

WI

WISCONSIN INTEREST


SPRING 2016

Milwaukee murders going unsolved

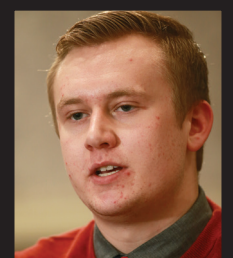
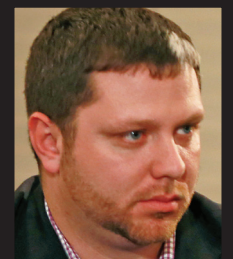
BY DAVE DALEY

Boondoggle on the lakefront

BY DAN BENSON



**Guess what
they're
teaching us?**



College conservatives finally get their say

— EXCERPTS FROM STUDENT ROUND TABLE —

More On Higher Education:

The next big
reform idea

BY CHARLES J. SYKES

Making college
more affordable

BY RICHARD VEDDER



Editor > CHARLES J. SYKES

Wisconsin could lead the way again

Let us take a moment to celebrate our unique political culture here in Wisconsin. In early April, the Badger State erected a firewall of rationality in the madness of the 2016 presidential race. And it did so by emphasizing its traditions of civility, decency and conservative principle.

In the wake of the April 5 GOP primary, Grover Norquist and others noted that the result was a rousing endorsement of the conservative reform movement here. “What (Gov. Scott) Walker and his allies have done is a home run for taxpayers,” Norquist told *National Review*. “People all over the country should be studying it because it proves that smart policies also make for smart politics.”

But, of course, we are not done yet. One of the next big ideas may be the reform of the bloated leviathan of higher education. Again, Wisconsin could take the lead.

In this edition of *Wisconsin Interest*, we take a deep dive into the issue, examining

both the climate of ideological intolerance and the rising cost. WPRI President Mike Nichols and I sat down with a group of University of Wisconsin System students to find out what it’s like to be a conservative on campus these days. And I sketch out some ideas that could remake colleges and universities and transform the undergraduate credential. Be sure to also check out Nichols’ column on how liberal professors are indoctrinating students and Richard Vedder’s Guest Opinion on making college more affordable.

Also: Richard Esenberg examines the phenomenon of Trumpism; Betsy Thatcher profiles Dean Strang, the now world-famous attorney of Steven Avery; Dave Daley raises provocative questions about Milwaukee’s declining homicide clearance rate; and Dan Benson looks at a classic government boondoggle on Milwaukee’s lakefront.

On, Wisconsin.

WPRI

The Wisconsin Policy Research Institute Inc., established in 1987, is a nonpartisan, not-for-profit institute working to engage and energize Wisconsinites and others in discussions and timely action on key public policy issues critical to the state’s future, growth and prosperity. The institute’s research and public education activities are directed to identify and promote public policies in Wisconsin that are fair, accountable and cost-effective.

Through original research and analysis and public opinion polling, the institute’s work focuses on such issue arenas as state and local government tax policy and spending, including related program accountability, consequences and effectiveness. It also focuses on health care policy and service delivery; education; transportation and economic development; welfare and social services; and other issues that have or could have a significant impact on the quality of life and future of the state.

The institute is guided by the belief that competitive free markets, limited government, private initiative and personal responsibility are essential to our democratic way of life.

To find more information about the Wisconsin Policy Research Institute, locate any article in this publication, ask questions and/or make comments, please go to www.wpri.org.



WISCONSIN INTEREST

Publisher

Wisconsin Policy Research Institute Inc.

