

The BJA Executive Session on

# Police Leadership

2013

*The BJA Executive Session on Police Leadership* is a multi-year endeavor started in 2010 with the goal of developing innovative thinking that would help create police leaders uniquely qualified to meet the challenges of a changing public safety landscape.

In support of an integrated approach to creating safe and viable communities across America, the project directors recruited 20+ principals from a range of disciplines. The principals, in turn, led national field teams of practitioners focused on the work of policing and the organization of the future.

To gain new insights on leadership, the *BJA Executive Session on Police Leadership* engaged police chiefs in documenting their own paths and invited leaders to participate in various audio and video forums to tell their stories and discuss the future of policing and police leadership.

Please visit our website, <http://bjaleader.org>, to learn more about this project and to access a broad array of interactive, multimedia resources.

The principals are supported in their work by a team that includes project co-directors Darrel W. Stephens and Bill Geller, project strategist Nancy McKeon, and BJA Senior Policy Advisor Steve Edwards.

## Five Police Departments Building Trust and Collaboration

Innovations in Policing Clinic  
Yale Law School  
Milwaukee, Wisconsin

Short Version of the Case

by

Jamil Jivani



## Short Version of the Case

### Trust and Collaboration in Milwaukee, Wisconsin

Jamil Jivani, in collaboration with members of Yale Law School's Innovations in Policing Clinic

#### Introduction

Historically, the Milwaukee Police Department (MPD) has had difficulty building trust and collaborating with minority communities. Past police leaders in the city have been criticized for taking unilateral and top-down approaches to policing that left out community input. Prominent instances of violence between police officers and citizens fueled widespread distrust.

The Department of Justice (DOJ) initiated the first significant response to this crisis of distrust in 2003 with its Community Relations Service (CRS), which facilitated a mediation process that created the Milwaukee Commission on Police–Community Relations (MCPCR). This commission opened dialogue between police and community leaders and became central to policing in Milwaukee for the next five years.

In 2007, Milwaukee's Fire and Police Commission (FPC) began acting as a citizen oversight body. The commission exemplifies how a credible citizen complaint process can build community confidence and serve as a barometer of community satisfaction with the police.

In 2008, Chief Edward A. Flynn joined the MPD. He identified four key issues to address: (1) department morale, (2) community confidence in MPD, (3) minority relations, and (4) basic effectiveness of policing.<sup>1</sup>

Chief Flynn found that many members of the department felt MPD leadership did not support officers under public scrutiny. Milwaukee's communities lacked confidence in MPD to protect their neighborhoods. Minority communities were especially mistrustful of the MPD because of perceptions of racial profiling—and shootings of unarmed citizens by police officers. Further, he found that the MPD's effectiveness was limited by the lack of data-driven and community-based policing strategies.

Over the last four years, Chief Flynn has addressed each of these deficits with specific reforms and initiatives. Principally, he decentralized leadership, delegating authority to the district captains and implementing a neighborhood geography-focused policing strategy. Chief Flynn supplemented this structural change with officer leadership education that boosted morale and preparation. This structural shift has also improved police–community relations by increasing community actors' inclusion in decision-making. Further, the department now also engages in proactive police–community initiatives to build relationships with community actors.

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<sup>1</sup> Interview with Edward A. Flynn, Chief of Police, Milwaukee Police Department (Jan. 18, 2012).

Beyond his four principle goals, Chief Flynn employed media relations and crisis management strategies that have also earned confidence from community leaders. He averted numerous possible disasters and even turned these events into opportunities to conduct positive exchanges and demonstrate reforms.

### **Background on Milwaukee**

As of 2011, Milwaukee has been named the most segregated metropolitan area in the United States based on U.S. Census data.<sup>2</sup> Statistics from 2005-2009 indicate Milwaukee is the most segregated metropolitan area between black and white residential communities and is ranked as the seventh most segregated between Hispanic and white residential communities.<sup>3</sup> Of Milwaukee County's 947,735 total residents, 60.6% identify as white, 26.8% African-American, 13.3% Hispanic or Latino, 3.4% Asian, and 0.7% Native American.<sup>4</sup> Milwaukee has also been deemed home of the greatest disparity in unemployment between black and white males aged 16-64.<sup>5</sup>

Milwaukee's racial divisions and disparities are echoed in the history of policing in the city. Former Police Chief Harold Brier (in office from 1964-1984) is understood to have opposed integration efforts, abused and profiled black residents, and neglected to protect participants in the city's local civil rights movement.<sup>6,7</sup> The legacy of distrust and dearth of collaboration from this era persisted past 1984, drawing national attention in the early 1990s under the leadership of Chief Philip Arreola, the department's first and only Hispanic police chief.

