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Testimony in Support of Assembly Bill 91

Thank you, Chairman Spiros and members of the Committee on Criminal Justice and Public Safety, for meeting today to hear public testimony on Assembly Bill 91, which ensures the return of Student Resource Officers (SROs) to Milwaukee Public Schools (MPS).

A Milwaukee Journal Sentinel study found that MPS schools averaged 3,700 police calls for service over 11 years, pulling officers from street patrols to respond. SROs—trained specifically for school incidents—can handle these situations quickly, leaving officers to stay in our communities.

In June of 2023, Wisconsin Act 12 was signed into law that included requiring MPS to have at least 25 SROs in schools beginning January 1, 2024. Yet, 430 days past the original deadline, that requirement has not been fulfilled. While the reasons for this delay remain unclear, the violation of state law is undeniable. Accommodations could have been made since June 2023—there's no excuse for inaction. Assembly Bill 91 addresses this by enforcing the SRO provision of Act 12, and preventing future delays with clear consequences.

The bill directs the City of Milwaukee to pay 25% of the cost of SROs, while MPS will be required to pay the remaining 75%. Within 30 days of becoming law, both must enter into an agreement on implementation and certify to the Joint Committee on Finance (JFC) that 25 SROs are in MPS schools. If that agreement is terminated, this legislation provides a similar compliance framework to ensure that both remain in compliance with Act 12.

The original SRO provision in Act 12 did not contain penalties because it was negotiated in bipartisan fashion. To prevent the ongoing and future noncompliance, consequences must be in place: Milwaukee risks losing 10% of their shared revenue, and MPS would risks losing 20% of their per pupil aid.

I am hopeful that the new developments rectify the situation and place SROs in schools immediately. However, I still believe that this legislation is necessary to ensure compliance with state law. Thank you, Chairman Spiros, for hearing this legislation, and thank you to my colleagues who co-sponsored.

Bob Donovan

A handwritten signature in cursive script that reads "Robert B. Donovan".

State Representative
61ST Assembly District



Van H. Wanggaard

Wisconsin State Senator

Testimony on Assembly Bill 91

Thank you, Mr. Chairman and committee members for today's hearing on Assembly Bill 91, which clarifies responsibilities in regards to the Act 12 requirement of returning police officers to Milwaukee Public Schools.

This bill should not have been necessary. As you may be aware, Milwaukee Public Schools, or MPS, had police officers located in their school buildings and campuses for many years. In 2020, in a fit of anti-police bias, MPS kicked police officers out of their schools. As part of the bipartisan 2023 Act 12, MPS was required to have police officers in at least 25 school buildings by January 1, 2024. This gave MPS about 6 months to comply with the law.

Fast forward to today, March 5, 2025. It is 430 days since police officers were required by law to be in 25 MPS schools. It is 621 days since Act 12 became law, and 640 days since Act 12 passed the legislature. And today, there are still no police officers in MPS Schools.

Many of you know that in the last month or so, Milwaukee County Judge David Borowski has issued court orders that the law must be followed or there will be consequences. After a failure to reach a cost-share agreement, which, based on conversations I've had with Milwaukee leaders, I blame almost entirely on MPS, Judge Borowski required a 50-50 cost share. Last week, Judge Borowski began fining the City of Milwaukee \$1,000 per day until police officers are back in school. Yesterday, the City of Milwaukee formally approved the Memorandum of Understanding between MPS and the City. I am hopeful that this means that MPS will be following the law very shortly.

As a Senator who represents Milwaukee, I want to be sure this law is followed now and in the future. Therefore, I have drafted this bill which dictates: (1) the cost share of the officers; (2) provides penalties to the city and MPS if the law is not followed; and (3) sets a process to follow to certify compliance with the law.