Editor

Charles J. Sykes

Managing Editor

Mabel Wong

Art Direction

Helf Studios

Contributors

Dan Benson
Dave Daley
Richard Esenberg
Mike Nichols
Charles J. Sykes
Betsy Thatcher
Richard Vedder

Photography

Allen Fredrickson
Tom Lynn
tomlynnphotography.com

Board of Directors

CHAIRMAN:

Tom Howatt

David Baumgarten
Ave Bie
Catherine Dellin
Jon Hammes
Corey Hoze
Mike Jones
David Lubar
Bill Nasgovitz
Jim Nellen
Maureen Oster
Ullice Payne Jr.
Tim Sheehy
Mike Nichols, President

Contact Information

ADDRESS:

633 W. Wisconsin Ave.
Suite 330
Milwaukee, WI 53203

PHONE:

414.225.9940

WEBSITE: www.wpri.org

EMAIL: wpri@wpri.org

Social Media

Follow us on:

FACEBOOK

TWITTER: @wpri





Dean Strang

CONTENTS > departments

Editor's Note

Wisconsin could lead the way again

BY CHARLES J. SYKES.....INSIDE COVER

Spring Dispatches

Marquette University, WIAA apply muzzles

BY CHARLES J. SYKES2

Culture Con

The Trump phenomenon:
How did we get here?

BY RICHARD ESENBERG 4

Frontlines

Dean Strang: Making a defender

BY BETSY THATCHER..... 12

Mike Nichols

What the professors don't want to hear

BY MIKE NICHOLS.....24

Guest Opinion

Making college more affordable

BY RICHARD VEDDER.....30

Tom Lynn photos



CONTENTS > features

The Federal Grant to Nowhere

They built the Downtown Transit Center, and nobody came

BY DAN BENSON..... 6

Life as a Campus Conservative

UW System students recount their challenges bucking the liberal trend

ROUND-TABLE EXCERPTS..... 18

Higher Ed Reform: The Next Big Idea

How Wisconsin could help transform the modern university

BY CHARLES J. SYKES..... 25

Getting Away With Murder

Killers remain on the streets in 4 in 10 Milwaukee cases

BY DAVE DALEY..... 32

Cover photos by Allen Fredrickson
Illustration by Robert Helf

Marquette University, WIAA apply muzzles

An unusually mild winter gave way to a spring marred only by the most insane presidential campaign in memory, as candidates turned campaign events into infomercials and discussed the size of their male appendages. Both parties seem determined to nominate their most unpopular candidates, setting the stage for what arguably could be the ugliest political face-off since Aaron Burr shot Alexander Hamilton. But at least that was over quickly and is now a hit Broadway musical. There is scant reason to think this year's campaign will be so mercifully short or fondly remembered.

A notable anniversary

Wisconsin marked the fifth anniversary of the passage of Act 10, the law that limited the collective bargaining powers of public sector unions. Despite the dire prediction of doom from the unionistas and their allies, the



state refused to collapse. Instead, Act 10 has saved taxpayers more than \$5 billion, a MacIver Institute analysis estimates. School

districts — including the Milwaukee Public Schools, which at one time faced a massive pension crisis — have been able to add new initiatives and positions even in the face of reduced state aid. Public employee unions, alas, are mere shadows of their former selves as thousands of government workers — given the freedom to choose for the first time — have opted not to pay dues to union bosses.

Snowflake update

As colleges braced for more protests from hypersensitive and easily offended activists, the Wisconsin Interscholastic Athletic Association weighed in, reminding member schools of its rules to protect the tender sensibilities of student athletes. A December email from WIAA cited recent “unsporting behavior” by students chanting things like “fundamentals,” “sieve,” “airball,” “we can’t hear you”



and “scoreboard.”

What strikes us is the extraordinary impulse here to bubble-wrap kids and micromanage even crowd behavior. Sportsmanship is an important value, but the WIAA “guidance” embraced the clear assumption that high school athletes are such frail and fragile flowers that they have to be protected against even relatively benign feedback from the stands. If student athletes can’t handle hearing “fundamentals” being chanted, we suspect that attending a college or pro sporting event would come as a rude shock.

No wonder we have raised a generation of snowflakes.

Congrats, Marquette

Speaking of snowflakes, Marquette University once again received national recognition of a dubious sort. In January, Marquette President **Mike Lovell** won the third runner-up medal for worst college president of 2015, which is no mean feat, given the stiff competition. Think of it as the Super Bowl of academic awfulness, cowardice and unprincipled appeasement.



