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5 **A RESOLUTION**
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7 Proposing practical reforms to Wisconsin hate crimes statutes and giving false
8 information to police officers on the basis of race, religion, color, disability, sexual
9 orientation, national origin, or ancestry of a person; proposing additional guidelines to
10 the National Neighborhood Watch Program to mitigate instances of unconscious racial
11 bias, and proposing efforts to enable police departments are able to screen for and
12 reduce “living while Black” racially-motivated calls for police service
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15 WHEREAS, the murder of George Floyd on May 25, 2020, a Black man in
16 Minneapolis, due to the actions of four police officers who have since been criminally
17 charged, has galvanized racial tension and festered the wounds of America’s racial
18 divide and police-community relations; and
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20 WHEREAS, in today’s parlance, many persons of color would say while going
21 about their business they have been stopped by police for “living while Black,”
22 particularly in predominantly White neighborhoods and commercial areas; and
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24 WHEREAS, on May 25, 2020, in New York City’s Central Park, a White woman
25 was recorded on camera falsely alleging Christian Cooper, a Black man, was
26 threatening her life, emphasizing his race and playing to racial stereotypes, something
27 which potentially threatened the life of an innocent man by weaponizing the police,
28 subsequently galvanized the nation; and
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30 WHEREAS, in a June 6, 2020 letter, Wauwatosa Police Chief Barry Weber
31 wrote, “Police officers do not choose which service calls they respond to,” noting police
32 officers must respond to every call for service; and
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34 WHEREAS, on May 1, 2019, the Milwaukee Journal Sentinel reported in an
35 article titled, “We’ve got the Bucks. The NFL draft. ‘Hamilton’ on the way. Wauwatosa
36 alderman questions need for inclusion commission,” former Wauwatosa East High
37 School Student Isiah Holmes told the City of Wauwatosa’s Government Affairs
38 Committee that he had been stopped by Wauwatosa police 23 times during one
39 summer vacation, and further testified that residents report to police about ‘suspicious
40 activity’ when persons of color walk or drive by when in actuality they are doing nothing
41 wrong; the Journal Sentinel reported Holmes testified, “I felt hunted.”; and

42 WHEREAS, citizens who contact police to report a “suspicious person of color”
43 instead of “suspicious behavior” harm our neighbors, divide our community, set police
44 and innocent members of minority groups on a negative collision course, waste law
45 enforcement’s time by drawing officers to nonissues, and remove law enforcement from
46 its strategic role to protect and serve; and

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48 WHEREAS, police dispatchers must be empowered and required to
49 independently determine when to authorize a police response due to reportedly
50 suspicious behavior and when to deny a police response based on racial bias alone;
51 should a police response be deemed warranted, dispatchers should be required to
52 provide all relevant context to responding officers in advance; and

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54 WHEREAS, in November 2014, a Cleveland police dispatcher sent officers to
55 investigate a report of “a man with a gun” on a playground without sharing vital context
56 that the individual was likely a juvenile and the weapon was likely fake, resulting in the
57 fatal shooting of 12-year-old Tamir Rice; and

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59 WHEREAS, the National Sheriffs’ Association sponsors the National
60 Neighborhood Watch program, which has approximately 40 chapters in Milwaukee
61 County, and in its “Neighborhood Watch Manual” defines “suspicious activity” as
62 “[a]nything that feels uncomfortable or looks out of place,” which to an individual
63 unaware of his or her unconscious bias who is not accustomed to seeing persons of
64 color in his or her neighborhood, may construe the mere lawful presence of a person of
65 color in the area as “suspicious”; and

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67 WHEREAS, Wis. Stat. § 946.41(2m)(a) specifies the criteria by which someone
68 providing false information to a law enforcement officer is guilty of a Class H Felony
69 should, “The violator [give] false information or [place] physical evidence with intent to
70 mislead an officer”; and

71

72 WHEREAS, Wis. Stat. § 939.645 outlays criminal penalties for hate crimes, or
73 “crimes committed against certain people or property” based “in whole or in part
74 because of the actor’s belief or perception regarding the race, religion, color, disability,
75 sexual orientation, national origin, or ancestry of that person...”; and