First, under the bill, costs of the officers will be borne 75% by MPS and 25% by the City of Milwaukee. In my mind there are a couple of reasons for this:

- 1 - The law requires MPS to have officers in the schools, not the City.
- 2 - It was MPS made the schools less safe by not having officers in school, not the City

Based on these factors and other conversations I've had, MPS was the major cause of delaying returning officers to school. To be clear, this is not all on MPS. As Judge Borowski pointed out,

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Police Chief Norman has done next to nothing to ensure the law was followed, and appears to have dragged his feet. And the Common Council had not approved the MOU until yesterday.

Secondly, the bill withholds 20% of General School Aids from MPS and 10% of Shared Revenue from the city of Milwaukee if they have not certified to the Joint Finance Committee that they have complied with the law.

Third, the bill requires that MPS and city must certify to the Joint Finance Committee that it has a signed MOU and that there are at least 25 police officers in MPS within 30 days of enactment. In the event the current MOU is terminated, a 90-day process to set a new agreement, train and place police officers in schools is established.

I know already what opponents will say. They will argue that this bill is unnecessary because the law is being complied with. To that I respond that there is nothing preventing the city and MPS from ignoring the law in the future. That is why this bill is necessary. It wasn't until Judge Borowski got involved, and it became known that we were working on this bill that movement happened.

This bill ensures that that MPS will have 25 police officers in their schools as the law requires, now and in the future.



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Testimony in Support of Assembly Bill 91
Assembly Committee on Criminal Justice and Public Safety
March 5, 2025

Chairman Spiros, Vice-Chairman Piwowarczyk, and Members of the Committee on Criminal Justice and Public Safety:

Thank you for providing me with the opportunity to testify in favor of Assembly Bill 91. My name is Lauren Greuel and I am Associate Counsel at the Wisconsin Institute for Law & Liberty (“WILL”). I have been serving as counsel of record for Plaintiff in *Abughrin v. Milwaukee Board of School Directors, et al.* in Milwaukee Circuit Court. Today I am here to explain why AB 91 is necessary to ensure compliance with Wisconsin Statute § 62.90 (8) and to prevent the ongoing disregard for legally mandated school resource officers (“SROs”).

Charlene Abughrin, WILL’s client and Plaintiff in this case is the parent of six students who have attended Milwaukee Public Schools (“MPS”). She and her children have witnessed and experienced violence in MPS— incidents that could have been deterred or better managed had school resource officers been present.

Current law requires MPS to have no fewer than 25 SROs in place by January 1, 2024.¹ Not only did MPS fail to meet this requirement, but its board members openly criticized and laughed at this obligation.² With safety at risk and no enforcement mechanism in the statute, Ms. Abughrin was left with no choice but to pursue legal action.

WILL, on behalf of Ms. Abughrin, sought a writ of mandamus because current law does not specify what should happen if MPS fails to comply. AB 91 addresses this deficiency by introducing an enforcement mechanism: withholding per-pupil aid from MPS and supplemental county and municipal aid to the City if they fail to comply. This provision ensures that compliance is not merely suggested but required.

Judge Borowski’s rulings further underscore the necessity of AB 91. In a January 23, 2025 hearing, Judge Borowski agreed with WILL that MPS was out of

¹ Wis. Stat. § 62.90(8).

² Milwaukee Press Club and WisPolitics, *Newsmaker Luncheon with MPS Board VP Jilly Gokalgandhi*, July 24, 2024 (available at: <https://youtu.be/0kXglvZjQ14?t=2587>, discussion of SRO requirement beginning at 43:06).

compliance and ordered the district to have 25 officers in schools by February 17 or explain why it could not. MPS failed to comply, arguing that cost-sharing negotiations with the City were unresolved. Given the lack of statutory guidance, the court had to step in and impose a 50/50 cost split between MPS and the City. Even then, neither party met the next court imposed deadline to have SROs at MPS, leading the court to again agree with WILL and find the City of Milwaukee in contempt.

AB 91 eliminates the ambiguity that led to this impasse by establishing a clear 75/25 cost apportionment between MPS and the City respectively.³ Unlike other districts across the state that voluntarily agree on SRO funding between the district and local law enforcement, MPS and the City have demonstrated an unwillingness to comply without legal intervention.⁴ AB 91 ensures that Wisconsin courts do not need to repeatedly enforce a law that should have already been followed.