The Minding the Campus website awarded the coveted worst president award to Yale University’s Peter Salovey, who “committed millions of dollars to appease racial protesters with a basket of goodies likely to enlarge the stature of the ‘diversity’ movement on campus and its drive for mandatory courses in race and ethnicity.”

But Lovell was very much a contender. According to the website:

“A student who opposed gay marriage attempted to discuss the issue in a philosophy class, but the graduate student who taught the class refused to allow it. She said that the gay marriage issue had been settled and that class

discussion of it would hurt the feelings of gays. **John McAdams**, a Marquette professor and conservative gadfly, wrote about the incident on his blog, which resulted in hostile mail and reported death threats to the graduate student.



McAdams was suspended (though Marquette quibbles about the word), forbidden to set foot on campus, and still remains suspended more than a year later. In discussing the case, President Lovell has talked generally about disrespect and harassment. What he hasn't said is why the Catholic position on gay marriage can't be discussed in class on a Catholic campus."

Lovell's award was no fluke. In February, the Foundation for Individual Rights in Education (FIRE) named Marquette one of the 10 Worst Colleges for Free Speech in 2016, the second year in a row. Again, Marquette was singled out for its attempt to fire McAdams. "Unless it wants to take up permanent residence in this feature," FIRE wrote, "Marquette must resolve McAdams' case and return him to the classroom without further delay." That seems unlikely, given Marquette's decision in March to suspend McAdams through the fall semester, which we suspect will not end well for either the university or its donors.

The Spotted Cow bust

As a nation, we may not be able to protect our borders, but at least we can zealously enforce our laws against such crimes as selling Spotted Cow beer across state lines. In February, the *Minneapolis Star Tribune* reported:

"In an unusual bust, undercover state investigators caught Maple Tavern illegally selling a beloved Wisconsin beer. ... The (Maple Grove, Minn.) bar had tapped kegs of New Glarus Spotted Cow, a farmhouse ale that can only be sold in Wisconsin — a felony offense. ... (Emphasis added.)



"Beer manufactured by New Glarus is distributed only in Wisconsin. The company is not a licensed manufacturer of alcoholic beverages in Minnesota, so it's illegal to distribute New Glarus beer to a retail establishment. Neither the bar's manager nor Maple Tavern are (sic) licensed to transport or import the alcoholic beverage into Minnesota."

Lest we be tempted to mock the zealous gendarmes of Minnesota, we should note that in Wisconsin, it is a crime to sell homemade cookies without a license — and that doing so could lead to a \$1,000 fine and up to six months in jail.

Unsuppressing the vote

For years, the left and the media have warned that requiring photo IDs to vote would somehow suppress the vote. That theory was put to the test this year, and the results were impressive. "Can we finally put this myth to bed?" asked Right Wisconsin's Collin Roth.

"After years of lawsuits, whining and fear-mongering about mass disenfranchisement, Wisconsin's first statewide election with voter ID saw a significant turnout surge. In the hotly contested three-way state Supreme Court race, turnout surged more than 55% above 2013 totals and 34% above 2011 totals."

Indeed, Roth noted, the only notable story about the voter ID law involved a Milwaukee man who spent 10 minutes silently protesting the law. "The protester then got up, produced his valid driver's license and proceeded to vote."

The silence of the pols

In January, Milwaukee got its annual dose of dismal scores on the state's standardized tests.

"In grades three through eight, 27% of MPS students scored proficient or advanced in language arts and 17% did so in math on the Badger Exam/DLM (Dynamic Learning Maps). On ACT scores, 22% of juniors were sufficient or advanced in language arts, with a score 20 or higher, and 10% did as well in math, a score of 22 or higher," the *Milwaukee Journal Sentinel* reported.

As one savvy local observer reacted, "Anyone who does not find these results a scandalous outrage is part of the problem. Sadly, that group will include nearly everyone in official positions of leadership in this community." Indeed, in the race for Milwaukee county executive, challenger Chris Larson accused incumbent Chris Abele of actually wanting to rescue failing city schools, a charge that Abele adamantly denied, vowing not to take control of any school. Mayor Tom Barrett, as is his wont, said nothing at all.

