# MILWAUKEE COLLABORATIVE COMMUNITY COMMITTEE

## Report to the Community: Research Findings

City of Milwaukee

# COLLABORATIVE COMMUNITY COMMITTEE MEMBERS

Danell Cross, Metcalf Community Bridges Association
Nate Hamilton, Coalition for Justice
Debra Huntley, AFSCME Council 32, AFL-CIO
Lisa Jones, UBLAC (Uplifting Black Liberation and Community)
Cacy Masters, Safe & Sound Milwaukee
LaNelle Ramey, Milwaukee Public Schools
Tammy L. Rivera, Southside Organizing Center (Treasurer, Research Chair)
Patricia Rogers, Dominican Center
Fred Royal, Milwaukee Chapter NAACP (Co-Chair)
Jamaal Smith, YWCA of Southeastern Wisconsin
La Toya Sykes, Our Next Generation
Markasa Tucker, African American Round Table (Chair)

# COMMISSIONED BY AND RESEARCH COLLABORATORS

City of Milwaukee

City of Milwaukee Fire and Police Commission
Milwaukee Common Council
Milwaukee Collaborative Reform Initiative

DERUTE Consulting Cooperative

Jeffery K. Roman
Dominique Duval-Diop, PhD
Decoteau J. Irby, PhD

KAIRO COMMUNICATIONS

Deborah C. Blanks, PhD
Patricia T. Najera, PhD

# COMMUNITY REPORT

- Introduction and Timeline
- Research Findings: Community and Police Officer Perspectives
- Contexts and Discussion
- Conclusion and Next Steps
- References and Resources
  - Community Hub Profiles
  - DOJ Draft Report Findings
  - Themes Aligned to Findings in DOJ Draft Report Chapters

# INTRODUCTION

## U.S. Department of Justice Collaborative Reform Initiative in Milwaukee

In 2015, former Police Chief Edward Flynn requested that the Milwaukee Police Department (MPD) participate in the U.S. Department of Justice's Office of Community Oriented Policing Services' (COPS) Collaborative Reform Initiative to provide an avenue to strengthen and build trust between MPD and City of Milwaukee residents.

The COPS Office was created by the Obama Administration in 2011 to respond to requests from local and state law enforcement agencies for proactive technical assistance to address law enforcement-related issues.

During 2016, the COPS performed an assessment of MPD and the city's Fire and Police Commission (FPC) and embarked on a federal review of MPD's operations and policies.

The process would kick-start a long-term strategy focused on identifying issues that affect public trust and culminate in providing recommendations to resolve those issues and strengthen the relationship between the police and the communities it serves.

Facing controversy over Chief Flynn's leadership and calls for his ousting, the department made a commitment to address the issues that would emerge and implement needed reforms.

It was a surprising shock when the review halted shortly after the election of President Donald Trump, without issuing recommendations to the community. Community members had worked with federal officials for nearly two years to contribute significant input to inform the findings characterizing community-police relations in Milwaukee.

While there were efforts among MPD leadership to prevent its release, in the end, an internal 273-page draft report from the DOJ on MPD through alternative channels was made public. The report included 56 findings and 110 recommendations for MPD reform.

# INTRODUCTION

## Formation and Charge of the Milwaukee Collaborative Reform Initiative and Collaborative Community Committee

Milwaukee city officials and the FPC formed the Milwaukee Collaborative Reform Initiative (MKECR) in the fall of 2017 to continue the work of the DOJ collaborative review.

The MKECR was formed after the DOJ failed to release a final report of findings and recommendations for reform; however, the DOJ's internal draft report to MPD was ultimately leaked to the community.

At the community's pressing, a key question for MKECR was to determine if the recommendations provided by the DOJ were consistent with community stakeholders'.

Recognizing the amount of public input that went into the DOJ review, as well as the work of the African American Roundtable and other grassroots groups to ensure the voice of community residents were heard, city officials formally established the Collaborative Community Committee (CCC) to see to it that the DOJ's collaborative reform process would not be left unresolved.

The CCC-led process continued community conversations started during the DOJ review and provided City of Milwaukee residents an opportunity to discuss and respond to the DOJ findings and recommendations through town halls, an MKECR on-line portal and various community-led meetings, called hubs.

In many ways, what unfolded from the CCC's engagement in this review process has resulted in a closer examination of not only MPD practices and policies, but also the critical role the City of Milwaukee and Fire and Police Commission has in improving community-police relations.


5

# COLLABORATIVE COMMUNITY COMMITTEE

In October 2017, building on the work and advocacy of the African American Roundtable and a coalition of grassroots organizations, Common Council President Ashanti Hamilton formally established the City of Milwaukee Collaborative Community Committee (CCC) to address the U.S. Department of Justice's findings on the Milwaukee Police Department.

CCC members had previously served as an informal committee of the Common Council, and were officially tasked with collecting recommendations from community members on specific changes and improvements they wanted to see in MPD's policies and procedures.