Beyond enforcement, AB 91 is also a matter of student safety. Violence in MPS is an ongoing crisis. The absence of SROs has left students, teachers, administration, staff, and the Milwaukee community vulnerable to preventable harm. A clear, enforceable statute is necessary to uphold the safety of students and restore order in Milwaukee's schools.

To emphasize this point, in an open records request to the Milwaukee Police Department filed by WILL, well over 3,000 calls were made from MPS schools to the Milwaukee Police Department during the 2023-24 school year. The debate about whether police should be in schools is null because the police are already there.

If not for a courageous mother stepping forward and bringing this lawsuit with WILL, MPS and the City may have continued violating Wisconsin law indefinitely. The updates AB 91 provides to Wis. Stat. § 62.90(8) are essential to ensuring compliance without further court intervention. Lawmakers have a responsibility to advocate for school safety laws— AB 91 provides the tools to do just that.

Thank you for your time. I am happy to answer any questions you may have.

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³ Assembly Bill 91 (available at: <https://docs.legis.wisconsin.gov/2025/related/proposals/ab91>).

⁴ Elmbrook Schools, *Benchmark Comparisons – School Resource Officer (SRO) Funding Models* (available at: <https://shorturl.at/4FyW4>).



Statement on Assembly Bill 91

The safety of students and staff is a top priority for Milwaukee Public Schools. The district currently has a comprehensive safety program in place, which includes the employment of more than 230 safety officers, a national award-winning school psychology program with over 160 psychologists, along with dedicated social workers, professional educators and support staff. Recognizing the importance of the school safety issue, MPS has also successfully advocated for legislation that once secured crucial revenue authority to support school safety efforts in all Wisconsin schools.

Assembly Bill 91 clearly acknowledges what the court has described as a “huge gap” in Act 12 regarding funding for School Resource Officers (SROs). However, the bill fails to acknowledge, as the court has, that Milwaukee Public Schools (MPS) has neither the power nor authority to hire or train City of Milwaukee Police Officers.

Though many in the Milwaukee community disagree with the School Resource Officer provision that was included as part of the City of Milwaukee’s \$200 million shared revenue agreement and clearly expressed those concerns when stand-alone SRO legislation was proposed in 2023, MPS has continually made attempts to implement the law. For over a year, MPS has worked to secure a memorandum of understanding with the City of Milwaukee for implementation of the SRO program, sought the selection and training of police officers as described by law, and worked to negotiate a fair apportionment of the cost of the program.

Though the analysis of Assembly Bill 91 references a legal complaint against MPS concerning the implementation of the SRO program, it should also be noted that the court, recognizing the city’s role, enjoined the City of Milwaukee in the lawsuit to ensure compliance with the law. The court ruled that payment for the cost of the program shall be evenly split and The City of Milwaukee has moved to ensure the legally proscribed training of its officers. As previously stated and as the district’s efforts affirm, MPS remains committed to working collaboratively with the City to build a sustainable SRO program.

While the court has ordered an even apportionment of the cost of the program, Governor Evers has proposed that MPS pay 25% of the cost and that the City of Milwaukee pay 75%. Now, Assembly Bill 91 proposes that MPS pay 75% of the cost and that the City pay 25%. For a number of reasons, including the fact that the School Resource Officers were part of a

legislative deal negotiated without the participation of MPS and that provided hundreds of millions of dollars to the City of Milwaukee, the Governor's proposal appears as the fairest.

Fairer still, and crucially important for all school districts, would be the restoration of state law eliminated in 2012, that provided funding for school safety expenditures. Enacted in the 2009-2011 biennial budget, the law allowed districts to use generated funds to "purchase school safety equipment, fund the compensation costs of security officers, or fund other expenditures consistent with its school safety plan."

Whatever the apportionment, there should be no debate that school safety costs be adequately funded.