And such was the state of political debate in Milwaukee as 2016 warmed up. [WI](#)

Wisconsin Interest editor Charles J. Sykes is founder of the Right Wisconsin website and a talk show host on AM-620 WTMJ in Milwaukee.

The Trump phenomenon: How did we get here?

By Richard Esenberg

No matter how the Trump phenomenon completes its ugly course, it illustrates something alarming in American politics — something disturbing not only within the conservative movement but in the electorate and in how politicians of both the left and right have ignored a substantial segment of the country.

But we in Wisconsin may have shown the way through.

The explanation for Donald Trump's success is not simple, but let's see what we can make of a simple statement. "I love the poorly educated," Trump said, and both the left and the right chortled. That response is understandable. The idea of President Trump would be laughable had it not become a distinct possibility.

The response is also not wrong. The fact that the campaign for the most powerful position on Earth produces front-runners like Trump and Hillary Clinton is a wonderful argument for limited government. It is a stunning indictment of the notion that we should allow much in our lives to be directed by politics and elections. But there is also a trap in dismissing Trump's supporters as fools or haters. To be sure, they are badly mistaken, and there is certainly a good measure of racial resentment, if not racism, in Trump's appeal.



But things happen for a reason. Populism, however ugly and ignorant, needs some real grievance upon which to work.

Trump's invocation of the "poorly educated" was neither the cynical admission of a con artist (although he is that) or simply a statement of solidarity with those who resent our elites. It was a dog whistle directed at those who believe that politics as usual has left them behind.

On the left, there are both sympathetic and unsympathetic explanations for Trump's success. The unsympathetic explanation is that this is all conservatism come home to roost. In this view, the American right has always been about hate and Trump is simply serving it up in larger and undiluted doses.

There are two problems with this explanation. The first is that it assumes a large number of people are motivated by nothing other than hate and ignorance. This is almost always a mistake. The other is that the

Populism, however ugly and ignorant, needs some real grievance upon which to work.

organized right — consisting of movement conservatives — regards Trump as antithetical to everything that they believe in: limited government, individual freedom, free markets.

The more sympathetic explanation sees Trump's support as a conscious rejection of traditional conservative policies. Trump voters, according to this view, have decided that they don't want lower taxes and smaller government. They want redistribution of income but are simply seeking it in the wrong place. Today's Trumpkins could be tomorrow's Sandernistas.

I don't think so. Trump's supporters may not be Randian libertarians, but they don't seem interested in a handout. They may feel that the political establishment has little regard for the working class, but they see the Democrats as a coalition of people who are not like them: racial and sexual minorities, union members, government workers and limousine liberals.

I don't pretend to fully understand what's going on. Part of it may be no more sophisticated than the sad fact that you can fool some of the people for quite some time. But the misguided and tragic support for Trump might also be a response to the failings of politicians on the left and the right.

The left has lost the white working class because of its unconcealed contempt for the great unwashed who cling to their God and their guns. It is beside itself because a football team is named the Redskins, while it regularly makes sport of rednecks. It has forgotten that the American working class is not a European proletariat. Joe and Jill Sixpack understand, at some level, that American exceptionalism has worked for them, even if all of their aspirations have not yet been achieved. Denmark doesn't look good to them.

But, in the wake of the financial crisis and a perception (however unfair) that capitalism failed to deliver,



some Republicans feel the GOP has been indifferent to them. Trump's working-class voters believe that Republicans, like the Democrats, are also on "someone else's side," i.e., business and the wealthy.


It would be easy — and not completely wrong — to say that politicians must accept where people are. But I'd like to believe that reason and evidence still have space to work. And that's exactly what happened in Wisconsin.

In theory, our Rust Belt state should have been, like Michigan and Illinois before us, Trump territory. But Trump lost here on April 5, and it was no accident. While his core supporters did not waiver, conservatives in Wisconsin were largely united behind a single candidate and motivated by a desire not only to choose a candidate, but to save a movement.