Milwaukee experienced drug crises in the 1990s and early 2000s, during which community-police relations remained strained. Chief Arthur Jones, whose tenure lasted from 1996 to 2003, did little to improve relations with community organizations. He implemented a top-down, unilateral policing strategy.<sup>8</sup>

Tensions increased following several high-profile events in which police were perceived to have exercised excessive force. In 2002, an officer shot Larry Jenkins, an unarmed 32-

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<sup>2</sup> Mike Lowe, Milwaukee earns dubious distinction of most segregated city in America, Chicago Tribune, [www.chicagotribune.com/news/nationworld/witi-20110331-segregated-city,0,6920627.story](http://www.chicagotribune.com/news/nationworld/witi-20110331-segregated-city,0,6920627.story) (last visited Feb. 2, 2011).

<sup>3</sup> New Racial Segregation Measures for States and Large Metropolitan Areas: Analysis of the 2005-2009 American Community Survey, Social Science Data Analysis Network, <http://censusscope.org/ACS/Segregation.html> (last visited Feb. 2, 2011).

<sup>4</sup> Milwaukee County: Quick Facts, U.S. Census Bureau, <http://quickfacts.census.gov/qfd/states/55/55079.html> (last visited Feb. 2, 2011).

<sup>5</sup> Mark Levine, University of Wisconsin-Milwaukee Center for Economic Development, Race and Male Employment in the Wake of the Great Recession: Black Male Employment Rates in Milwaukee And the Nation's Largest Metro Areas 2010 19 (Jan. 2012).

<sup>6</sup> Interview with Father Carl Diedrichs, Pastor at All Saints Church in Milwaukee (Mar. 1, 2012).

<sup>7</sup> Interview with R.L. McNeely, Professor, Department of Social Work, University of Wisconsin-Milwaukee (Jan. 18, 2012) and Interview with Barbara Becker, Vice President, Milwaukee NAACP (Jan. 18, 2012).

<sup>8</sup> Interview with Ryan McNichol, police officer, Milwaukee Police Department (Jan. 19, 2012).

year-old black male, seven times.<sup>9</sup> When the responsible officer was not fired after the shooting, community activists renewed advocacy for reforms to Milwaukee's civilian complaint process and greater accountability for excessive use of force.<sup>10</sup>

Two years later, under Chief Nannette Hegerty (who began in 2004), police perpetrated a near-fatal beating of a civilian. Frank Jude was accused of stealing an officer's wallet from a party where a group of off-duty officers had gathered. Seven were later charged with the beating—including the officer who shot Larry Jenkins in 2002. The beating fueled discontent with the MPD.

Community members and advocates protested MPD's failure to discipline officers responsible for the use of excessive or inappropriate force and disregard for community calls for accountability.<sup>11</sup> Chief Hegerty disciplined officers involved in the beating, and four officers involved in the Frank Jude beating went on to be sentenced to prison in a federal trial.<sup>12</sup> However, the officer responsible for Larry Jenkins's shooting and two other officers involved in Frank Jude's beating were acquitted in 2006, fueling opposition from the community.

By the early 2000s, several organizations in Milwaukee were responding to the crisis of distrust between MPD and Milwaukee residents, primarily its African-American and Latino communities, including the Sherman Park Community Association (SPCA)—a community organization with a diverse set of initiatives aimed at improving the lives of its members. The organization began advocating for changes in its relationship with MPD by specifically seeking partnership in setting policing strategies of the area and the events SPCA organized.<sup>13</sup>

The first significant efforts to address distrust between MPD and Milwaukee's minority communities began in 2003 with DOJ CRS-facilitated mediation process. The CRS mediation granted community organizations greater access to police leaders. The DOJ CRS met with representatives from SPCA, the Milwaukee U.S. Attorney's Office, U.S. Department of Labor, and other government and community leaders.<sup>14</sup> The goal was to prevent youth-police conflict and reduce racial tensions. These meetings resulted in a \$2.5 million grant from the Office of Juvenile Justice and Delinquency Prevention to fund youth violence prevention programs.<sup>15</sup> The end product was the MCPCR.

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<sup>9</sup> Marie Rohde, *Slain man's mom must pay legal fees*, Oct. 6 2008, Milwaukee Journal Sentinel, <http://www.jsonline.com/news/milwaukee/32467209.html> (last accessed Feb 2, 2012).

<sup>10</sup> Nelson, *supra* note 14.

<sup>11</sup> *Id.*

<sup>12</sup> Associated Press, *Wisconsin: Sentences for Former Officers*, Dec. 7, 2007, New York Times, <http://query.nytimes.com/gst/fullpage.html?res=9902E4DA143CF934A35751C1A9619C8B63> (last accessed Feb 2, 2012).