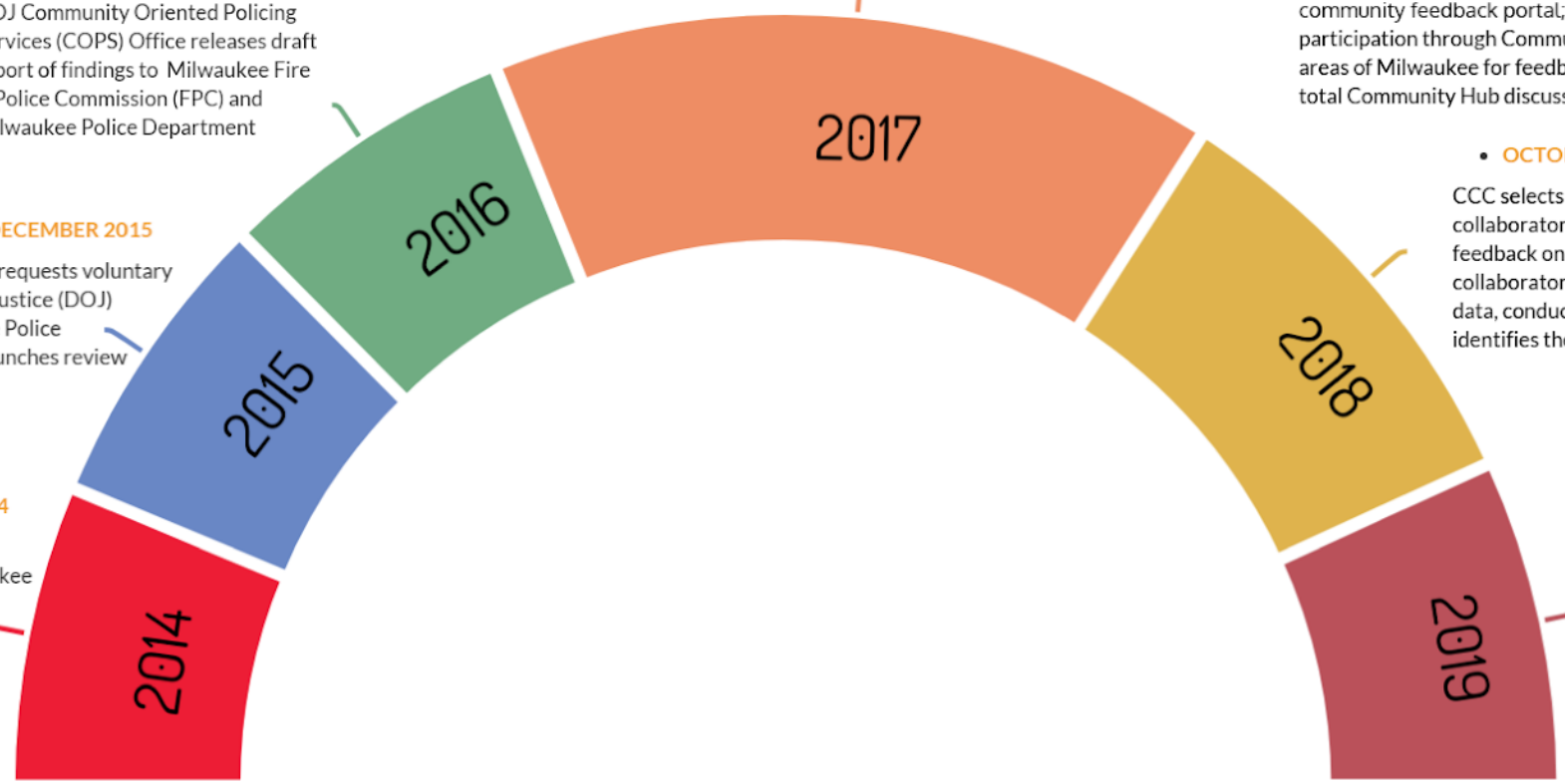
With community input, the CCC was charged with proposing strategies to build trust between Milwaukee's diverse communities and police officers throughout the city.

**MPD reform efforts have been in progress for years. However, Milwaukee's collaborative review process started in 2014 with former Police Chief Edward Flynn following the police officer shooting and death of Dontre Hamilton. The effort is ongoing with current MPD Chief, Alfonso Morales.**

The CCC does not operate in a political or social void, but rather is a part of the fabric of the community's many and ongoing efforts to strengthen relations and partnership between residents, aw enforcement and MPD reform.

The following timeline provides a snapshot of the many different stakeholders involved in local efforts to improve the city's community-police relations.

# TIMELINE OF COLLABORATIVE REFORM EFFORTS




- **APRIL 30, 2014**

  Shooting of Dontre Hamilton by Milwaukee Police Department (MPD) officer

- **NOVEMBER/DECEMBER 2015**

  Chief Edward Flynn requests voluntary U.S. Department of Justice (DOJ) review of Milwaukee Police Department; DOJ launches review process shortly after

- **SPRING/SUMMER 2016**

  DOJ Community Oriented Policing Services (COPS) Office releases draft report of findings to Milwaukee Fire & Police Commission (FPC) and Milwaukee Police Department

- **MARCH 2017**

  Milwaukee Common Council makes open records requests to MPD for DOJ draft report

- **AUGUST 2017**

  Milwaukee Journal Sentinel leaks DOJ draft report

  African American Roundtable (AART) calls for community input; urges and leads coordinated community action and response which includes town halls and collaborations with organizations on north and south sides of Milwaukee to engage community residents.

- **OCTOBER 2017**

  Milwaukee Common Council President Ashanti Hamilton leads government effort to address DOJ findings; creates Milwaukee Collaborative Review (MKECR) initiative

  Common Council and Mayor Barrett formalize Collaborative Community Committee (CCC) which had operated earlier informally

- **JANUARY – JUNE 2018**

  Fire and Police Commission creates MKECR online community feedback portal; CCC ensures community participation through Community Hub meetings in all areas of Milwaukee for feedback on DOJ findings. 45 total Community Hub discussions held

- **OCTOBER 2018 – AUGUST 2019**

  CCC selects and works with research collaborators to analyze community's feedback on DOJ findings; research collaborators organizes community data, conducts contextual analysis, identifies themes, and prepares report

- **SEPTEMBER 2019**

  CCC presents final findings and recommendations to Common Council and FPC

- **FALL 2019 and beyond**

  CCC continues to engage community stakeholders to ensure accountability and transparency

# RESEARCH FINDINGS: EMERGENT THEMES AND COMMUNITY AND POLICE OFFICER PERSPECTIVES

From the end of 2017 through summer of 2018, the CCC collected feedback from the MKECR's online portal and helped convened a series of Community Hub meetings throughout Milwaukee.

A total of 45 Community Hubs across 18 organizations were held, providing an opportunity for city residents to respond to the findings related to MPD's and the FPC's practices and procedures raised in the DOJ's draft report.

CCC trained Community Hub facilitators who assisted community residents in understanding some or all of the 56 findings spread across the DOJ reports' five chapters, while note-takers captured their responses.

In October 2018, the CCC selected Derute Consulting Cooperative to work with them to conduct an analysis of community hub and online portal responses to the DOJ's findings.

Derute used a series of analytical approaches to uncover 11 themes and captured community member and police officer perspectives that cut across the disparate sets of online responses and Community Hub notes.

THEMES refer to what community members and police officers talked about most during Community Hub conversations relating to the findings reviewed in the DOJ draft report as reflected in community hub notes.

PERSPECTIVES summarize the ways that community members and police officers responded to the DOJ report findings. In some instances, community and police officer perspectives were the same. In others, they were different. In some cases, community members offered perspectives where police officers offered none.