No matter what happens nationally, Wisconsin may have

shown the way forward for conservatives. Over the past five years, we have developed a fantastic conservative infrastructure made up of think tanks and advocacy groups that have explained conservative ideas, not just conservative resentment. The activity of these groups has been augmented by conservative talk radio hosts who are a cut above — actually several cuts above — those found elsewhere and nationally. Our conservative politicians have cared about policy, not just the polls.

Here in Wisconsin, we have shown that ideas and reasoned discourse matter. Nationally, I am afraid that conservatives may be facing a time in the wilderness. In Wisconsin, we have demonstrated the way out and have begun to move forward.

I suspect that we have a lot of work to do. 

Richard Esenberg is president of the Wisconsin Institute for Law & Liberty. He blogs at sharkandshepherd.blogspot.com.

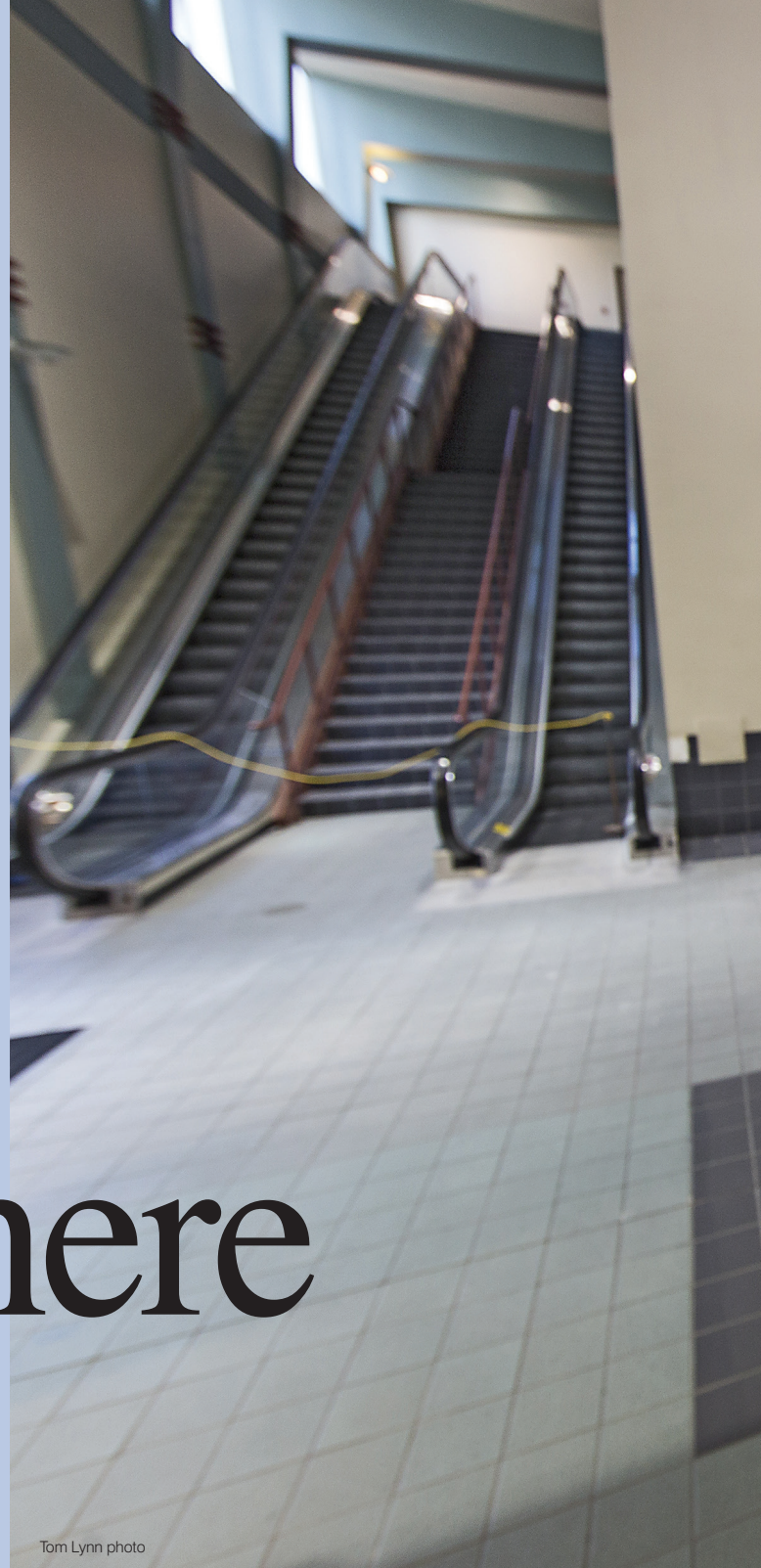
They built the
Downtown Transit Center,
and nobody came

