

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: February 16, 2024

To: Marcelia Nicholson, Chair, Milwaukee County Board of Supervisors

From: John Chisholm, District Attorney

Subject: From the District Attorney, Requesting Retroactive Permission to Enter into Contracts with the Milwaukee Police Department in the amount of \$180,264, the South Milwaukee Police Department in the amount of \$42,228, and the West Allis Police Department in the amount of \$46,824, for Law Enforcement Services to the Milwaukee Metropolitan Drug Enforcement Group, with effective dates of January 1, 2024 through December 31, 2024, which are fully funded by a Byrne JAG Task Force Grant Award from the Wisconsin Department of Justice (WI-DOJ Subgrant 2022-DJ-01 18546)

File Type: Action Report

REQUEST

The District Attorney's Office requests retroactive permission to enter into one-year contracts with the Milwaukee Police Department in the amount of \$180,264, the South Milwaukee Police Department in the amount of \$42,228, and the West Allis Police Department in the amount of \$46,824, for law enforcement services to the Milwaukee Metropolitan Drug Enforcement Group Task Force, with effective dates of January 1, 2024 through December 31, 2024. The proposed contracts are fully funded by a \$543,365 Byrne JAG Task Force Grant Award from the Wisconsin Department of Justice (WI-DOJ Subgrant 2022-DJ-01 18546) and are a condition of that award.

This request has no tax levy impact.

POLICY

Milwaukee County Code of General Ordinances:	MCGO 17.05(1)
Specific Adopted Budget:	2024 Adopted Budget

BACKGROUND

The Milwaukee Metropolitan Drug Enforcement Group Task Force (MMDEG) is a multi-jurisdictional task force comprised of members of the Milwaukee, South Milwaukee, and West Allis police departments and the Milwaukee County District Attorney's Office. The MMDEG combats illicit drug trafficking in Milwaukee County by targeting, investigating

and arresting mid-to-major level drug dealers, and by prosecuting those offenders in specialized Milwaukee County speedy trial felony drug courts.

The MMDEG was established in 1991 with a grant from the Wisconsin Department of Justice (WI-DOJ) through the Edward Byrne Memorial Justice Assistance (Byrne JAG) Drug Task Force Grant program and is re-funded every year by a recurring, non-competitive grant from WI-DOJ through the Byrne JAG program. The Byrne JAG Task Force grant is awarded annually to Milwaukee County on behalf of the District Attorney's Office, which has served as the fiscal and administrative director of the grant since 2004.

Byrne JAG Task Force grant funds are used to support the MMDEG in two ways.

First, grant funds reimburse the State of Wisconsin for the salary and benefit costs of the Milwaukee County assistant district attorneys who are assigned to the grant. Second, the award funds contracts with the three member law enforcement agencies for partial reimbursement of the salary and benefits costs of the sworn officers who are assigned to the MMDEG and perform task force activities (hereinafter, "MMDEG contracts"). The percentage of reimbursement to the agencies varies from year to year, depending on the salary and benefit costs of the personnel assigned, but is generally between 32% and 36% of the officers' costs. The law enforcement agencies are responsible for the portion of the officers' salary and benefit costs which are not covered by the MMDEG contracts.

All MMDEG contract costs are paid using grant funds: the contracts provide that, if grant funds are not available, the contracts are void. There is no tax levy cost to Milwaukee County as a result of the grant award or the MMDEG contracts which are required by the award.

The calendar year 2024 Byrne JAG Task Force grant award (WI-DOJ Subgrant 2022-DJ-01 18546) is \$543,365. The award is comprised of two portions: a federal award in the amount of \$321,147; and a state award, which is treated as "match" funding, in the amount of \$222,218. In general terms, "match" is the non-federal share of the total project costs that a grantee is required to contribute in some grants to achieve the purposes of the grant award. For the Byrne JAG Task Force grant, the State provides the match funding from state revenue; there is no match cost to the County.

