



OFFICE OF THE COUNTY EXECUTIVE
Milwaukee County
 CHRIS ABELE • COUNTY EXECUTIVE

DATE: November 17, 2015
 TO: The Honorable County Board of Supervisors
 FROM: Chris Abele, Milwaukee County Executive
 SUBJECT: **PARTIAL VETO OF FILE NUMBER 15-642 (2016 BUDGET)**

Thank you for the concern and effort you have invested in reviewing the 2016 budget. As you will see from the small number of changes I am proposing below, we have much common ground as we plan for the future of Milwaukee County. I look forward to working with you in the days and months ahead to continue to transform Milwaukee County into a model government in the ways it empowers residents and strengthens our community.

The 2016 budget I proposed included numerous initiatives that the Board has joined in championing. Together we agree on expanding employment opportunities, particularly for the un- and underemployed; increasing jobs for the disabled and improving accessibility of County-owned facilities; ending chronic homelessness; shifting to community-based programs to improve access and outcomes; supporting our parks and recreational resources, and improving our ability to manage our facilities in a prudent and sustainable manner. We agree, too, on the importance of investing in our workforce through competitive salaries, equitably administered, and through expanded programs for employees' continued growth and development. And we share a common desire to limit the County's debt in order to continue moving toward long-term fiscal sustainability.

Further, in your work on the budget you have proposed amendments that I welcome and support. Together we have already moved forward to create an Office of African American Affairs to address racial and ethnic disparities that harm families and communities within Milwaukee County. You have added funds for a community identification program to fill a need articulated by many. You have proposed a task force to examine the way we allocate internal costs, and you also asked for recommendations on best practices in budget preparation as well as departmental activity indicators – initiatives that will help us make even better decisions in future budgets.

I ask you to reconsider your budget amendments in just two areas and to work with my team and me on alternatives. By vetoing only two of the 66 amendments you have made to the 2016 proposed budget, I seek to direct your attention to these critical areas and urge compromises on which we can all agree.

The first amendment I am vetoing is the addition of \$4,000,000 to the Sheriff's budget. Like you, I take our responsibility for public safety very seriously. This is why together we moved the House of Correction to an appointed director who has increased programming and job training for the individuals housed there. This is why together we are improving both community safety and individual outcomes for juveniles within the justice system by shifting from detention to community programming. This is why we partner together on the Community Justice Council, to ensure a fair, efficient and effective justice system to enhance public safety and the quality of life in Milwaukee.

I am vetoing this amendment because I will not raise property taxes by 1.4 percent to validate the Sheriff for his repeated incendiary comments and his out of touch views on criminal justice and our society. Rather than participate in constructive ways to address real and serious issues in our community, the Sheriff offers instead what the Milwaukee Journal Sentinel calls his “extreme and attention-grabbing comments.” The Sheriff may choose to refer to people in the Black Lives Matter movement as “sub-human creeps.” These statements aren’t just categorically untrue, they are divisive, foster anger and intolerance, and only serve to exacerbate the issues they purport to address.

The Sheriff’s Office already spends one-quarter of the County’s tax levy, even though Milwaukee County is one of the few fully-incorporated counties in the country, with the entire county patrolled by municipal police departments. Further, the Sheriff’s Office provides no transparency on its operations and its impacts. Despite repeated requests, including from the Board itself, the Sheriff refuses to account for the \$75 million in overall public funding he receives today, including \$70.8 million from the tax levy.

I recognize that the Sheriff’s Office has legitimate funding needs to support its constitutionally-mandated operations; this is why my recommended budget maintained the 2015 tax levy, rather than proposing reductions. In vetoing the Board’s addition of \$4 million more to the Sheriff’s 2016 budget, I call on the Board to hold a public and open discussion about the role of the Sheriff’s department in a fully incorporated county. The Public Policy Forum has suggested such an approach and is an example of an independent and objective third party that could coordinate the analysis and recommendations. Should such a review identify a need for additional funding, it could be added later. To my mind, we improve neither public safety – nor transparent and responsible stewardship of public funds – by offering a blank check for \$4,000,000 to the Milwaukee County Sheriff.