The federal grant to nowhere

By Dan Benson

There's a little-known refuge from the hustle and bustle of Milwaukee's downtown, where a weary soul can escape the cacophony of traffic and pounding jackhammers.

The atmosphere inside the Downtown Transit Center, 909 E. Michigan St., is cathedral-like, with its soaring ceilings and light shafting through the high windows across the floor of the 140-seat waiting room. Other than the occasional bus driver or construction worker passing through to use the restrooms or vending machines, or a sleeping homeless person being roused by the on-site manager, a soul can read quietly or sit in general contemplation undisturbed.



Tom Lynn photo

It wasn't supposed to be that way — and won't be for much longer.

The Downtown Transit Center, which was financed mostly with a \$10 million federal grant and opened in October 1992 with a fair amount of hoopla, will be torn down in the coming months to make way for the Couture, a high-rise, lakefront luxury apartment complex.

The center was hailed at its birth as the centerpiece for a



Taxpayers have poured more than \$19 million into the little-used Downtown Transit Center, which is slated for demolition starting in August.

new era of Milwaukee mass transit that would draw “several hundred” riders each day and link downtown and inner city residents with employers on Milwaukee County’s fringe and, if light rail were developed, with commuters in adjacent counties.

Instead, the center has stood for nearly a quarter-century as a colossal white elephant on the lakefront, smack dab in the middle of perhaps the most expensive real estate in

Wisconsin — inhibiting development, generating no tax revenue and costing taxpayers up to an additional \$3 million to operate and maintain over its lifetime. It never fulfilled the purpose for which it was ostensibly built, all because local leaders were chasing “free” federal money to develop an even larger project that never happened.

Transportation pipe dreams

It’s not the first time plans for the site have gone awry at taxpayer expense. Time and again over the decades, local officials have used federal money for transportation pipe dreams that never came to pass.

The site was once a rail yard next to the old Chicago & North Western train depot, according to John Gurda in a 2012 *Milwaukee Journal Sentinel* column. In the 1970s, it was a parking lot when it was bought with federal funds for a proposed interchange linking the Park East Freeway with the Hoan Bridge and the downtown segment of I-794.

The site wasn’t used for that purpose, however, and stood idle until officials hatched the plan in the late 1980s for the \$27.5 million Northwest Corridor project — to connect downtown-area workers and northwest side employers via express buses. The southern terminus of the project was to be the transit center, to be built for more than \$16 million, \$10 million of that being federal money.

The county share for the center was the \$6.5 million value of the 2.2-acre site. That was enough to leverage more federal money to develop the Northwest Corridor, for which the county anted up another \$1.42 million in cash and the state \$575,000, mostly to buy buses.

On the transit center’s opening day in October 1992, passengers were bused for free to the center, where they enjoyed cake and entertainment, won door prizes and heard speeches from U.S. Sen. Bob Kasten, County Executive Tom Ament and other officials.

“The new transit center not only is a great facility for our bus passengers; it provides a focal point for our downtown routes and makes it easier for everyone to use mass transit in Milwaukee County,” Ament said.

