



May 25, 2023

Dear Governor Evers,

We thank you for your [commitment to veto Assembly Bill 245/Senate Bill 301](#) unless this legislation removes restrictions on local control. Even as amended, this shared revenue proposal undermines democracy, strips local authority from the county and municipal governments across the state, and holds the majority-minority City of Milwaukee hostage.

**“Send me a clean bill that talks about the money that we are going to give to the municipalities,” you said. We agree.**

AB 245/SB 301 allows the Legislature to impose its will on communities across the state, undermining the local approach to governance that underlies a well-functioning democracy that prioritizes the people's needs. This bill has too many strings attached that hamper the ability of local elected officials and communities to govern themselves, including:

- **Maintenance of effort requirements supersede local priorities.** Elected officials in local communities impacted by law enforcement presence should have the final say on budgeting decisions that impact local community well-being, not lawmakers on the other side of the state.
- **Banning local advisory referenda is anti-democratic.** Voters deserve the right to communicate their priorities to elected officials. Local referenda are a critical tool for voters to amplify issues with broad support across demographics, like access to reproductive healthcare, [non-partisan map drawing](#), and [cannabis legalization](#).
- **The so-called “municipal nondiscrimination policy” in employment and procurement could upend participation in programs designed to support businesses with diverse ownership.** These programs, which exist in counties and municipalities statewide, help businesses thrive, build capacity, and create more jobs.
- **Gutting the Milwaukee Fire and Police Commission’s core oversight authority eliminates an essential check on police power.** It is the responsibility of the FPC to ensure that the police are doing their job responsibly, constitutionally, and in a manner that responds to the community’s needs and concerns. Over the past few years, tireless advocacy by community organizations and activists culminated in the FPC banning the use of police chokeholds and no-knock warrants and requiring the release of police video footage following a critical incident. How can the FPC effectively govern the police and fire departments if the chiefs of each agency are allowed to make the rules?

- **Stationing 25 school resource officers in Milwaukee Public Schools affronts local control and community leadership.** As Leaders Igniting Transformation (LIT) and Black Leaders Organizing for Communities (BLOC) [note](#), the MPS Board of Directors “voted unanimously – and democratically – to sever contracts between the school district and the Milwaukee Police Department. This historic decision did not happen overnight. Members of [LIT] spent years organizing community members and lobbying MPS administration and Board Directors to remove a police presence in schools. Young people attended countless school board meetings, lobbied Board Directors, shared personal testimonies, and even took direct action to finally persuade stakeholders and the MPS community of their right to feel safe and not be further criminalized in their schools.”
- **Prohibiting the City of Milwaukee from funding positions to promote diversity, equity, and inclusion is racist.** Discrimination and segregation are embedded throughout Milwaukee’s history and continue to shape Milwaukee’s current reality. Intentionally or not, defunding DEI programs will rollback steps Milwaukee has made to create a more equitable and inclusive community.
- **Ambiguous language restricting Milwaukee expenditures could have sweeping impacts.** The bill limits the funding the City of Milwaukee or Milwaukee County can spend on “cultural or entertainment matters” or expenditures “involving partnerships with nonprofit groups.”
- **Requiring a heightened two-thirds majority of the Milwaukee Common Council to adopt new program spending or positions dilutes community power.** Making budgetary decisions in response to community needs becomes exceedingly more difficult with a supermajority vote requirement.

**We appreciate that you’ve already vetoed bills containing provisions similar to the anti-democratic strings attached to AB 245/SB 301:**

- [2021 Senate Bill 117](#) would have changed the membership and duties of the fire and police commissions in Milwaukee and Madison. You [said](#) you “object to minimizing or restricting local control and undermining trust in local governance.” **So do we.**
- [2021 Assembly Bill 834](#) would have preempted local governments from banning dangerous “no-knock” search warrants. You [said](#), “Local governments and local elected officials are well-positioned to make informed decisions about what is best for their communities and how to meet the needs of the people they serve and represent without unnecessary political interference and micromanagement by the Legislature.” **We agree.**
- [2021 Senate Bill 585](#) would have required schools to collect and submit crime statistics to the Department of Public Instruction. You [said](#) you “object to mandating additional reporting without the necessary funding for implementation,” and the “disparate level of resources” between school districts, charter schools, and private schools participating in the parental choice program “may lead to inconsistent reporting and may compromise the value of the data.” **We agree.**

- [2021 Senate Bill 119](#) would have reduced shared revenue payments to counties and municipalities that reduced law enforcement funding. You [said](#) you “object to the onerous restrictions it imposes on the ability of Wisconsin local governments to set their budgets,” the “bill seeks to micromanage local decision-making,” and “[l]ocal governments and local elected officials are well-positioned to make informed decisions about what is best for their communities and how to meet the needs of the people they serve and represent.” **We agree.**

**"Here is one way we want to bring them more money and another way we want to take more control away from them," you said. "It doesn't make sense." We agree.**

You summarized both the current state of the shared revenue fight in Wisconsin and the pattern of state legislatures waging attacks on the democratic control of local communities nationwide.

This year, [overreaching state legislatures](#) are using their power to bully local leaders and disproportionately undermine the voices of communities of color and other people who live in cities. Lawmakers in statehouses nationwide have recently taken up bills that would bring local issues like zoning, education, LGBTQIA+ rights, and policing powers under state control.

In addition to the Florida legislature's [sweeping book bans and curriculum restrictions](#) impacting local schools, the body has passed other bills [preempting local control](#) related to tenant rights and land development. Florida isn't alone in undermining local communities' democratic authority. The Texas legislature [recently passed](#) a bill preventing cities and counties from passing or enforcing any local policy that exceeds the minimum requirements set by state laws. The Texas Education Agency will also [take control](#) of the Houston Independent School District, undemocratically [ousting](#) the elected Black, Latinx, and women leaders of the district with a population of nearly 90 percent students of color. We are grateful for your [veto of 2021 AB 966](#) last session, which you called “an unprecedented intrusion on local control” of Milwaukee Public Schools by the legislature.

State legislatures in Georgia, Mississippi, and Missouri aimed to take the helm of local law enforcement and the courts. The Missouri legislature [attempted](#) to assume state control of the St. Louis Police Department. Georgia's legislature is considering a set of [bills](#) that would establish a commission with the power to remove prosecutors and district attorneys from their posts. The Mississippi legislature [passed a bill](#) to establish a separate court system for part of Jackson – the state's capital city where Black people make up more than [82%](#) of the population – with judges appointed by the state chief justice and the area under the system's jurisdiction patrolled by a state-run police force.

Milwaukee fits the pattern: Wisconsin's most populous city, home to the highest concentration of Black and Brown residents in the state, is watching the legislature debate its right to self-governance. Stripping away the agency of communities of color to govern themselves is undemocratic and blatantly racist. We trust you to stop this attempt to undermine the authority of local communities, especially communities of color, in the wake of a nationwide attack on local control.

Sincerely,

ACLU of Wisconsin

Black Leaders Organizing for Communities

Community Task Force MKE

Leaders Igniting Transformation

Milwaukee Alliance Against Racist & Political Repression