Each captured theme and its related community member and police officer perspectives align directly to various findings in the DOJ's draft report, to which the CCC will develop reform action priorities and recommendations and work with city leaders, MPD, FPC and community stakeholders to implement solutions to address the issues raised by the community.

| | | | |
|---|---|---|---|
| 11 CROSS CUTTING THEMES | CIVILIAN OVERSIGHT | COMMUNITY ENGAGEMENT | DATA COLLECTION & ANALYSIS |
| DIVERSITY IN MPD | EVALUATION OF OFFICER PERFORMANCE | STATE AND LOCAL LAWS & MPD BUDGET | MPD ORGANIZATION, MANAGEMENT & FPC ADMINISTRATIVE AUTHORITY |
| MPD RECRUITMENT & HIRING | MPD STANDARD OPERATING PROCEDURES | OFFICER PROMOTION & CAREER DEVELOPMENT | TRAINING & PROFESSIONAL DEVELOPMENT |

# KEY COMMUNITY MEMBER PERSPECTIVES

- Community members focused more on strategies to increase MPD community engagement and want more positive interactions and presence of rank and file officers in Milwaukee neighborhoods.

- Community members stressed the importance of increasing the representation of women, people of color, and LGBTQ+ officers and civilian staff across the department to better reflect the demographic make-up and diversity of the city.

- Significant support exists to bring back City of Milwaukee residency laws to ensure MPD officers and staff live and work in the neighborhoods they make an oath to serve and protect.

- Community members advocate for community oversight of specific MPD functions such as officer recruitment and hiring, officer complaint processes, use of force investigations, and inclusion of community residents in developing community policing and officer evaluation and promotion standards.

- Community members encourage mandating department-wide training and professional development on Community Oriented Policing, cultural competency, recognizing mental health and implicit bias.

# KEY POLICE OFFICER PERSPECTIVES

- **MPD rank and file officers expressed a true desire and willingness to work with Milwaukee residents as fellow community members and partners in reforming MPD.**

- **MPD rank and file officers see a great opportunity for community members and city leaders to increase advocacy to see changes in state/local laws and established MPD policy and procedures that contradict Community Oriented Policing strategies.**

- **Police officers strongly encourage MPD leadership and the FPC to codify clear and consistent department-wide standards and procedures regarding use of force, taking/tracking/investigating officer complaints, and MPD rank and specialty unit promotions.**

- **Police officers agree with community members that MPD is in need of an overhaul that prioritizes diversity and inclusion, with a focus on eliminating hiring barriers, recruiting more women and people of color, increasing career planning and development opportunities, and better marketing of available officer and civilian job posts within the department.**

- **MPD rank and file officers encourage creating more formal/intentional opportunities for dialogue and trust building between officers and community residents.**

# THEME 1: CIVILIAN OVERSIGHT

**Civilian oversight refers to the ability of Milwaukee residents to directly monitor MPD policies and procedures. Community perspectives related to civilian oversight show a desire and need for community members to be more directly involved in the development and monitoring of MPD officer recruitment, hiring, evaluation, and promotion procedures. Community members particularly expressed a specific interest in having oversight of community policing practices and officer complaint and use of force investigations to curb police misconduct and build trust.**

# THEME 2: COMMUNITY ENGAGEMENT

**Community engagement refers to reciprocal interactions between police officers and community members AND the direct involvement of community residents in MPD processes to build trust and improve/strengthen community-police relations. Perspectives related to community engagement consists of the desire for MPD to increase venues and opportunities for dialogue with community residents, and the need for police officers to become more aware of the people and efforts making positive change in the neighborhoods they patrol. Residents and officers believe community engagement is the key to achieving MPD reforms.**

# THEME 3: DATA COLLECTION AND ANALYSIS

**Data collection and analysis refers to the ability of MPD to collect and analyze internal data to determine the impacts of officer and department policy, procedures and practices. Community and police officer perspectives related to data collection and analysis consisted of the need for MPD to strengthen standards for data collection on officer hiring, stops and arrests and use of force, and disaggregating those data to better understand the department's disparate impact on communities of color and other marginalized populations.**

# THEME 4: DIVERSITY IN MPD

**Diversity in MPD refers to ensuring the inclusion and reflective representation of Milwaukee's diverse communities in MPD's rank and file and civilian workforce. Community member and police officer perspectives related to diversity in MPD consisted of increasing the racial and gender makeup of officers and command staff within the department and eliminating barriers that exclude women and people of color from joining or being promoted through the ranks.**

# THEME 5: EVALUATION OF OFFICER PERFORMANCE

**Evaluation of officer performance refers to the regular assessment of MPD officers', supervisors' and command staff's ability to perform the duties essential to their jobs. Community member and police officer perspectives related to officer performance evaluation consisted of creating benchmarks for officer promotion and mandating annual assessments of police officers' mental health and wellness.**

# THEME 6: MPD ORGANIZATION, MANAGEMENT, AND FPC ADMINISTRATIVE AUTHORITY

**MPD organization, management, and FPC administrative authority refers to changes to MPD culture, governance, operational structure and leadership. Needed changes were primarily raised by police officers whose perspectives included the desire to see Community Oriented Policing supported by MPD leadership and operationalized throughout the entire department, and the need for MPD to create a special unit with dedicated resources and leadership specifically focused on officer recruitment and career planning and development.**

# THEME 7: MPD RECRUITMENT AND HIRING

**MPD officer recruitment and hiring refers to the ways in which FPC enlists recruits to join MPD's rank and file and civilian workforce. Perspectives related to recruitment and hiring consisted of the need for MPD to prioritize and create internal recruitment systems and capacity, as well as improve coordination with the FPC to strengthen and expand recruitment efforts. Both community members and police officers raised the need for MPD to increase the number of full-time recruiters within the department (there is currently only one on staff) with the ability to engage Milwaukee's diverse communities.**

# THEME 8: MPD STANDARD OPERATING PROCEDURES

**MPD Standard Operating Procedures (SOPs) refer to the codified policies and procedures that guide MPD personnel and operations. General perspectives from community residents and police officers is that SOPs relating to officer promotional practices, critical incidents, community policing and personnel performance measures, early intervention program practices and internal affairs investigations, etc. need to be refined, regularly updated, and better communicated internally and externally; existing SOPs need to be enforced; and MPD and FPC should prioritize reviewing and auditing MPD's adherence to SOPs annually. Community member perspectives specifically raised the need for SOPs to clearly define processes and procedures relating to officer complaints and use of force and use of deadly force, traffic and pedestrian stops, and public release of officer body camera audio/video.**