The second veto I ask you to consider is of the amendment adding \$750,000 for a fish passage to the Estabrook Dam. I urge the Board to sustain this veto and to take the further step of authorizing the demolition of the dam itself, as you have agreed in the past. First and foremost, removing the dam, as we have been told repeatedly, is critical to improving the health of our waterways and related ecosystems. As guardians of over 15,000 acres of open space and parkland in Milwaukee County, we are responsible to current and future residents to care for these precious resources. The dam is a barrier to a free-flowing, healthy waterway and to a natural and attractive watershed, and that reason alone justifies its removal.

Further, removal of the dam is fiscally responsible. Removing the dam is estimated to cost \$1.7 million, much of which can be funding through grants and other non-tax-levy sources. Repairing the dam will require a capital investment of \$2.3 million including interest costs on financing bonds, plus at least another \$1.1 million for a fish passage. It will then will require \$160,000 annually to operate, along with an unknown amount to operate the fish passage, in today’s dollars. These are funds that could be better invested in our Parks system to support and improve the natural areas entrusted to us. I ask that the Board sustain this veto and allow us to bring a plan to you in early 2016 to fund the demolition of the Estabrook Dam and benefit the entire community – and our critical natural resources.

Our points of agreement are many, and our points of genuine disagreement are few. I urge the Board to sustain these two vetoes and work with me in new and creative ways to address the issues we face. Milwaukee County can indeed be a model government, and together we can serve our residents and strengthen our community.

VETO MESSAGES

OFFICE OF THE SHERIFF

Veto #1 to Amendment 1a001 that increases the County's tax levy by \$4 million for the Office of the Sheriff, without specific appropriations or accountability

Precisely because public safety is so important, as elected officials, we must use wisely the limited resources we are entrusted with and make disciplined decisions based on sound data, research and evidence. Milwaukee County is one of only a few fully-incorporated counties in the United States. That means every inch of the county is also covered by its own municipal police department. In other counties across the United States, Sheriffs provide police services in unincorporated lands. In Milwaukee County, the Sheriff continues to spend one-quarter of Milwaukee County's property tax levy – over \$70 million - despite the fact that the entire county is patrolled by municipal police departments.

The Sheriff's Office has seen significant downsizing in recent years: he no longer operates the House of Correction, the 911 Call Center, or the Office of Emergency Preparedness – operations that total hundreds of employees. Further, the Sheriff's Office receives \$7.6 million in subsidized services paid for through the House of Correction budget. While his operations have decreased over the years, the Sheriff continues to receive the largest portion of the tax levy in the County budget. At the same time he's making increasingly unrealistic budget requests and spending more of his budget on top command staff compared to spending on deputies. As suggested¹ by the Public Policy Forum, it is time for the community to have an honest and open discussion about the level of funding that is legitimately required by the Sheriff to run the jail, service the courts, and fulfill his other statutory responsibilities.

Instead, recent public discussion related to the Sheriff has focused on what the Milwaukee Journal Sentinel has described as his “run of extreme and attention-grabbing comments.”² While the County Board and I have undertaken the hard work of passing the County's budget, the Sheriff has been spending his time publicly referring to people in the Black Lives Matter movement as “sub-human creeps”³ and saying that African Americans sell drugs because they are uneducated, lazy, and morally bankrupt. These statements aren't just categorically untrue; they are divisive, foster anger and intolerance, and only serve to exacerbate the issues they purport to address.

This same Sheriff has also often accused me, the District Attorney, the Chief Judge, and others of being “soft on crime”⁴ because of our shared commitment to develop programs that have been shown to decrease recidivism and help people get their lives back on track. Decades of research have now demonstrated that the Sheriff's “lock ‘em up and throw away the key” approach to criminal justice does not work and only contributes to a level of racial disparity that Michelle Alexander aptly dubbed “The New Jim Crow.” Public insults and accusations don't make us safer. As public servants, our responsibility is not to make headlines, our responsibility is to make a difference. We are all more effective doing that when we look for partners and solutions, not enemies and fights.

¹ <http://publicpolicyforum.org/sites/default/files/2016CountyBudgetBrief.pdf>

² <http://www.jsonline.com/watchdog/noquarter/david-clarke-tops-himself-with-latest-tirade-b99611524z1-342115631.html>.