76

77 WHEREAS, giving false information to a law enforcement officer under Wis. Stat.
78 Wis. Stat. § 946.41 on the individual basis of race, religion, color, disability, sexual
79 orientation, national origin, or ancestry of a person may be charged as a hate crime

80 under Wis. Stat. § 939.645, Wis. Stat. § 946.41 could further specify the criteria of
81 Chapter 939 in its subsections; and

82 WHEREAS, while there is more work to do, Milwaukee County has made strides
83 toward improved race relations and outcomes, for example, through the:

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- 85 • Creation of the Office of African American Affairs to provide “recommendations
86 for changes in programs and laws that disparately impact African Americans;
87 [develop] and [implement]...policies, plans, and programs related to the special
88 needs of African Americans; and [promote]...equal opportunities for African
89 Americans (File No. 15-636)
- 90 • Declaration of racism as a public health crisis and commitment to combatting
91 racism and achieving racial equality (File No. 19-397)
- 92 • Co-creation of the Milwaukee City-County Joint Taskforce on Climate and
93 Economic Equity (File No. 19-582)
- 94 • Creation of a racial equity ordinance to orient County policy toward equity
95 objectives (File No. 20-174 and Milwaukee County General Ordinances Chapter
96 108)

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98 ; and

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100 WHEREAS, Milwaukee County is striving for racial equity to become the
101 healthiest county in Wisconsin; and

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103 WHEREAS, the Committee on Intergovernmental Relations, at its meeting of
104 September 10, 2020, recommended adoption of File No. 20-527 (vote 4-0); now,
105 therefore,

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107 BE IT RESOLVED, Milwaukee County reiterates its condemnation of racism, and
108 that Black lives do matter; and

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110 BE IT FURTHER RESOLVED, Milwaukee County calls upon the Wisconsin
111 Legislature and Governor Evers to pass into law a provision which adds to Wis. Stat. §
112 946.41(2m) which specifies someone who is guilty of violating Wis. Stat. § 946.41(2m)
113 consistent with Wis. Stat. § 939.645, has committed a hate crime due to the actor’s
114 belief or perception regarding the race, religion, color, disability, sexual orientation,
115 national origin, or ancestry of another; and

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117 BE IT FURTHER RESOLVED, Milwaukee County also calls upon the National
118 Sheriffs’ Association, Milwaukee County Intergovernmental Cooperation Council, and
119 Milwaukee County police departments and their police and fire commissions to ensure

120 the implementation of unconscious bias trainings to launch an unprecedented
121 community outreach campaign to educate local Neighborhood Watch groups and others
122 that the mere presence of a person of color is not by itself inherently suspicious; and
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124 BE IT FURTHER RESOLVED, Milwaukee County further calls upon the
125 Milwaukee County Intergovernmental Cooperation Council, Milwaukee County police
126 departments and their police and fire commissions, to ensure implementation of a
127 credible approach to demographically track police response data, and annually create
128 measurable goals relating to reducing “living while Black” police responses; and
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130 BE IT FURTHER RESOLVED, Milwaukee County calls for the Milwaukee County
131 Intergovernmental Cooperation Council, Milwaukee County police departments and
132 their police and fire commissions, to ensure implementation of systems and procedures
133 empowering police dispatchers to screen for, mitigate, and inform police response to
134 calls for service instigated by racial bias when in actuality there is no incident to respond
135 to; and
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137 BE IT FURTHER RESOLVED, Office of Government Affairs staff is authorized
138 and requested to communicate the contents of this resolution to the National Sheriffs’
139 Association, all Milwaukee County police departments, all Milwaukee County police and
140 fire commissions, and State policymakers, and support legislation that achieves the
141 criteria outlined in this resolution; and
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143 BE IT FURTHER RESOLVED, Milwaukee County requests the County Clerk
144 provide this resolution to the National Sheriffs’ Association, all Milwaukee County police
145 departments and police and fire commissions, Governor Evers, legislative leadership,
146 and State policymakers who represent any part of Milwaukee County.
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