



County of Milwaukee
Office of the Sheriff

June 1, 2013

Committee on Finance, Personnel and Audit re: 13-306

David A. Clarke, Jr.
Sheriff

I join you today to voice, on behalf of Sheriff Clarke, our disdain for an item that purports to be a resolution and related ordinance clarifying the use of County funds but is nothing more than a gag of Sheriff Clarke predicated on a straightforward difference in policy beliefs.

I have provided the Committee Clerk with copies of my brief comments today, as well as 4 copies of a disc containing 5 video clips and 8 separate audio clips for the committee's consideration. I ask the Chair's indulgence in playing the video clips only at this time, as their content forms a context for my brief remarks this morning. In making this request, I guarantee the Chair that the clips will last less than 3 minutes in total, and that none of the clips feature the voice or likeness of Sheriff Clarke, as I do not desire to enrage any members present.

The purpose of those clips, but 4 of the many that show both elected and appointed professionals delivering information related to the real lives of citizens, directly to them in an audio visual, 21st century format, is to establish quickly what my testimony alone could not.

I have been to the section of the Milwaukee Police Departments website, entitled "The Source", where Chief Flynn, another long-serving law enforcement professional and agency head, promises his citizens the "...genuine, unfiltered information from us - from the latest crime stats to a hard-hitting story about an officer's work that you won't see anywhere else. We'll correct the news stories that got it wrong, and we'll highlight the ones that got it right. Most importantly, we'll create our own content, so you can see what the Milwaukee Police Department is really accomplishing in the community."

If Chief Flynn, who is admittedly an appointee and not an elected, airs a piece on MPD response times is that issue political? Does it matter that he represents the viewpoint of an elected mayor? Does it matter that elective campaigns may turn on issues such as that? Or is the message a valid one of public safety, and ensuring that the public is informed? And who makes that call?

When County Executive Abele appears in a broadcast television commercial for Milwaukee Transit, is he burnishing his image to the electorate? Do riders choose to use the system based on their perception of the likelihood of encountering him on it in any given day? Or his trustworthiness in managing a maintenance program that torques lug nuts to tolerance? Is he a better spokesman for the system than Mr. Sulu? And who makes that call?

With this item the County Board makes the call. Under the guise of a potential ethics violation, the resolution seeks to place what he himself has correctly called a “gag order” on Sheriff Clarke, and one that is based on, despite attempts to paint it as something else, a policy difference. After both noting that current ethics ordinance denotes that elected officials have responsibility for oversight of their budget and can direct spending, the resolution overreaches by seeking to define what it terms “appropriate public communications that are paid for with public dollars. That is a problem: The board, or any governing body, determining the propriety of an elected, and in this case a public safety official, discussing issues of public safety directly with the public.

Why does the resolution seek this power? As opposed to discussing the actual policy differences between author and Sheriff which all know directly spurred this action, the resolution seeks the higher neutral ground: The change is needed, it would have it, as using county funds to pay for communications “...can give the appearance of promoting an elected official prior to re-election campaigns, or otherwise suggest that incumbents obtain other advantages through the use of paid advertisements whether or not actual campaigns are in progress.”

To that end, I can assure the committee that in regard to Sheriff Clarke, this resolution is an answer in search of a problem. The Sheriff is not a candidate for elective office. Members of the board needn't wonder whether the Sheriff would broadcast a PSA bearing his likeness and voice once the nominating papers for elective office are in. Under the same guidelines that we operate in federal forfeiture usage, County ethics policy is already clear on this point: No county public official or employee shall, for the apparent purpose of seeking to elect or defeat a person seeking elective office, engage in what one might consider campaigning activities

How the resolution creates this particular gag however, to as much extent as the Policy reasons that it does so, is of real concern to this committee. What is media? Does the internet count? Does web streaming? Does a county supervisor's county website? The electeds at the city already have streaming video content, on their websites. Nice welcome messages, with both video and audio of the elected. Unfortunately, this resolution is mired in the old technology: A photo likeness of an elected official is OK. A Glossy 4-page mailer that discusses both political and policy issues is fine, even though we may pay a 3rd party, the US Postal Service, to distribute it. We're certainly using tax money to create them. Every time one of us leaves the house or turn on the lights at the office, or cranks up the printing presses at HOC graphics, we're spending taxpayer money. Its what we do. All of that money, in the words of the resolution “flows through the county's financial system.”

Video, audio, streaming, broadcast media... these are the tools of the next hundred years. Not mailers and posters.

There is speculation, I think, about just what the Federal Communications Commission denotes as a Paid Public Service Announcement: Any announcement where consideration of any sort (including, but not limited to, cash, goods or services, in-kind contributions, endorsements, or favorable

treatment) is made to any FCC licensee for issues of the community, in 15, 30 and 60 second formats.