³ <http://www.jsonline.com/blogs/news/337623951.html>

⁴ http://thewheelerreport.com/wheeler_docs/files/1102clarke.pdf.

This amendment gives the Sheriff an additional \$4 million. You have done this by raising taxes. With no discussion about how these resources are to be spent, the Sheriff will continue to spend tax dollars with no accountability to the public.

It is for this reason that I am vetoing this measure that would provide the Sheriff with millions of dollars of additional property taxes without any accountability measures. When you first introduced the idea of giving the Sheriff more money, I asked you to consider making these dollars contingent on implementation of evidenced-based programs that aim to reform the use of the County Jail and reduce racial disparities in the criminal justice system. If the County is going to raise taxes to add additional funds to the Sheriff's Office, that money should be spent on reforming our criminal justice system, getting smarter on crime, and reducing the extent to which we lock people up for minor offenses.

I know that every member of the County Board shares my passion for the most effective, evidence-based public safety investments we can make. Working together over the years, we have funded the Courts' universal screening program, implemented job training and education programs at the House of Correction, and overhauled the juvenile justice center to focus on community-based programs rather than detention. I ask you to sustain this partial veto and instead work with an independent and objective third party and community leaders to convene a public and open discussion about the role of the Sheriff in Milwaukee County.

ESTABROOK DAM

Veto #2 to Amendment 1b013 that adds a fish passage to the Estabrook Dam repair project.

I am vetoing this amendment that continues the policy of repair and, moreover, makes repair significantly more costly. The veto proposes an alternative to the fish passage that is both cheaper and more environmentally friendly: removal of the Estabrook dam.

Although sustaining this veto will leave the project without funding, we know that a significant portion of the funding for removal can and will be obtained through private donations and grants (from the Department of Natural Resources, the Fish and Wildlife Service, etc.) In early 2016, we will bring to the Supervisors a plan for paying for the removal through grants and other options.

To be clear, a vote to remove the dam is in line with what Supervisors have already heard from numerous environmental groups and river preservationists, as well as the most fiscally responsible action. A vote to repair the dam has been pushed and advocated by a small group of people with a vested, personal interest. It is their right to advocate, but Supervisors have to consider the countywide environmental and fiscal impact.

The decision to veto this amendment was made in a disciplined way by weighing costs and benefits of all options, as well as in consultation with the community who overwhelmingly advocates for removal of the dam. For example, a survey conducted by Milwaukee County showed that of the 341 individual responders, 68% favor removal. This sentiment was strongly expressed through the multiple public hearings held by the Board and by the Parks Department on the issue, as well as the multitude of calls and emails my office and the Board received.

The community concern came from a diverse group of people, including environmentalists, flood management experts, fishermen, realtors, etc. This has included over a hundred City of Glendale residents who have contacted the Board. We have heard from the City of Milwaukee, where the

Common Council and Mayor urged for removal of the dam. We have also heard the same message from the Milwaukee Metropolitan Sewerage District and Village of Shorewood.

From an environmentalist perspective, dams damage rivers and their ecosystems. As cited by the group American Rivers, “the goal of removal can be multi-faceted, including restoring flows for fish and wildlife, reinstating the natural sediment and nutrient flow, eliminating safety risks, restoring opportunities for recreation, and saving taxpayer money.”

Removal of the dam is also the most fiscally responsible option available, with benefits including:

- Capital savings of over \$1.7 million compared to the alternative
- Require no annual Operation and Maintenance
- An Operating Budget savings of \$160,000 annually. The cost to operate a dam is currently not fully funded, nor has the cost of operating a fish passage been estimated.
- Eliminate the unwanted accumulation of sediments and debris upstream
- Restore the river to a more natural looking, free flowing condition
- Remove impediments to navigation and fish passage
- Eliminate upstream flooding impacts caused by the existing dam
- Lower river levels during floods more than other options
- Improve public safety and reduce potential risks and liabilities
- Provide a more regular hydrologic condition for aquatic species
- Eliminate the operational and regulatory requirements of dam ownership

I ask you to sustain this veto and allow us to bring a plan to you in early 2016 to fund the demolition of the Estabrook Dam and benefit the entire community – and our critical natural resources.