<sup>13</sup> Interview with Steve O'Connell, former Executive Director of Sherman Park Community Association and current Chair of Milwaukee Commission on Police Community Relations (Jan. 20, 2012).

<sup>14</sup> Community Relations Service, U.S. Department of Justice, 2003 Annual Report 40 (2003).

<sup>15</sup> *Id.* at 41.

Four years later, a second significant reform took place. The city increased the FPC's resources and autonomy to oversee MPD and citizen complaints against police officers. FPC, originally established in 1885, serves as a citizen oversight body of Milwaukee's fire and police departments. FPC's responsibilities include conducting policy reviews, overseeing internal investigations through audits, overseeing the citizen complaint process, and identifying systemic problems and opportunities for improvement.<sup>16</sup>

The 2007 reform improved citizen oversight of the MPD. The current commission is made up of former members of law enforcement, university professors and administrators, and a member of Milwaukee's ethnic media community.<sup>17</sup> FPC now also conducts independent FPC investigations and mediations and has hired a civilian crime analyst. In addition, FPC has expanded its capacity to receive complaints by making complaint forms available by phone, mail, fax, email, the FPC website, and a variety of community organizations.<sup>18</sup>

Although distrust between MPD and Milwaukee's community leaders persists, it exists to a much lesser degree, and these transformations in policing provide important lessons for how trust and collaboration can be nurtured between a police department and the residents it aims to protect. This purpose of this case study is to detail these lessons in hopes to contributing to wider conversations about improving police–community relations.

### **Milwaukee Strategy and Takeaways**

Over the past four years, Chief Flynn has instituted a variety of changes within MPD that have improved police–community relations. Under Chief Flynn, MPD has employed a philosophy of dispersed leadership, which includes educating high-ranking MPD officers in leadership, promoting a value-based organizational culture, and decentralizing decision-making, such as community engagement responsibilities, to district commanders.

Chief Flynn's philosophy of dispersed leadership begins with the creation of a self-reflective, value-based culture, in which police officers are required to think about the ideals of their profession.<sup>19</sup> In recognition of the difficult, intense, and quick decisions police officers make regularly, Chief Flynn believes a value-based as opposed to a rule-based culture provides the framework for officers to exercise leadership in making the right choices.<sup>20</sup> The goal is to encourage police officers to be thoughtful and responsible and thus interact with community members with greater positivity and less negative incidents.

Chief Flynn has given district captains greater responsibility in setting their own crime reduction strategies, engaging with communities, and managing officers they oversee.

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<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

<sup>18</sup> Tobin, *supra* note 40.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

District captains are expected to have explanations for variations in crime rates, characterizations of patterns, and strategies for responding to crime in weekly CompStat meetings.<sup>21</sup>

District captains are at the forefront of police–community relations as the highest-ranking officer assigned to specific neighborhoods and communities. The empowerment of district captains has made community organizations feel better connected to decision-making in the department. The dispersal of leadership has also improved departmental morale.

Chief Flynn has also emphasized data-driven policing and introduced new technologies. Chief Flynn’s version of data-driven policing constitutes tracking data about crime and focusing on lowering crime rates. This is markedly different from past strategies, where captains were expected to meet arrest quotas or assessed based on response times.<sup>22</sup> This focus on crime reduction is propelled by an internal system of data tracking that sends crime rate reports to top leaders in the department via email every morning. CompStat meetings occur three times a week and are where strategies are formulated.<sup>23</sup>

The reforms within MPD led by Chief Flynn have changed the day-to-day operations of the department. Creating a value-based culture, dispersing leadership, empowering district captains, and using data to prioritize crime reduction have transformed MPD and improved police–community relations in so far as they have made the department better suited for collaborative relationships with community leaders.

Chief Flynn maintains a visible leadership role in responding to community concerns and has proactively built collaborative relationships between MPD and community organizations by meeting with community leaders to discuss policing strategies and data. Chief Flynn has essentially forced on working with community organizations with a heightened degree of influence – “city-wide stature and a more strategic perspective” speaks to an ability to make a difference in policing that few organizations possess. For organizations like the Milwaukee Urban League and National Association for the Advancement of Colored People (NAACP), collaboration is very strong. However, MPD is not closed off to MCPCR or any other community organizations that want to collaborate with the department; these organizations are just not granted direct access to the chief and instead build relationships with district commanders or other senior-level officers.

