



March 18, 2015

Terry Witkowski, chairman
Public Safety Committee
Milwaukee Common Council
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Milwaukee, WI 53202

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Via facsimile to (414) 286-3456.

Dear Chairperson Witkowski;

The American Civil Liberties Union (ACLU) of Wisconsin seeks to defend the civil liberties and civil rights of all Wisconsin residents. Advocating for police accountability has been a priority of our organization for many years. The ACLU of Wisconsin believes that the City of Milwaukee Board of Fire and Police Commissioners has important duties including oversight of the departments to ensure adherence to the rule of law and the provision of unbiased professional public safety service in every neighborhood.

Mayor Tom Barrett has nominated Dr. Fred Crouther to the Milwaukee Board of Fire and Police Commissioners. If confirmed, he would replace Commissioner Paoi Lor bringing the total number of sitting commissioners to seven until July, 2015 when Commissioner Morgan's term expires. State law allows the Mayor to appoint an additional two commissioners, which his office has indicated he will do after the hiring of an executive director.

You and your colleagues on the Public Safety Committee are scheduled to review the Mayor's nomination tomorrow, March 19, 2015. Regardless of the nominee the ACLU of Wisconsin believes that there are important criteria to guide the confirmation process.

First, do council members have adequate information about the issues confronting the Board to determine the suitability of any nominee? Over the last several years critical incidents, including deaths in custody, and policing strategies, including over 200,000 officer initiated stops a year have contributed to tension between some members of the community and the MPD. Can the FPC Board's oversight function help enhance police-community relations? To what extent must the

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Board be independent from political pressure to enhance police-community relations? Can board members ask the chiefs tough questions until they get satisfactory answers? How often does a nominee question authority?

Second, has the confirmation process been open so that the public as well as council members are able to evaluate the suitability of any nominee? Since the appointment of Commissioner Ann Wilson, the ACLU of Wisconsin among other community groups, has argued that well publicized listening sessions should be held at convenient locations and that the public be allowed to ask the nominee relevant questions. Have there been adequate opportunities for public input? If not, will confidence in the nominee suffer? Hopefully tomorrow's committee hearing will provide another opportunity.

Third, has the confirmation process been transparent for any nominee? Has a background check been completed on the nominee? Has he/she been asked about potential conflicts of interest? Has the nominee been asked to serve a complete term? Has he/she agreed to do so?

The ACLU of Wisconsin takes no position on the nomination of Dr. Crouther as a matter of policy. I appreciate your consideration of some of the criteria suggested above.

Thank you.

Sincerely yours,

Christopher Ahmuty
Executive Director

cc: Joanna Polanco