



WISCONSIN STATE SENATOR
TIM CARPENTER
SENATOR – 3RD DISTRICT

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September 24, 2007
Hand Delivered

Governor Jim Doyle
State Capitol

Dear Governor Doyle:

I am pleased to hear that you have convened a budget summit to help break the deadlock on so many issues in the Budget Conference Committee. I wish you and the members of the Committee good luck, and good progress.

I would like to draw your attention to an important provision in the Senate Budget, and encourage you to persuade all parties involved to keep it in the final budget: please keep the Senate Budget provision that eliminates the unconscionable state mandate that requires the paying Milwaukee police officers full salary and benefits after they have been fired – even after being convicted in a court of law. (Wisconsin Statutes Chapter 62.50 (18))

Eliminating this unfunded state mandate will save the taxpayers of Milwaukee millions of dollars, and requires no revenue investment from the state.

The need to end this state law is reinforced in the wake of the conviction of three officers in the brutal beating of Frank Jude. The conviction of these officers highlights the injustice of an unfunded police pay mandate, the length of time such appeals are taking, and the great deal of money that is being spent during a time of limited resources.

Under current law, two of these officers will continue to draw their salary and benefits until they are sentenced on November 29th. Fired officers, like those in connection with the beating of Frank Jude almost three years ago, continue to draw their salary and benefits until all appeals are exhausted with the Police and Fire Commission or are convicted and sentenced in a court of law. A recent Journal Sentinel article stated that the officers involved in this crime have been paid \$475,000 in salary and benefits since they were fired.

The Senate provision will potentially relieve millions of taxpayer dollars in an unfunded mandate to the City of Milwaukee. These tax dollars could be used to provide resources to the police department and the good and honest police officers who put their lives on the line daily to keep us safe in our community; such officers deserve our utmost respect, support, and thanks. They

do not deserve to be viewed by the public in the unflattering light caused by the few who abuse this system.

Milwaukee is the only city in Wisconsin where police officers who have been fired can stay on the payroll throughout the appeals process. Since 1990, the City has paid over \$3.3 million in salary and benefits to fired officers. Milwaukee police officers have been fired for committing crimes such as sexual assault, drug dealing, battery, theft, and bribery. Most have appealed their firings and continued to be paid for months or years. It has taken police officers an average of nine months to exhaust all their appeals. The current system is extremely costly to the taxpayers of Milwaukee and to the image of the entire Milwaukee Police Department.

Eliminating this state mandate will not affect Milwaukee police officers who are suspended, who will continue to collect pay and benefits pending appeal. Also, the provision will not affect current law that allows police officers to be reinstated and collect all back pay if their appeals are successful, thus protecting officers from being fired unfairly or arbitrarily.

This is the right thing to do, and the right time to do it.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Tim". The signature is written in a cursive, slightly slanted style.

Tim Carpenter
State Senator

cc: Conference Committee Members

Eliminating mandate that Milwaukee – and Milwaukee only – continue to pay full salary and benefits for fired police officers

For reference, this is the relevant provision in SB 40, introduced and adopted as Senate Amendment 1, to Senate Amendment 1, to Senate Substitute Amendment 1, to the 2007 Senate Bill 40, pg. 1, lines 5 – 10 to pg. 2 lines 1 – 2.

“**SECTION 1873g.** 62.50 (18) of the statutes is amended to read:

62.50 (18) SALARY DURING SUSPENSION. No chief officer of either department or member of the fire department may be deprived of any salary or wages for the period of time suspended preceding an investigation or trial, unless the charge is sustained. No member of the police force may be suspended ~~or discharged~~ under sub. (11) or (13) without pay or benefits until the matter that is the subject of the suspension ~~or discharge~~ is disposed of by the board or the time for appeal under sub. (13) passes without an appeal being made.

Removing these two words will mean something important: fairness – for taxpayers and for good, hardworking police officers.