Clearly as my last video clip, of a Sheriff in Sarasota Florida demonstrated, it's not really an issue of practice. A Sheriff is elected, it's true. So are Mayors and County Executives. But they also become the faces, to their public, of these governmental bodies. They are not only subject matter experts, but lend their offices, and their messages, prestige. They do, in the words of another section of the county's ethics code, allow an "ethical" elected official to "Inject the prestige of the office into everyday dealings with the public, employees and associates."

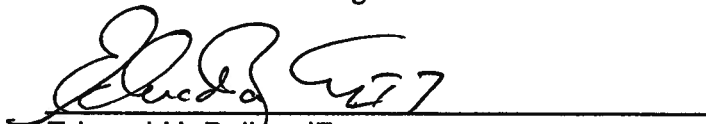
On the disc that I have provided is a collection of audio PSAs, all from Sheriff Clarke. The 3 that have triggered this legislation; But also 6 other PSAs on topics including Texting while Driving; OWI enforcement; the importance of reading and education, and safety at area festivals. Clearly none of these PSAs, going back 3 years, triggered today's agenda item despite their airing in the same formats. I expect that may be because they, as with the Florida Sheriff's clip, are in relation to another type of safety: Traffic safety. No less an authority than the federal NTSB and their concept of the "Three E's" of traffic safety, Enforcement, Engineering, and Education, have brought that concept to bear on the issue of that kind of safety. Education. In relation to personal safety from potentially violent crime. That is what Sheriff Clarke seeks: to make real his constitutional duty by sending a message intended to prevent people from being victimized by crime. That is his charge as he sees it: To choose his ways and means of performing his work, and be accountable to the sovereign, the voters of his county, in doing so. And when crime prevention becomes unethical the world is upside down.

Mr. Chairman, I thank you for your indulgence in time, in speaking on behalf of Sheriff Clarke. I close my prepared comments with another section of the county's ethics code...a favorite section, that I reread just yesterday in preparing to address you this morning.

"...standards of ethical conduct for public employees and public elected and appointed officials need to distinguish between those minor and inconsequential conflicts which are unavoidable in a free society and those conflicts which are substantial and material; and

"The proper operation of democratic government requires that public officials and employees be independent, impartial, and responsible to the people; that decisions and policy be made in the best interests of the people..."

Today's action attempts to establish the formal county position on how all electeds talk to their constituents. It seeks the Sheriff tomorrow, but would bind you as surely in the days ahead. It is not an issue of election year politicking. It is a reaction to a message found distasteful.



Edward H. Bailey, 17
Milwaukee County Sheriff's Office

MILWAUKEE POLICE WEBSITE EARNS "INTERNET'S HIGHEST HONOR"

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We created The Source to give you the genuine, unfiltered information from us - from the latest crime stats to a hard-hitting story about an officer's work that you won't see anywhere else. We'll correct the news stories that got it wrong, and we'll highlight the ones that got it right. Most importantly, we'll create our own content, so you can see what the Milwaukee Police Department is really accomplishing in the community.

LATEST HEADLINES

- 2013
- 2012

2 DAYS AGO

Recognize this South Side Liquor Store Robbery Suspect?
Milwaukee Police are seeking the suspect responsible for...

2 WEEKS AGO

MPD Seeking Information on Scrap Metal Thieves
The Milwaukee Police Department is seeking information...

5 DAYS AGO

MPD Seeking TCF Bank Robbery Suspect
Milwaukee Police are seeking the suspect responsible...

2 WEEKS AGO

Help MPD Identify May 19 Robbery Suspects
Milwaukee Police are seeking the suspects responsible...

1 WEEK AGO

District 2 Officers Use CPR Skills, Save Life
District 2 Officers Aaron Frantal, Adam Rusch...

FOR THE RECORD

2 WEEKS AGO

Statement of Chief Flynn on Derek Williams Decision by Federal Officials
Regarding the decision of Federal officials to...

3 WEEKS AGO

Help MPD Identify the May 18 Popeyes Robbery Suspects
Milwaukee Police are seeking information on the...



