

# ACLU of Wisconsin: Slams shared revenue proposal

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MILWAUKEE – The ACLU of Wisconsin today condemned AB 245 – the shared revenue proposal introduced by Republican legislators yesterday – calling it an anti-democratic attempt to force local governments to hand their power over to the state legislature in exchange for state aid.

The ACLU takes particular issue with the way the bill makes state aid contingent on compliance with a number of provisions that would unilaterally change how local governments are allowed to operate – including how they can manage their police forces. Wisconsin cities, towns and villages with populations of more than 20,000 would be required to keep police funding and staffing levels equivalent to the previous year's rates, as well as maintain the number of arrests and the number of citations issued. Failing to meet two of these four provisions would result in a 15% cut in state funding, forcing municipal governments to forfeit local control over policing. It would also bar county and municipal governments from placing advisory referenda on the ballot.

“Threatening Wisconsin communities with a drastic reduction in revenue if they fail to meet the previous year's levels of police funding and staffing – or see declines in the number of arrests made or citations issued – is as dangerous as it is ludicrous,” said Amanda Merkwae, Advocacy Director at the ACLU of Wisconsin.

“By tying the provision of desperately-needed revenue to the fulfillment of these standards, the lawmakers are creating a recipe for disaster. Police will have every incentive to stop, ticket, and arrest as many people as possible, while local governments – regardless of its community's needs – will be forced to keep police budgets and personnel unchanged or risk financial ruin,” she said.

“Furthermore, conditioning the revenue on arrests or citation rates is illegal under state law and creates the conditions for unconstitutional racially disparate policing that is neither evidence-based nor community-centered. Moreover, the city of Milwaukee, under a court-ordered federal settlement, is prohibited from requiring any specific number of stops or arrests. Imposing those quotas in the past led to widespread unconstitutional policing.”

The bill also forces Milwaukee to make additional concessions in exchange for the possibility of raising its sales tax. Among other things, the city would have to:

- Transfer the Fire and Police Commission’s oversight authority to the chiefs of the police and fire departments, eliminating an important check on police power;
- Assign at least 25 school resource officers to police Milwaukee Public Schools, which research shows can exacerbate racially disparate discipline outcomes and over-criminalize students;
- Refrain from spending any money generated by levying taxes on Diversity, Equity and Inclusion positions;
- Obtain approval from a heightened two-thirds majority on the common council to authorize new program spending or positions; and
- Impose limits on funding for cultural and entertainment matters

“From gutting the civilian oversight function of the FPC and bringing cops into MPS to limiting how much money we can spend on the arts and on diversity and inclusion, this plan attempts to wrest as much power away from Milwaukee as possible,” said David Gwidt, Deputy Director of Communications for the ACLU of Wisconsin. “The people of Milwaukee deserve to make decisions about civilian oversight of MPD, they deserve to be able to say no to SROs, and they deserve to make critical local decisions without interference from politicians in Madison.”

“This plan strips autonomy from local governments. It overrides local control of law enforcement, sabotages the ability of communities to conduct proper police oversight and make budgetary decisions, and introduces outrageous maintenance of effort requirements which likely violate state law.”

This press release is available online at:

<https://www.aclu-wi.org/en/press-releases/aclu-wisconsin-slams-shared-revenue-proposal>