On November 11, 2023, the District Attorney's Office submitted its application for the WI-DOJ Subgrant 2022-DJ-01 18546 award, which is attached to this file. ("WI-DOJ Subgrant 2022-DJ-01 18546 Application") The application provided that the three member law enforcement agencies would assign personnel to the MMDEG in calendar year 2024 as follows:

- The Milwaukee Police Department would assign one police supervisor, who would serve as director of the MMDEG Police Unit, and two police officers;
- The South Milwaukee Police Department would assign one officer; and
- The West Allis Police Department would assign one officer.

The application for WI-DOJ Subgrant 2022-DJ-01 18546 provided that the District Attorney's Office would enter into one-year contracts with the three member law enforcement agencies for partial reimbursement of those officers' salary and benefit costs for calendar year 2024, as follows:

- With the Milwaukee Police Department, a contract in the amount of \$180,264, calculated as reimbursement at 50% of the annual compensation of the sergeant supervisor and 34% of the annual compensation of the two officers;
- With the South Milwaukee Police Department, a contract in the amount of \$42,228, calculated as reimbursement at 34% of annual compensation of the police officer; and
- With the West Allis Police Department, a contract in the amount of \$46,824 calculated as reimbursement at 34% of the annual compensation of the police officer.

The officers' salary and benefit amounts were provided by the respective law enforcement agencies. The reimbursement rates were reached by determining the amount of grant funds necessary to fund the ADA positions, then allocating the remaining award among the law enforcement personnel. The rates and the grant budget were approved by the MMDEG Supervisory Commission before the grant application was submitted.

On December 28, 2023, WI-DOJ awarded Subgrant 2022-DJ-01 18546 award in the amount of \$543,365 to Milwaukee County. In making the award to Milwaukee County, WI-DOJ made execution of the MMDEG contracts a condition of the receipt of the grant award. County Executive David Crowley accepted the WI-DOJ Subgrant 2022-DJ-01 18546 award on behalf of the District Attorney's Office on January 5, 2024. The accepted award letter is attached to this file. ("WI-DOJ Subgrant 2022-DJ-01 18546 Award").

Annually, the District Attorney's Office secures County Board of Supervisors' approval for the three MMDEG contracts as part of the annual budget process. In 2023, with the transition to the new budget submission process in Sherpa, the District Attorney's Office neglected to list the three MMDEG contracts in the Sherpa budget tab. The WI-DOJ Subgrant 2022-DJ-01 18546 revenue and the contracts expenditures were, however, listed in the budget revenue and expenditure accounts: the grant revenue, in account 44007; the expenditures, in accounts 60030 (State reimbursement) and 60111 (the MMDEG contracts). The Board approved the District Attorney's 2024 department budget as submitted, on November 9, 2023.

In January of 2024, the District Attorney's Office drafted and circulated the MDMEG contracts as described above for signatures. During that process, the Corporation Counsel opined that posting the contracts in expenditure accounts was not sufficient to secure County Board approval for them; and because they were not listed in the Sherpa Contracts tab, the department would need to secure the Board's retroactive approval to enter into them. Subject to receiving that retroactive approval, each contract was approved and signed by the necessary parties and signatories, including the Corporation Counsel and the Office of Economic Inclusion.

The costs of the provisionally approved MMDEG contracts will be covered in full by the WI-DOJ Subgrant 2022-DJ-01 18546 award. The MMDEG contracts provide that, if grant funds are unavailable, the contracts will be void.