Patricia Jursik *Update*

8th District Milwaukee County Supervisor Patricia Jursik
901 N. 9th Street, Courthouse RM 201, Milwaukee, WI 53233
Phone: 414-278-4231 Fax: 414-223-1380
E-mail: patricia.jursik@milwcnty.com
Website: <http://www.milwaukee.gov/Jursik>



May
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E-NEWS

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Aging & Disability Resource Center (ADRC) Governing Board

Milwaukee Art Museum, Trustee

Milwaukee County Federated Library System, Trustee

Milwaukee County Research Park Corporation Board

Milwaukee Gateway Aerotropolis Corporation

Constituents Weigh in on County Government

I thank constituents for their input about legislation calling for the restructuring of County government at a public meeting on April 4 in South Milwaukee. At the meeting, my office provided an objective view of County governance and presented the key aspects of Wisconsin Assembly Bill 85/Senate Bill 95. State Representative Joseph Sanfelippo provided the rationale for his legislation. County Supervisor Theodore Lipscomb, Sr., chair of the County Board's Committee on Intergovernmental Relations, responded with a counterpoint argument from the local Board perspective. I invite my constituents to view the slides online [here](#).

About 200 residents joined me to learn, to ask questions and to comment on this proposal. We enjoyed a thoughtful, respectful discussion about this legislation. Constituents have also emailed and called me to weigh in on this matter. Written comments may be viewed [here](#). Most who registered comments opposed the legislation.

Did the County Negotiate with a Non-Certified Union (AFSCME) in Violation of Act 10?

A number of District 8 constituents have asked me to join five other supervisors in seeking removal of the County Board Chairwoman. I have also received a number of questions regarding the issue of negotiating with a non-certified union, which is not permitted under Act 10, the legislation that removed significant provisions of municipal employee bargaining rights. To respond, I have consistently stated and reiterate in this Open Letter to all of my constituents:

I believe that communications, conversations, discussions, interactions or, if you like, "negotiations" did take place between the County's labor negotiator Fred Bau and AFSCME's Rich Abelson. I believe these two gentlemen have both stated as much. I do not know who directed Mr. Bau to act as he did. The Finance Committee, the Board Chairwoman and County Executive each have the ability to direct Mr. Bau. I know the following are the facts:

Fact: The Finance Committee, of which I am a member, has taken no formal vote to direct negotiations or to enter into a contract with AFSCME (Discussions with legal counsel took place in closed session. Our legal counsel has always provided legal advice consistent with the directives of Act 10. Closed session discussions are confidential).

Fact: The Chairwoman never placed a negotiated contract with AFSCME on any committee agenda for a formal vote.

Fact: I have never had an opportunity as your representative on the Board to vote against such negotiations. My position has always been that AFSCME is not a certified union and therefore cannot act to represent employees of the County under Act 10.

Fact: There is no contract with a decertified union in violation of Act 10.

I will continue to work within the realm of facts. I do not intend to react to political requests that are not factually based. For this reason, I will not join any group seeking to remove the Chairwoman based on hearsay or “he said, she said” conjectures or any other politically charged statement surrounding this issue. Please call or e-mail my office if you wish to discuss this further.

County Board Action for Reform

On April 25, the County Board approved a resolution to reform itself. I supported this effort and voted in the affirmative. This plan is a compromise and a cooperative effort to reduce the County Board’s costs and to clarify roles of elected officials while preserving a voice for residents and a balance of powers. The entire proposal can be viewed through [this link](#). Here are some highlights:

Compensation

Salaries of supervisors would be reduced by 20%. Supervisors would no longer receive a pension for future service beginning with the 2016 term unless they pay the full cost.

Terms

The term of supervisors would be reduced from four years to two years.

Staff

County Board staff would be reduced by 50%. Chairwoman Dimitrijevic and I are already implementing this step by agreeing to share an aide. While I will not be able to respond to constituent service requests as quickly, we will make this sacrifice. Please understand that I have been able to be active and responsive to my district in part due to the support of my aide.

Governance

This resolution clarifies that the County Executive manages and supervises the heads of each department and is responsible for overseeing day-to-day operations. The Board is the policy making branch and should provide oversight.

Departments

The County Executive and County Board shall each appoint a staff person to carry out intergovernmental relations. The Community Business Development Partners staff shall be transferred to the control of the independent Comptroller’s office. Committee clerks shall be managed by the County Clerk.

Labor Negotiations

This resolution calls for an ordinance change. This would transfer to the County Executive the charge of negotiating employment matters currently vested with the Finance Committee. The Finance Committee would approve agreements, provide policy oversight and determine the parameters for the County’s labor negotiator.

Governance, Operations and Efficiency Audit

An independent audit would identify appropriate staffing levels, appropriate roles and responsibilities, organizational best practices and additional efficiency measures and recommendations.