“Several hundred riders a day soon are expected to pass through the center,” Joe Caruso, Milwaukee County Transit

“Everyone who was involved with it knew it would never work as a downtown transit center. It was a transit center in name only.”

— Kenneth Yunker,
executive director of the
Southeastern Wisconsin
Regional Planning Commission

Transit Center



Tom Lynn photo

The Downtown Transit Center's primary traffic comes from county buses, which use the site as a place to turn around.

System marketing director, told *The Milwaukee Journal*.

Besides the waiting area, the center featured indoor parking for up to 30 buses, a 5,200-square-foot second floor that included the Harbor Lights Room and other meeting rooms and a kitchen that could be rented, a rooftop park with spectacular lake views and a six-story clock tower, the hands of which some years ago appeared to become stuck perpetually on one face at about 6:30.

Overdesigned and underused

The center got off to a rocky start almost from the beginning, however, with bus ridership declining even before construction was completed due to funding cuts, a fare increase and some Milwaukee companies moving from downtown.

By May 1993, just seven months after the center's opening, *The Journal* wondered in an editorial where all the riders were:

"The cornerstone of a new Northwest Corridor project to link inner city job-seekers with outlying employers, the center was envisioned as a crucial way station to get people

in and out of downtown. Several hundred riders a day were expected to pass through it," the newspaper opined.

"(E)xperience so far has been far less rosy. Apparently only a handful of riders come through the station daily and few make use of the 140-seat waiting area.

"(T)he absence of regular commuters reinforces misgivings expressed at the time the center was conceived that it may have been overdesigned or ill-placed for the needs it was supposed to serve."

Kenneth Yunker, executive director of the Southeastern Wisconsin Regional Planning Commission, said building the center was mostly the feds' idea.

What the county needed, said Yunker, who was assistant director of SEWRPC at the time, was a bus-marshalling garage, where buses could be parked so they'd be ready to take commuters home. Federal Transit Administration officials said they could fund the center but insisted that it include a waiting room for commuters.

"Everyone who was involved with it knew it would never

work as a downtown transit center,” Yunker said in a recent interview. “It was a transit center in name only. It was a bus-marshalling center the FTA was willing to fund but only if it included a waiting room.”

Almost from the beginning, supporters defended the construction with talk of what the center one day could become. With “build it and they will come” faith, officials held out hope that yet another transportation dream — a \$781 million light rail system — would save the day and justify the transit center.

“Light rail could one day figure into the formula. It’s better to have the facility that you can work creatively with than to have nothing at all,” Caruso told a *Journal* reporter.

But light rail never happened, either, and by 2002 even the Northwest Corridor project died with the retirement of the MetroLink Northwest Express line. Life for the transit center settled in as little more than an extravagant break room for bus drivers, costing the county about \$300,000 a year to maintain and operate, county Transportation Director Brian Dranzik said in a recent interview.

Some of that cost, up to \$200,000 a year, was offset by rentals of the Harbor Lights Room, which was shuttered last year, he said. But there were other expenditures over time to replace worn-out systems and equipment, he said. All told, the county probably spent close to \$3 million in maintenance on the building over the past 23 years.

So far, then, taxpayers have poured more than \$19 million into the transit center.

“The operations are significantly scaled back compared to what it was designed for,” Dranzik said. “It’s really underutilized because it’s a few blocks off Wisconsin (Avenue), and you have more ridership generated from the US Bank

building and going west. So riders would have to backtrack” if they went all the way to the transit center.

According to a development agreement for the Couture project presented in 2014, “Although called the Downtown Transit Center, currently there are no connections to transit. The DTC site is used only as a terminal point for buses,” basically a \$19 million spot for them to turn around.

Make way for the Couture

Any hope of recouping tax dollars is gone now that the county is selling the site to developer Rick Barrett and his Barrett Visionary Development for \$500,000.

On April 4, the FTA approved the transit center sale, which means the county will not have to repay the federal government millions of dollars — the difference between the property’s current appraised value of \$8.9 million and the discounted selling price of \$500,000. In 2012, the FTA said the county could apply proceeds from the sale to “another (transportation) capital project.”