Accordingly, the District Attorney's Office requests retroactive permission to enter into the contracts with MMDEG member agencies for calendar year 2024, as required by the WI-DOJ Subgrant 2022-DJ-01 18546 award:

- A contract with the Milwaukee Police Department in the amount of \$180,264 for law enforcement services to the Milwaukee Metropolitan Drug Enforcement Group, with an effective date of January 1, 2024 through December 31, 2024, which is fully funded by WI-DOJ Subgrant 2022-DJ-01 18546 award, and which is attached to this file ("2024 MMDEG MPD Contract") ;
- A contract with the South Milwaukee Police Department in the amount of \$42,228 for law enforcement services to the Milwaukee Metropolitan Drug Enforcement Group, with an effective date of January 1, 2024 through December 31, 2024, which is fully funded by WI-DOJ Subgrant 2022-DJ-01 18546 award, and which is attached to this file ("2024 MMDEG SMPD Contract"); and
- A contract with the West Allis Police Department in the amount of \$46,824 for law enforcement services the Milwaukee Metropolitan Drug Enforcement Group, with an effective date of January 1, 2024 through December 31, 2024, which is fully funded by WI-DOJ Subgrant 2022-DJ-01 18546 award, and which is attached to this file ("2024 MMDEG WAPD Contract").

The requested action will have no tax levy effect. The WI-DOJ Subgrant 2022-DJ-01 18546 award will fully fund the MMDEG contracts, and both the grant revenue and MMDEG contract costs are included in the revenue and expenditures accounts in the department's 2024 budget as approved by the County Board of Supervisors on November 9, 2023.

The District Attorney further requests that the County Board of Supervisors authorize the Office of Strategy, Budget and Performance, working in conjunction with the Office of the Comptroller, to process any appropriation transfers necessary to effectuate the receipt the Subgrant 2022-DJ-01 18546 award revenue or the contract expenditures as designated.

ALIGNMENT TO STRATEGIC PLAN

Describe how the item aligns to the objectives in the [strategic plan](#):

- 1A: Reflect the full diversity of the County at every level of County government
- 1B: Create and nurture an inclusive culture across County government
- 1C: Increase the number of County contracts awarded to minority and women-owned businesses
- 2A: Determine what, where, and how we deliver services to advance health equity
- 2B: Break down silos across County government to maximize access to and quality of services offered

- 2C: Apply a racial equity lens to all decisions
- 3A: Invest “upstream” to address root causes of health disparities
- 3B: Enhance the County’s fiscal health and sustainability
- 3C: Dismantle barriers to diverse and inclusive communities

This request aligns with points 3A, 3B, and 3C of the County’s Strategic Plan.

One aspect of the District Attorney’s Office’s mission is to promote public peace and safety, with a goal of a safe and just community where children have the stability and resources to learn and grow; where neighborhoods can flourish; and where residents and culture can thrive. Because the MMDEG contracts assist in combatting illicit drug trafficking in Milwaukee County through the targeting, investigation, arrest and prosecution of mid-to-major level drug dealers, this request supports that mission, helps address root causes of health disparity, and helps promote diverse and vibrant communities. Using Subgrant 2022-DJ-01 18546 funds to fully fund those activities enhances the County’s fiscal health and sustainability.

FISCAL EFFECT

The requested action will have no fiscal effect. The WI-DOJ Subgrant 2022-DJ-01 award and the MMDEG law enforcement contracts required by the award are included as revenue and expenditures in the department’s 2024 as approved by the County Board of Supervisors on November 9, 2023, and the subgrant award will fully fund the contracts.

TERMS

Each contract will have an effective date of January 1, 2024 and end on December 31, 2024.

VIRTUAL MEETING INVITES

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PREPARED BY:

Karen Loebel, Deputy District Attorney

APPROVED BY:


John Chisholm, District Attorney

ATTACHMENTS:

Resolution; Fiscal Note; WI-DOJ Subgrant 2022-DJ-01 18546 Application; WI-DOJ Subgrant 2022-DJ-01 18546 Award; 2024 MMDEG MPD Contract; 2024 MMDEG SMPD MMDEG Contract; 2024 MMDEG WAPD MMDEG Contract

cc: Kelly Bablitch, Chief of Staff, Milwaukee County Board of Supervisors
Janelle M. Jensen, Legislative Services Division Manager, Office of the County Clerk