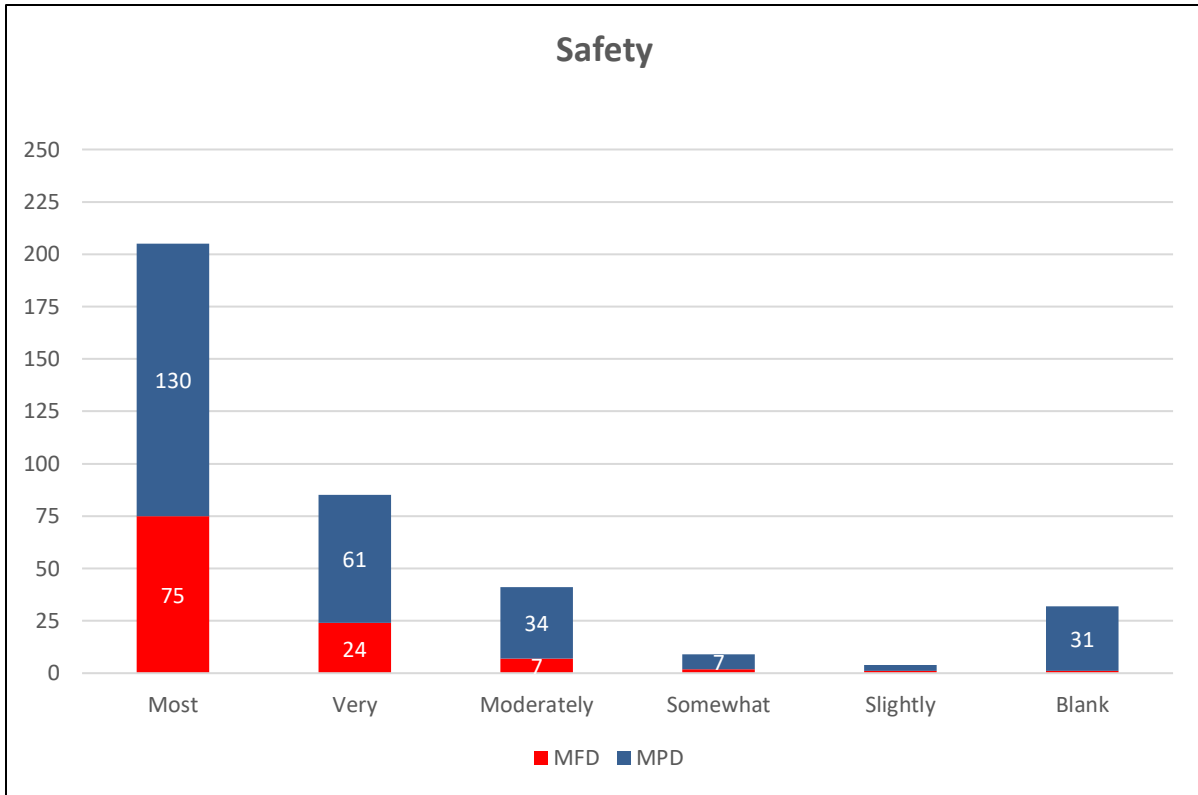
This graph compares the frequency with which each option was selected as the Most Important reason for moving. For both MPD and MFD, the order in which these were the most important is the same:

1. Safety
2. Schools
3. Cost of living
4. Lower population density



The following graphs show the number of responses for each option by each level of concern. Number labels are omitted where there are too few responses to label.





Question 3. Elaboration on “Most Important” Choice, and Question 4. Any Other Considerations

The responses to these questions included, for the most part, reiterations and/or elaborations of the four offered reasons for moving provided in Question 2. As mentioned above, other things occasionally mentioned were closeness to friends/family/spouse’s job, political leanings and dissatisfaction with leadership.

Questions 5, 6 & 7 – Demographics

The following tables give the scores for each option by race/ethnicity, age group and gender. The total responses of MPD and MFD members were combined. Responses of “Other” or “Undeclared” and blanks were omitted. The highest score in each category is in bolded red.

Race/Ethnicity	Cost of Living	Lower Population Density	Safety	Schools
Asian	3.7	2.0	3.3	5.0
Black	2.3	1.8	4.2	3.4
Hispanic	2.0	1.7	3.4	2.9
Native American	0.0	1.3	1.7	0.7
Native Hawaiian or other Pacific Islander	4.0	3.5	5.0	3.0
White	2.3	2.2	4.0	3.5

Age Group	Cost of Living	Lower Population Density	Safety	Schools
21-25	4.3	3.8	4.1	4.3
26-35	2.2	2.2	4.2	3.2
36-45	2.2	1.9	4.0	3.8
46-55	2.1	2.0	3.9	3.4
56-65	2.4	2.4	3.4	3.7

Gender	Cost of Living	Lower Population Density	Safety	Schools
Female	2.0	1.6	2.0	4.6
Male	2.3	1.9	4.4	3.8



APPENDIX

QUESTIONNAIRE FOR MPD/MFD SWORN MEMBERS CHOOSING TO BECOME NON-RESIDENTS OF THE CITY OF MILWAUKEE

1. In what year did you move out of the City of Milwaukee?

- Before 2016
- 2016
- 2017
- 2018
- 2019
- 2020
- 2021
- 2022

2. Please indicate the importance of each of the following possible reasons for your decision to move out of the City of Milwaukee. Note that each column can only apply to one reason; for instance, only one reason can be “Most Important.” If a reason does not apply, leave that row blank.

	Slightly Important	Somewhat Important	Moderately Important	Very Important	Most Important
Cost of living	—	—	—	—	—
Lower population density	—	—	—	—	—
Safety	—	—	—	—	—
Schools	—	—	—	—	—
Other	—	—	—	—	—
If “Other,” please specify.					

3. Please elaborate on your “Most Important” choice.

4. Is there anything else you would like to share about your decision?

5. What is your gender identification?

- Male
- Female
- Other
- Prefer not to say

6. What is your age group?

- 21-25
- 26-35
- 36-45
- 46-55
- 56-65
- Over 65

7. What is your race?

- White or Caucasian
- Black or African American
- Hispanic or Latino
- Asian or Asian American
- Native American or Alaska Native
- Native Hawaiian or other Pacific Islander
- Another race/ethnicity
- Prefer not to answer