The County Executive is now considering this resolution which the County Board

[Printable Version](#)

[Council Member Web Pages](#) > [Alderman Dudzik - 11th District](#)

Alderman Dudzik - 11th District



Joe Dudzik

11th District Alderman



Biography	Committees	District Map
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City Hall, Room 205, 200 E. Wells St., Milwaukee, WI 53202 | (414) 286-2221

E-mail jdudzi@milwaukee.gov

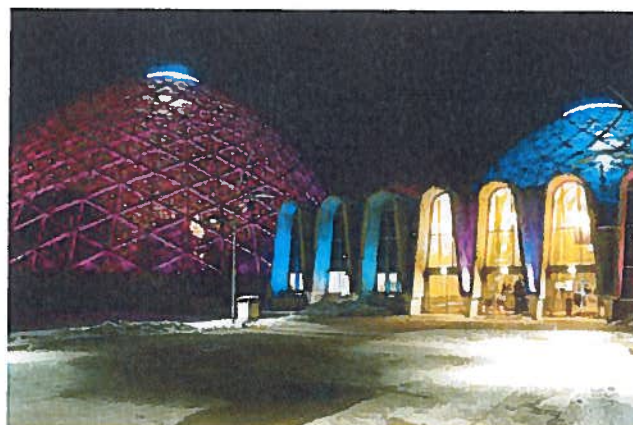
11th District Newsletters



Welcome Video



Photo Gallery



Ald. Dudzik encourages residents to visit the newly lighted Mitchell Park Conservatory and tour the recently re-opened Domes.

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What's New



**Smaller Bills.
Bigger Comfort.**

www.SmartEnergyPays.com
(877) 399-1203

2013 Milwaukee Police Department District Six Crime Analysis Meetings

The purpose of these meetings is to keep residents informed of the crime trends in their neighborhoods. Statistics from the previous month will be presented via power point. The meetings begin at 6:30 p.m.

Wednesday, May 29--St. Luke's Hospital, 2900 W. Oklahoma Ave.

Wednesday, June 26--South Shore Park Pavilion, 2868 S. Shore Dr.

Wednesday, August 28--Water Tower, 4001 S. 6th St.

Wednesday, September 25--St. Luke's Hospital, 2900 W. Oklahoma Ave.

Wednesday, October 30--St. Matthias Parish, 9306 W. Beloit Rd.

Wednesday, November 27--St. Luke's Hospital, 2900 W. Oklahoma Ave.

For information about these meetings or starting a block watch in your area, contact P.O. John Klein at (414) 935-7198 or jmkle1@milwaukee.gov.



Morgan Ave. Repaving Project

Work is underway on the reconstruction of W. Morgan Ave. from S. 68th St. to S. 84th St. During the project, crews will be removing the existing asphalt surface and concrete base and placing seven inches of new concrete on a five-inch gravel base. Throughout the project, curb and gutter will also be replaced, along with sidewalk and driveway approaches (replacement will vary based on condition). The end result will be increased green space on the south side of W. Morgan Ave. from S. Massachusetts Ave. to S. Honey Creek Dr. across from the existing service drives without any permanent impacts in each direction to traffic and parking. The project will also include work to the W. Morgan Ave. culvert over Honey Creek, with concrete surface repairs, waterproofing (using a rubberized membrane), and replacement of the existing railings with new crash tested railings.

The work on the project is being done in two stages: first on the north side of W. Morgan, and then the second stage on the south side of the roadway. During the entire project, one traffic lane will be maintained at all times in each direction. The project is a Wisconsin Department of Transportation project, and 80% of the funding is provided by Surface Transportation Program (STP) funds. The remaining 20% is provided by the City of Milwaukee and abutting property owners.



Call For Action - Governmental Phone Directory

This PDF printable version is arranged alphabetically by specific topics and problems, and it provides phone numbers and web addresses to help you reach the people who perform hundreds of services in city government. The back pages also include county, state, and federal phone numbers, and additional numbers and web addresses of other frequently requested, non-government services and organizations.

The City of Milwaukee takes pride in its reputation of providing efficient, high quality, responsive, and cost-effective services to residents and businesses. The Call for Action booklet is well organized and can quickly connect you to the services and information you need.

A limited number of booklets can be obtained by contacting my assistant at 286-3446.

An online version of the Call for Action is also available at www.city.milwaukee.gov/callforaction

City Website on Foreclosure Issues

The City of Milwaukee foreclosure website www.milwaukeehousinghelp.org includes a variety of topics -- including information on resources for purchasing a foreclosed property through the City's Neighborhood Stabilization Program, resources for individuals who may be facing or at risk of foreclosure, referral information if residents want to report a foreclosed and/or vacant property in their neighborhood, and an interactive and searchable mapping utility for locating foreclosed properties in the City (including links to the MLS for those properties that are currently listed).

Questions? Please call Maria Prioletta in the Department of City Development at 414-286-5903.