Chief Flynn has maintained a balance in efforts to build relationships inside and outside of MPD. Chief Flynn does not compromise his relationship with members of the department to improve police–community relationships or his reputation. He invests in officers to secure their commitment to participating in a policing strategy that will improve police–community relations, build the capacity of other officers, and boost collaborative relationships with community members. His approach stands in contrast with that of prior

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<sup>21</sup> CompStat meeting, Milwaukee Police Department (Jan. 18, 2012).

<sup>22</sup> Harpole, *supra* note 12.

<sup>23</sup> Crime Stats meeting, Milwaukee Police Department (Jan. 17, 2012).

Chief Hegerty, who improved her standing with community organizations through her involvement in MCPCR and firing officers involved in the 2004 beating of Frank Jude, but she was not seen as committed to her fellow officers by many in the department.<sup>24</sup>

Chief Flynn's reforms sent a message to MPD officers. He would be implementing reforms; however, he was invested in including his fellow officers in these efforts. By promoting officers who embrace the new organizational culture in MPD, Chief Flynn believes he is successfully institutionalizing this emphasis on leadership.

### **Challenges Going Forward**

Chief Flynn's decision to go directly to community organizations as part of MPD's style of community policing has detracted from MCPCR's function as a bridge between MPD and community organizations. One of the consequences of this approach is that it creates a two-tier system of community organizations. The first tier comprises those organizations such as NAACP and the Urban League with which the chief is able to build a direct relationship; the second tier includes those organizations the chief finds more difficult to work with and does not work with directly.

These tiers are not intentional. The chief has a finite capacity to work with community leaders and can only build relationships with a certain number of groups. MCPCR, on the other hand, casts a wider net and can include many more groups, which is why this division has attracted controversy. For groups like MCPCR and others who do not have direct access to Chief Flynn, there is a feeling of power imbalance among community organizations. However, no evidence suggests that these two tiers have a negative impact on wider community confidence in the department; rather, dissatisfaction seems isolated to the particular community leaders without a direct relationship to the chief.

### **Lessons Learned in Brief**

1. Commissions cast a wide net.
  - A commission like MCPCR, which are facilitated by an external actor like DOJ and inclusive of police and community leaders, can be effective in opening dialogue between police and communities.
  - A commission may not be as important if a police department is proactively collaborating with community leaders, but it can be an outlet for smaller community organizations to communicate with police officers in a non-confrontational, consistent manner.
2. Citizen complaints can help measure community satisfaction.
  - Establishing a strong citizen review board to administer a citizen review process that community leaders find credible is important to gaining community

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<sup>24</sup> Hollmon, *supra* note 35; O'Connell, *supra* note 21.

confidence. Communities want to feel that they have recourse in the face of alleged police misconduct.

- Allowing established community organizations to receive and file citizen complaints can help build credibility for a process. If a citizen complaint process is deemed credible by communities likely to file complaints, it can be used as a measurement of community satisfaction with policing for both police and community organizations.
- Citizen complaints should not be considered an exclusive measurement of community satisfaction.

3. Shifts in organizational culture are important.

- When a new chief assumes the position, a powerful tool in transforming a department is the self-reflective exercise of writing a new code of conduct or changing organizational values.
- Such shifts signify investment into officers and a grassroots approach to reform within a department that works from the bottom up.

4. Unleashing the district captain.

- In addition to further developing leadership within a police department, decentralizing decision-making power to district captains provides a geographic focus to policing strategies and community engagement.
- It is important for community groups to feel connected to centers of power, and district captains are the most effective way of accomplishing that, while also fostering the kind of local expertise helpful to effective crime reduction.
- In unleashing the district captain, increased foot patrol can be helpful to building familiarity between residents and officers, as well as providing an education to officers who may climb the ranks to leadership roles.

5. Visibility and crisis management matters.

- Police chiefs are often the public face of a police department and can play a crucial role in building community trust.
- Visibility in positive and negative situations, especially those that are highly publicized, is important to protecting a reputation of a committed police department.
- Moments of crisis are often where perceptions of police will be formed for better or worse. Thoughtful and strategic communication with media and community organizations is essential to crisis management that can turn controversy or fear into credibility-building moments.

6. Personal styles make a difference.

- Chief Flynn’s personal preferences in collaborating with community organizations have been controversial and dissatisfying to some community organizations.
- Creating an ad-hoc committee of community leaders to consult with, including only those whom a chief can communicate with effectively, may have the best overall outcome for police–community relations, as opposed to forcing incompatible personalities to work out sensitive problems together.
- A police chief should determine her or his threshold for working with a diverse group of community leaders on a case-by-case basis.
- If personal preferences come into play when collaborating, it is important to offer additional opportunities for other community organizations to access members of the police department.

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