# THEME 9: OFFICER PROMOTION AND CAREER DEVELOPMENT

**Officer promotion and career development refers to the process of promoting and supporting MPD officer career planning and advancement. Police officer perspectives on officer promotion and career development focused on creating consistent standards for officer rank and specialty unit promotions, and prioritizing officer career planning and advancement pathways. Community member perspectives focused on the need for community residents to be more involved with MPD promotion processes, including resident participation on MPD promotion panels.**

# THEME 10: STATE AND LOCAL LAWS AND MPD BUDGET

**State and local laws and MPD budget refers to the laws and legislation that establish policy for and that allocate resources to MPD. While no specific findings in the DOJ draft report directly specify budget considerations, perspectives captured regarding MPD's budget revealed an interesting, but not surprising divergence between community members and police officers: community members expressed concerns with the large size of MPD's budget compared to other city departments and services, while police officers expressed concern about the limited resources they perceive are available to effectively do their jobs and meet the demands and needs of Milwaukee residents. Both police and community members believe the MKECR's and the CCC's engagement of community stakeholders is an opportunity to increase legislative advocacy to impact state and locals laws that will impact MPD practices.**

# THEME 11: TRAINING AND PROFESSIONAL DEVELOPMENT

**Training and professional development refers to the process of offering professional learning opportunities to MPD officers and staff. Perspectives related to training and professional development consisted of the need for mandatory, department-wide trainings for all rank and file officers in the areas of Community Oriented Policing practices, community engagement, cultural competency and implicit bias, and mental health and wellness. Key differences between community member and police officer perspectives revolved around who should be required to participate in training, who should lead trainings, and the specific learning targets and objectives training opportunities should entail.**

# COLLABORATIVE RESEARCH PROCESS

**The CCC engaged research collaborators to compile and analyze resident input captured from the MKECR's online portal and Community Hubs notes. The process was designed using Critical Race Theory to lift up resident voices and experiences.**

## Critical Race Theory

- Acknowledges the role of race and impacts of discrimination and stuctural racism
- Centers the voices and experiences of people of color
- Lifts up counter narratives

## Research Methodologies

- Data noticing - memoing and question development
- Data reorganization - into analytic tables
- Discerning patterns - themes
- Within theme comparative analysis - perspectives

## Research Challenges and Limitations

### Research design and data collection.

The CCC approached resident input data collection as a community engagement project; the process was not designed to be a research project. Research collaborators had no insights into facilitator or note-taker training or methods. There was an unneven number of community member and police officer attended Community Hubs, which somwhat diminished comparative analytical possibilities.

### Secondary data sources.

Research collaborators did not collect data. Most substantial data source was Community Hub notes. Notes from participant conversations reflected variability in quality.

### Lack of demographic data.

Besides an organizational association or police department/affinity group association, we don't how many or whose voices are represented in the data sources.

## Historical and Contemporary Contexts of Community-Police Relations in Milwaukee, WI

By Dr. Deborah Blanks, Dr. Patricia Najera, and Dr. Dominique Duval-Diop

The CCC's analysis of community input data show aspirations for what reforms are required to achieve the kinds of police and community relations that will benefit all of Milwaukee.

To gain a full understanding of the themes and perspectives offered by community residents, a historical and contextual analysis was completed assessing community-police relations over the past 70 years. This analysis concluded in six key findings:

1. MPD over the last 70 years has operated within an environment that has sustained systemic racism and discrimination.
2. While the diversity and leadership of Milwaukee police chiefs offered new approaches to improve community-police relations, they were often met with resistance from rank and file officers and the Milwaukee Police Association.
3. MPD's inability to address issues of race and discrimination reflects long-standing issues plaguing the broader society, and in the criminal justice system.
4. While social media and current social justice efforts have brought issues such as police use of force to public and media attention, these issues are not new and have their foundation in long term, unresolved issues of racial inequity, injustice, poverty, privilege, class, and power.
5. Grassroots activists, community organizations and city residents for decades have protested social injustices in an effort to force MPD and city leaders to implement positive change through culturally responsive policies and practices. Often these voices were ignored, dismissed, or delegitimized by MPD, city government, and mainstream society.
6. All of these factors have sustained an environment of community, police, and government distrust that is detrimental to the health and prosperity of communities of color and the entire city and region.

# CONTEXTS AND DISCUSSION

## Early Race Relations in Milwaukee

**Community-police relations often reflect the underlying dynamics of society. Initially in the 1850s, Milwaukee was considered to be a community that welcomed free and enslaved Blacks as a stop along the Underground Railroad. By the 1920s when Latinos began coming to Milwaukee in response to heavy labor demands, white citizens began to fear the rise in the number of people of color. As the city became more diversified, people of color where confined to living in segregated housing and to attending segregated schools. And even while their labor was needed, and in many cases sought out during World Wars I and II, they were employed in the poorest of working conditions with the lowest paying jobs.**

**As Milwaukee's population of people of color increased, government and corporate institutions implemented policies to contain, segregate and control people of color. City and county government partnered with real estate associations specifically to segregate Blacks,, other communities of color, and ethnic groups.**

**City leaders opposed scattered public housing sites and supported "urban renewal" that included highway construction that demolished Bronzeville, a prevalent Black neighborhood and the epicenter of Black social and political life in Milwaukee; these government sanctioned tactics destabilized Black families and destroyed Black civic and community infrastructure. The effects remain today.**

*(pictured above) Flourishing businesses along Walnut Street in the heart of Milwaukee Bronzeville in the 1950s.*

*(pictured left) Current vacant development plot along West North Avenue. While a push to reinvest in Milwaukee Bronzeville, development is slow.*

# CONTEXTS AND DISCUSSION

## Milwaukee Police Department Administrations

Political patronage was rampant in the Milwaukee Police Department until the 1880s, when the state legislature passed a law creating the Milwaukee Fire and Police Commission to insulate police appointments from political influence.

As the city was becoming increasingly racially polarized by the 1950s, Black and Brown communities were becoming acutely aware of excessive use of force, discriminatory actions and racist remarks.

During his term Milwaukee **Police Chief John Polcyn (1945-1957)** recognized the need to also implement a Police Aide Program as an initiative to improve race relations.

**Chief Howard Johnson (1957-1964)** indicated that race relations were at the boiling point during his tenure as Chief. Racial tensions were heightened when the community learned of a police cover-up regarding the shooting of Daniel Bell, a twenty-two-year-old Black male shot in the back running from the police on a traffic violation in 1958. Years later a police officer admitted the truth about the shooting. Bell's family sued the city and won $1.8 million.