Have You Experienced a Basement Backup?

If you experienced a basement backup as a result of the exceptionally heavy rain in the area, we want to hear about it. Your input is valuable in determining where backups occurred and how to possibly prevent future problems of this nature. Call 286-CITY (2489) to report your problem 24/7.

New Crime Maps and Data Available

The City of Milwaukee, in partnership with the Milwaukee Police Department, has created two new web applications that you may find useful and informative.

PDF Crime Map Downloads - www.milwaukee.gov/aldermanicmaps

This application will allow you to download and print crime maps for a specified aldermanic district. Each district map displays incidents in twelve major crime categories during the previous four weeks. Maps are updated weekly.

Dispatched Calls for Service - www.milwaukee.gov/policecalls

This application displays a list of calls made to the Milwaukee Police Department (MPD) for police services. The "calls for service" list works much like a printed police scanner. It includes police calls received during the last 30 - 90 minutes.

South Side Now Covered by Web Crime Watch Sites

Ten Internet crime watches have been set up to cover the entire south side of Milwaukee. [Click here for more information.](#)

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Crime Stoppers

CRIME STOPPERS HOTLINE

1-800-577-TIPS (8477)

Text "TIP577" (plus your message) to "CRIMES" (274637)

Send Internet Tips

If the information you provide leads to an arrest and indictment, the caller is eligible for a reward up to \$2,000.

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Police Commissioner

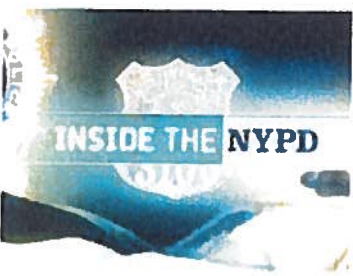


Raymond W. Kelly
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 A combat veteran of the Vietnam War, Commissioner Kelly retired as a Colonel from the Marine Corps Reserves after 30 years of service...

Multimedia



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[Electronic Device Safety](#)
 Subway crime is at historic lows in New York City, but don't take safety for granted. Keep your electronic devices out of sight and stay alert. Related: [Inside the NYPD Transit Bureau](#)

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- Emergency: **911**
 - Non-Emergency: **311**
 - Terrorism Hot-Line: **1 (888) NYC-SAFE**
 - Sex Crimes Report Line: **1 (212) 267-RAPE**
 - NYPD Switchboard: (646) 610-5000
 - Info on Access to 911 for Deaf and Hard of Hearing [Click Here](#)
 - [Oppose Parole for Cop Killers \(NYCPBA link\)](#)
 - [More...](#)

- Crime Stoppers**
- Call 1-800-577-TIPS (8477)
 - Text "TIP577" (plus your message) to "CRIMES" (274637)
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Tuesday, June 11, 2013

[MAYOR BLOOMBERG AND POLICE COMMISSIONER KELLY HONOR MEMBERS OF THE NYPD AT ANNUAL MEDAL DAY CEREMONY](#)

Mayor Michael R. Bloomberg and Police Commissioner Raymond W. Kelly today honored 43 members of the New York City Police Department and recognized 12 commands for exceptional performance at the annual NYPD Medal Day ceremony inside One Police Plaza.

Friday, June 7, 2013

[Weekend Traffic Advisory](#)

NEW YORK CITY POLICE DEPARTMENT ANNOUNCES STREET CLOSURES AND EXPECTED TRAFFIC DELAYS FOR JUNE 8th & 9th, 2013

Friday, May 31, 2013

[Weekend Traffic Advisory](#)

NEW YORK CITY POLICE DEPARTMENT ANNOUNCES STREET CLOSURES AND EXPECTED TRAFFIC DELAYS FOR JUNE 1st & 2nd, 2013

Friday, May 24, 2013

[Weekend Traffic Advisory](#)

NEW YORK CITY POLICE DEPARTMENT ANNOUNCES STREET CLOSURES AND EXPECTED TRAFFIC DELAYS FOR MAY 25th, 26th & 27th, 2013

Friday, May 17, 2013

[Weekend Traffic Advisory](#)

NEW YORK CITY POLICE DEPARTMENT ANNOUNCES STREET CLOSURES AND EXPECTED TRAFFIC DELAYS FOR MAY 18th & 19th, 2013

[More News...](#)

[Notice of Adoption of Amendment Regarding Certificates of Conduct and Non-criminal fingerprinting.](#)

[Police Academy College Point, Queens Final Environmental Impact Statement](#)

[Public Safety Answering Center II Final Environmental Impact Statement](#)

[One Police Plaza Security Plan Final Environmental Impact Statement](#)



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