*(Daniel Bell)*

# CONTEXTS AND DISCUSSION

## The Breier Era (1964-1984)

During Chief Harold Breier's tenure, many leaders and organizations in Milwaukee's communities of color worked to lessen the negative impact of discrimination and social injustice. The Latino community and the NAACP Youth Council marched together to protest discrimination. Vel Phillips, the first female and African American member of the Milwaukee Common Council introduced the first ordinance intended to oppose housing discrimination.

The NAACP Youth Council with others marched for 200 consecutive nights demanding fair housing reform. Breier's confrontational style and racialized actions and language in response strained race relations creating a climate conducive for police misconduct. For example, during the open housing marches, Breier ordered all officers assigned to protect the NAACP Youth Council not to wear their police badges so that they could not be identified if they were seen committing acts of excessive use of force.

After a march on the second day, the Youth Council returned from the south side to their Freedom House which caught fire. Many Youth Council members maintained then and still today that the fire was started when hostile police officers shot a tear gas canister into the house. The police prevented the fire department from coming near the house until it was burned beyond repair.

It was only after the assassination of Dr. Martin Luther King Jr. that Congress passed a national fair housing law and the Milwaukee Common Council followed with its own ordinance in April 1968 that tensions eased, but irreversible damage to race and community-police relations was sustained.

# CONTEXTS AND DISCUSSION

## The Breier Era (cont'd)

The racial divide in Milwaukee was intensified under Chief Breier's reign by the earlier police shootings of Clifford McKissick in 1967 and the questionable in-police-custody death of Ernest Lacy in 1981.

During the time between, Milwaukee police were known to arrest, harass, and give young people of color warrants without cause. MPD policies suppressed opportunities for people of color and women as well.

Racial and gender diversity was virtually absent in police ranks in MPD. Not having cultural or gender diversity in one of the city's most powerful public agencies discouraged building cohesive community and race relations within the city.

Along with MPD's policies and lack of representation, Black and Latino communities grew increasingly frustrated and tired of their treatment by officers on the street.

In the 1960s and 70s, there was a general sense that it was whites against Blacks and increasingly Milwaukee's other communities of color.

Breier received enormous support from white residents living primarily on the city's south side who credited him with making Milwaukee 'the most crime free' city of its size in the United States.

They celebrated his characterization of the white community as a strong, hardworking community, fully supportive of MPD while depicting Black and Latino residents as "malcontents, ultra-liberal, and special interest groups."

As a result, the power of the department in the dominant white community created a dire situation for Black and Latinos.

Breier's failure to collaborate with all the city's residents, especially residents of color, further fostered distrust between whites and Milwaukee's communities of color, and between communities of color and MPD.

# CONTEXTS AND DISCUSSION

The language used by Chief Breier reinforced the stereotypes spewed by other local and national leaders who used code words and narratives to negatively frame Black and other people of color to limit the government's role and responsibility in resolving the city and nation's problem of poverty, crime and segregation.

These narratives provided a foundation that maintained widespread structural racism, racial bias, as well as white privilege that remains today, continuing the patterns initiated during slavery, sharecropping, convict leasing, and peonage to criminalize people of color, frame them as inferior, and maintain systems of oppression.

In many ways, the unfair treatment and discrimination in Breier's police department galvanized Milwaukee's communities of color to develop campaigns to oust the chief and his top subordinants.

Partly in reaction to Breier's iron-clad rule, the state legislature passed a law in 1977 setting term limits for future Police Chiefs in Wisconsin. This law however did not apply to Breier who was guaranteed a lifetime tenure by previous state law. He would serve as MPD Chief for twenty years.

At the end of Breier's tenure in 1984, Milwaukee's racial climate had changed from one accepting of people of color and diverse cultures in the late 1800s and early 1900s to one where racial tension, inequality, and segregation was the norm by the turn of the century.

**The city has experienced significant changes to MPD leadership following the Breier era with varying sentiments on the extent to which subsequent MPD administrations have impacted community-police relations in Milwaukee.**

# CONTEXTS AND DISCUSSION

## Milwaukee Police Department Administrations (cont'd)

**Chief Robert Ziarnik** came out of retirement after the reign of Breier to serve as Chief from 1984 to 1989. His service to the Milwaukee Police Department spanned more than 35 years. Major achievements during Chief Ziarnik's tenure included a change in MPD officer uniforms, establishment of a citywide Metropolitan Division, and reduction of the number of police districts.

**Chief Philip Arreola** succeeded Ziarnik and was the first Latino American to become Chief of Police. He was the first MPD chief ever hired from outside of department ranks and served from 1989-1996. In July 1995, Police Chief Arreola suspended the officers involved in leaving a dazed, teenage Laotian boy with Jeffrey Dahmer, who later killed him. The incident stoked gay and minority resentment toward the police department. In contrast, these suspensions solidified underlying police union resentment toward Police Chief Arreola, resulting in a vote of no confidence in Arreola by the Milwaukee Police Association.

Chief Arreola, however, is credited with increasing minority recruitment and being the first Chief to implement "community-oriented policing" starting in the summer of 1989 to replace Breier's 1950s model of incident-driven law enforcement that stressed a reactive response and an authoritarian approach to police work. Arreola's model was a more active, community-focused policing that emphasized problem resolution, assessing the causes of crime, and creating strong partnerships that fostered community involvement.

Many of the department's rank and file however opposed key elements of Arreola's community-oriented policing approach, such as higher utilization of non-patrol police officers on the streets and creation of neighborhood MPD mini-stations.

# CONTEXTS AND DISCUSSION

## Milwaukee Police Department Administrations (cont'd)

**Chief Arthur Jones** became Milwaukee's first African American Chief of Police on November 15, 1996 (until 2003). Chief Jones implemented the "broken windows" philosophy which was based on the view that when small issues of crime and disorder are ignored and unresolved, they precipitate bigger problems. With this initiative, MPD resources were directed toward reducing crime and increasing accountability for the enforcement of the city's laws and ordinances.

In 2003, a lawsuit was brought against the Fire and Police Commission by lieutenants alleging that Chief Jones had discriminated against them by repeatedly promoting minority and female officers ahead of them. During Jones' tenure, about 80% of Milwaukee police lieutenants were white men, but about half of the 41 people he promoted to captain were minorities or women. A federal jury awarded the officers $2.2 million for reverse discrimination.

**Chief Nannette Hegerty** was sworn in as the Milwaukee's first female Chief of Police on Nov. 19, 2003 (until 2007). During her tenure, Frank Jude, Jr. was beaten by off-duty police officers outside a party at a Bay View home. Hegerty fired nine officers, suspended three and demoted one. Members of the Milwaukee Police Association later criticized Hegerty for overzealous internal investigations into the matter. The 'code of silence' discovered during the trial which was used to cover up the police beating of Frank Jude, Jr. made it difficult for Hegerty to operate an effective police department.

# CONTEXTS AND DISCUSSION

## Milwaukee Police Department Administrations (cont'd)

**Chief Edward Flynn** became chief of the Milwaukee Police Department on January 7, 2008 until his retirement in 2018. A national leader in proactive policing, Flynn was heavily influenced by The Broken Windows Theory of the 1980s which indicated that neighborhood disorder created a climate for crime. He incorporated aggressive use of traffic stops as a strategy to arrest criminals and heavily relied on data-driven approaches to law enforcement. Chief Flynn shifted MPD from a patrol-based to a crime prevention focused department re-assigning street detectives to districts and dismantling the department's gang and vice squads.

Residents overwhelmingly disagreed with Flynn's view that crime causes poverty which ignited public outrage as he at times used a confrontational style communicating this. This strained his relations and attempts at potentially successful community-police collaborations. Flynn's tenure was further ill-marked by a number of critical incidents including illegal searches, stop-and-frisk profiling, and the high profiled police shootings and deaths of Dontre Hamilton and Sylville Smith, civil unrest in Milwaukee's Sherman Park neighborhood, and police-involved battery of Sterling Brown, a Milwaukee Bucks basketball player.

**Chief Alfonso Morales** was named Interim Police Chief on February 15, 2018, and appointed permanent chief on April 5, 2018 to complete the remaining two years of Flynn's term. He has embraced a community-oriented policing approach, reassigned more officers to work in neighborhoods, discontinued some controversial policies initiated by Flynn, and has appointed the largest number of people of color and women to leadership roles within MPD to date. In 2020, the FPC will decide whether to reappoint Morales to a full term as Chief of Police.

# CONTEXTS AND DISCUSSION

## Adverse City, MPD, and Milwaukee County Practices

As Milwaukee's population becomes more racially and ethnically diverse, the effect of adverse city, MPD and Milwaukee County practices is evident in the areas where people of color reside. These areas combined comprise an over-policed, over-surveilled and segregated zone of disinvestment and concentrated poverty, specifically within the city's boundaries. The long-term failure of the City of Milwaukee to effectively build a strong, positive relationship with the community has eroded public trust in the police department, and to some degree, in city government as whole.

Internal city dynamics impact the level of cohesiveness and coordination necessary to achieve quality MPD reforms. To be successful, the Mayor, Common Council, Police Chief and rank and file officers with the Milwaukee Police Association, FPC, other law enforcement stakeholders must work with citizens to address the long-standing and interconnected challenges of poverty and race relations, excessive use of force, crime reduction and criminal justice system reform. The history of the city's and county's law enforcement practices, the disproportionate confinement of people of color, and the inhumane policies toward individuals in police custody and in correctional facilities continue to dilute public confidence. Examples include:

- The impacts of Milwaukee County Sheriff David Clarke's tenure and his handling of the deaths of inmates in County jail facilities reinforced public distrust of law enforcement.
- The impacts of the fractured relationship between the FPC and Former Police Chief Flynn and the abrupt resignation of FPC Executive Director MaryNell Regan at the request of the Mayor.
- The community's opposition to the appointment of retired officer William Gielow to the FPC.
- The negative perception of the Black community regarding the District Attorney's decision not to charge police offices in several shootings of Black men.
- The residual effect of Sheriff Clark and Chief Flynn's confrontational styles and rhetoric.
- The division on the city's Common Council Public Safety and Health Committee.

# CONTEXTS AND DISCUSSION

## Disproportionate Impact of Criminal Justice Policies on People of Color

The desire of people of color to realize equality, prosperity, and acceptance in mainstream society has conflicted with the intent of some white people to segregate, confine, and control people of color. Aggressive, at times, abusive law enforcement strategies and the criminalization of people of color have been used by some MPD chiefs and/or police officers to achieve these goals. Over time, racial disparities increased, excessive use of force continued unabated, racial tensions grew, and community-police relations deteriorated.

Milwaukee's ability to maintain cohesive, focused, inclusive coalitions that achieve transformational outcomes that impact communities of color has not been proven. The culmination of racialized policies and practices in law enforcement throughout the criminal justice system have resulted in a severely disproportionate impact on Black-Americans, Latinos and other non-white members of the community.

Governmental policies and practices that have led to mass incarceration of Black and Brown men, women and children and that have fueled the dramatic increase in Wisconsin's prison populations over the last thirty years include:

- Increased government funding for drug enforcement (rather than treatment) and prison construction
- Three-strike rules
- Mandatory minimum sentence laws
- Truth-in-sentencing replacing judicial discretion in setting punishments
- Concentrated policing in minority communities
- State incarceration for minor probation and supervision violations

# CONTEXTS AND DISCUSSION

## Disproportionate Impact of Criminal Justice Policies on People of Color

These policies have led to, among other negative impacts, the following realities:

- A heavy concentration of released inmates and currently incarcerated adults coming from the poorest neighborhoods on Milwaukee's north side and near south side.

- More than half of Milwaukee County's Black men in their 30s and early 40s having served time in state prison.

- As of the 2010 Census, a Wisconsin Black male incarceration rate that is the highest in the country (12.8%) and roughly double the national average for Black males, while the state's white male incarceration rate is 1.2%, about the national average for white men.

- Wisconsin also leads the nation in incarceration of Native American men, with 7.6% of working age men (or 1 in 13) in state prisons and local jails in 2010, compared to 3.1% (or 1 in 32) nationally.

- Of youth committed to juvenile correctional facilities, 60% are from Milwaukee County and 90% of those youth identify as Black-American. This is in stark contrast to the 10% Black youth makeup of WIsconsin's total youth population. White youth, on the other hand, make up 76% of the youth population in the state, but only 1% of incarcerated youth in 2013. Wisconsin's Black youth are 19 times more likely than white youth to be incarcerated, with the state having the 5th highest Black youth confinement rate in the nation.

# CONTEXTS AND DISCUSSION

## Police Misconduct and Excessive Use of Force

**History demonstrates and residents confirm that Milwaukee continues to be challenged by racial disparities, hyper-segregation, and poor community-police relations. The community's transition to a majority-minority population has not changed the composition of the city's power structure. These long-term factors have a cumulative effect, creating tense, conflicting dynamics that serve as barriers to achieving meaningful change within the Milwaukee Police Department.**

*Maria Hamilton, mother of Dontre Hamilton, who was shot and killed by a former MPD officer in 2014.*

**In 2014, those dynamics were on full display and the city's racial divide and strain on community-police relations were further frayed by an incident of excessive police use of force-- the killing of Dontre Hamilton by an MPD officer. This incident became a tipping point where racial tensions boiled over, heightening awareness of the use of excessive police force with a person with a mental illness. At the time, the officer involved in the shooting claimed that he was unaware of any mental health issues and recalled his life being threatened because the suspect reached for his baton. Hamilton's death called into question the excessive use of police power and has served as a catalyst for protest and MPD reform. In 2017, the Hamilton family successfully pursued a $2.3 million settlement in a lawsuit against MPD for damages related to the death of Mr. Hamilton.**

**The inability of MPD to reduce incidents of excessive use of force and misconduct is reflective of the City of Milwaukee's failure to institute remedies that address structural issues, reduce racial disparities, and create a climate of community cohesiveness, stability, and well-being. The fact that Milwaukee is hyper-segregated and the most racially-segregated metropolitan in the nation, with some of the worst racial disparities is well-documented evidence of such failures.**

# CONTEXTS AND DISCUSSION

## Police Misconduct and Excessive Use of Force

While not comprehensive, the list below recaps many incidents of excessive use of force and misconduct by MPD officers over the last 60 years, costing city tax payers over $30 million, and the police chiefs they occurred under. It suggests that mistrust and police bias have been embedded into MPD over decades, supported by a code of silence within the department and internal conflict among those in city leadership.

| Year | Chief of Police | Incidents of Police Misconduct | Settlements |
|---|---|---|---|
| 1957 – 1964 | Howard Johnson | Daniel Bell Death (1958) | $1.8 million |
| 1964 – 1984 | Harold Breier | Clifford McKissick Death (1967)<br>Ernest Lacy Death (1981)<br>Curtis Harris Death (1983) | Unknown amount<br>$600,000<br>$3 million |
| 1989 – 1996 | Phillip Arreola | Konerak Sinthasomphon Death (1995)<br>Chaunte Ott Wrongful Imprisonment (1995) | $850,000<br>$6.5 million |
| 2003 – 2007 | Nannette Hegerty | William Avery Wrongful Imprisonment (2005)<br>Frank Jude, Jr. Battery and Cover-up (2006) | $1 million<br>$2 million |
| 2008 – 2018 | Edward Flynn | Illegal Strip Searches (6 plaintiffs, 2007-2012)<br>Derek Williams Death (2011) Death<br>Dontre Hamilton Death (2014) Death<br>Sylville K. Smith Death (2016) Death<br>Jerry Smith, Jr. Death (2017) Death<br>Rafael Rosales Battery and Cover-up (2017)<br>Profiling Stop and Frisk (74 plaintiffs, 2018)<br>Sterling Brown Battery (2018) | $5.5 million<br>Lawsuit Pending<br>$2.3 million<br>Lawsuit Pending<br>Lawsuit Pending<br>Lawsuit Pending<br>$6 million<br>Lawsuit Pending |

# POSITIVE FORWARD DIRECTION

While MPD's relationship with communities of color have been strained, Chief Flynn's request for the U.S. Department of Justice to assess MPD created an opportunity for positive change. The creation of MKECR and the CCC by the Milwaukee Common Council after the DOJ review's abrupt and incomplete conclusion showed government and community coalescing around a critical community issue.

Numerous catalysts demontrate how grassroots and community-based organizations working in concert with government can impact the criminal justice system. Local efforts include the preceding and continued work of the African American Roundtable who engaged the Southside Organizing Center (SOC) to include the experiences of Milwaukee's south side and Latino communities; the parallel work of Voces de la Frontera urging MPD and FPC not to adopt changes to MPD standard operating procedures regarding "sanctuary" policy; and the American Civil Liberties Union (ACLU) of Wisconsin successful mounting of a class action lawsuit resulting in a binding mediation agreement between its plaintiffs and the MPD for its unconstitutional stop-and-frisk practices.

While the MKECR and CCC have great potential and the confidence of the community and some city leaders to impact change, Milwaukee has a long track-record of well-intentioned endeavors that have failed to increase racial equity and that have served to reinforce the status quo. Concerns regarding the collective abilities of the MKECR and the CCC, community-led efforts and even the impacts of ACLU's lawsuit settlement to achieve MPD reforms center on whether there is a strong consensus between city government and community residents regarding the viability of potential changes, whether proposed changes are incremental or substantial, and whether the political will exists to resource, support and sustain the long term changes needed.

# CONCLUSION

The city has an opportunity to take bold steps to achieve meaningful, positive change. This boldness must embrace the critical need for culturally responsive practices given the lingering effect of racial tensions started during Chief Breier's tenure and the remnants that have carried through subsequent MPD administrations. These tensions will continue to exist under Chief Morales if city leaders and residents together are unwilling to confront and counter the city's history of misguided and poorly executed attempts to improve race and community-police relations. The Fire and Police Commission, under Wisconsin law and Milwaukee's City Charter, ultimately will be responsible for ensuring reforms and implementing the recommendations of the CCC.

Throughout this process, community voices have been centered and the lived experiences of the city's most impacted residents have been elevated. A commitment from city leaders, MPD and the FPC to continue partnering with residents and elevating their solutions can produce much needed positive change.

While positive change is possible, it is not guaranteed. Much more work must be done to ensure public safety, quality policing, and strong community-police relations. If that is the true intent of city leaders, the outlook and future for the City of Milwaukee is bright.

# COMMUNITY AND POLICE OFFICER PERSPECTIVES ALIGNED TO DOJ DRAFT REPORT CHAPTERS

## Chapter 3: Recruitment, Hiring and Personnel Practices

### Increase racial and gender diversity in police department

- Increase racial and gender diversity in officer and civilian posts across department representative of city demographics
- Increase representation of officers of color in high patrol districts/areas
- Increase people of color in lieutenant ranks and other supervisory level posts with vast discretion
- Increase female recruits into police academy and their overall representation in department
- Increase LGBTQ recruits into police academy and as candidates into department

### Alleviate procedural barriers to diversity

- Update background, psychological and selection processes. Current processes pose barriers that exclude people of color from getting into the department

### Community outreach and involvement in hiring and recruitment processes

- Engage community members in officer recruitment and hiring processes
- Engage community in developing community policing and officer evaluation standards
- Require MPD promotional panels to include FPC and community members
- Create mechanism for community input regarding officer recruitment and hiring

### Collect, analyze & report data to monitor hiring & recruitment

- Collect, analyze and report demographic data of the people applying for and receiving jobs in department

### Create internal recruitment systems

- Create recruitment and career development unit/department/section within department
- Require MPD promotional panels to include FPC and community members
- Cast a wider recruitment net to target high schools, colleges, community and faith-based orgs, and LGBTQ community
- Ensure a robust, active and ongoing recruitment strategy prioritizing recruitment of women and people of color
- Create MPD recruitment section/unit/department
- Hire more MPD recruiters for both officer and civilian posts recruitment

### Increase access to jobs

- Incentivize recruitment and hiring (education stipends for cadets, tuition reimbursement, career advancement training)
- Promote and advertise officer and civilian posts in MPD
- Increase number of recruiters with knowledge and connection to communities of color

### Improve coordination

- Strengthen recruitment efforts between MPD and FPC
- Create FPC committee to oversee department recruitment activities and to help with officer selection

# COMMUNITY AND POLICE OFFICER PERSPECTIVES ALIGNED TO DOJ DRAFT REPORT CHAPTERS

### Officer promotion and advancement

- Mandate that officer promotion only be made after 3-5 years on patrol (for rank promotions; officers should be assigned to patrol districts before lateral promotions to specialty units)
- Create consistent standards for rank promotions above lieutenants and for specialty units. Nothing exists and therefore process and standards for higher promotions are not consistent across department
- Create a career planning curriculum that correlates with FPC promotional examination.
- Create department mentoring program as part of career development and advancement planning

### Officer assessment

- Require and conduct annual psychological assessments
- Update SOP 500 regarding MPD personnel evaluation to include mandatory and ongoing psychological evaluation of MPD officers starting with acceptance to police academy
- Conduct regular assessment of officer complaints, use of force, traffic stops and community engagement activities
- Create professional development program for officers with benchmarks for performance and promotion

### MPD budget

- Allocate budget resources for MPD/FPC job marketing

## Chapter 4: Community Oriented Policing

### Institutionalize Community Oriented Policing

- Incorporate Community Oriented Policing into MPD mission and vision
- Operationalize Community Oriented Policing principles so it permeates into MPD practices and cultures

### Increase non-patrol community engagement

- Mandate officers spend a certain amount of "non-patrol community engagement" hours participating in community events and activities
- Create more opportunities and venues for exchange of dialogue between MPD and community

### Identify ways to improve trust between department and community

- Increase opportunities for officers to interact with community members without uniforms or patrol-only beats - it is less threatening and will help increase trust and build/improve relations.

### Community engagement training and professional development

- Mandate training on effective community engagement, community policing, professionalism and customer service for all officers and department staff
- Create department-wide training on Community Oriented Policing (no clear or consistent definition of what COP is across department - ie. some think COP is limited to Community Liaison Officers, when talking about it department defers to CLOs)

# COMMUNITY AND POLICE OFFICER PERSPECTIVES ALIGNED TO DOJ DRAFT REPORT CHAPTERS

## Chapter 4: Community Oriented Policing (cont'd)

### Change state laws

- Address state laws that contradict community oriented policing strategies
- Lobby state to change laws
- Reinstate residency laws

### MPD budget

- Include resources in City and MPD budget to engage grassroots and community organizations in developing and implementing equitable practices, standards and best practices
- Provide monetary incentives for officers to live in the neighborhoods they serve

## Chapter 5: Use of Force and Deadly Force Practices

### Collect, analyze and report data on the use of force

- Disaggregate complaints and use of force data by race and gender

### Training to improve standards, practices and protocols

- Mandate training for MPD supervisors and Internal Affairs Department on officer complaints, use of force and early intervention standards and investigation protocols

### Create and enforce Standard Operating Procedures regarding use of force and deadly force protocols

- Create SOP that clearly defines requirements for body worn cameras and other audio and video recordings of officer traffic stops, use of force investigation including inclusion of recordings of officer witnesses
- Create SOP regarding release of information to the public concerning critical incidents, use of force and use of deadly force investigations
- Create separate procedures and distinguishing standards for use of force and use of "deadly" force
- Require review of use of force reports by command staff (take all the way up the chain, not just lieutenants)

## Chapter 6: Citizen Stop and Search Practices

### Collect, analyze and report data on stops and arrests

- Disaggregate complaints and stops and arrest data

### Training to improve standards, practices and protocols

- Mandate training for MPD supervisors and Internal Affairs Department on officer complaint search and stop and early intervention standards and investigation protocols

# COMMUNITY AND POLICE OFFICER PERSPECTIVES ALIGNED TO DOJ DRAFT REPORT CHAPTERS

## Chapter 7: Systems for Supervision, Accountability, Organizational Learning, Remediation, and Discipline

### Oversight of internal processes, complaints and policing practices

- Community oversight of department recruitment and officer hiring, promotion and evaluation
- Community oversight of officer complaints, community policing practices and use of force

### Oversight of the Fire & Police Commission

- Community oversight of Fire & Police Commission to hold them accountable

### Cultural bias and mental health training

- Mandate ongoing and department-wide cultural competency, mental health, implicit bias and anti-racism training for all MPD staff

### Training to improve standards, practices and protocols

- Mandate training for MPD supervisors and Internal Affairs Department on officer complaints, use of force and early intervention standards, processes and investigation protocols
- Create standards training for supervisors and Internal Affairs Department (i.e., consistent standards department-wide for investigating use of force, officer hiring and promotion)
- Institute department-wide police professionalism training with emphasis on "communication" and "public service"
- Provide Human Resources and Organizational Management training to FPC members

### MPD budget

- Allocate funds for FPC to conduct annual review of MPD policies

### Clarify, refine, clearly communicate and enforce Standard Operating Procedures

- Create SOP that clearly defines the process, standards and protocols for officer complaints from community and their investigation by MPD internal affairs department and leadership
- Ensure MPD officers, staff and community members understand all existing, new and changing SOPs
- Create SOP clearly defining process for taking and reviewing officer complaints and which require investigation (supervisors have too much discretion for what is and is not investigated for MPD)
- Amend SOP 130 to reflect Milwaukee status as a Sanctuary City - MPD should not be investigating immigration status

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