In other words, once again, local officials are using the transit center land’s value to secure more federal funding for another transportation project — this time one that some argue is even more foolhardy: the downtown streetcar.

The inclusion of a streetcar station and bus concourse in the Couture development and the county stake in the property make it possible to secure about \$69 million in federal grants to help pay for the \$128 million, 2.5-mile streetcar project.

After the federal grants are applied to the streetcar’s construction costs, the remaining \$59 million will be borrowed and repaid from property tax revenue of three tax incremental financing districts.

**Downtown
Transit Center
BY THE NUMBERS**

\$16 million
Cost to build it

\$10 million
Federal grant to build it

\$6.5 million
Milwaukee County’s cost,
which was the value
of the 2.2-acre site

\$8.9 million
The property’s current
appraised value

\$500,000
Selling price to
developer Rick Barrett

\$3 million
The county’s cost
to maintain and operate
the center over 23 years

\$19 million
The center’s total
cost to taxpayers



themilwaakeestreetcar.com

Transit Center

To cover operating costs, estimated to be \$2.4 million a year, already-acquired federal Congestion Mitigation and Air Quality Improvement, or CMAQ, grants are expected to cover 80% of those costs for the first 18 months, “with the possibility of an extension for another 18 months,” according to the city’s streetcar website. The other 20% of operating costs will be covered for those three years by streetcar fares, advertising and sponsorships, the site says.

After the first three years, operations will be covered by fares, advertising, sponsorships, corporate agreements and as-yet-unnamed “federal funding opportunities,” according to the website.

Down the road, meanwhile, it could cost another \$29 million to build the Lakefront Line, or second phase, of the streetcar route to bring it the half-mile from Broadway to the Couture station.

Proponents say the Couture will be Wisconsin’s first

“Although called the Downtown Transit Center, currently there are no connections to transit. The DTC site is used only as a terminal point for buses.”

— Development agreement for the Couture project

connection between county buses, the city streetcar and pedestrian access to the lakefront — sounding much like promises made when the transit center was built.

Milwaukee Mayor Tom Barrett says the streetcar project will spur economic development downtown along the route. Others disagree vehemently. But all agree it would not be built if “free” federal money was not driving the policy and construction decisions.

Putting property on tax rolls

The \$122 million, 44-story Couture project will include 302 high-end apartments above restaurant and retail space, a parking structure, the streetcar station and bus concourse, and a public plaza.

For the first time in more than 50 years, the development will put the property on the tax rolls, where it is expected to generate about \$2.25 million annually in property tax revenue once completed, according to the development agreement presented in 2014. It’s also expected to generate

Federal money fuels nation’s streetcar trend

Dozens of American cities, including Milwaukee, either have built or are looking to build streetcar systems, hoping to replicate the economic development that Portland, Ore., and other cities have seen grow around their streetcar routes.

But as one detractor wrote, streetcars are “like moustache wax and pretentious coffee,” little more than a popular, and extremely expensive, mode of transportation for the hipster crowd. To proponents, streetcars — given their short routes, slow speeds and high price tags — aren’t so much an answer to urban mass transit issues as a means to jump-start economic development.

“Streetcars can, with their retro look and measured pace, promote businesses as much as they get people from Point A to Point B,” acting Federal Transit Administration chief Therese McMillan blogged last year. “They offer potential to spur new development, often in areas that had been economically flat-lining, adding to the character of downtown neighborhoods.”

Whichever side of the tracks one stands on

the issue, however, everyone agrees that few, if any, streetcar systems would be built if not for the federal government’s bankrolling of many of the projects over the past decade. Since 2009, a dozen streetcar systems have come online, including four last year, helped by \$1.2 billion in grants from President Barack Obama’s stimulus package.

The American Public Transportation Association, an industry advocacy group, lists 29 streetcar systems in the United States and Canada. Among 89 cities with systems in the planning stages is Milwaukee, which looks to build a \$128 million, 2.5-mile system with the help of \$69 million in federal grants.

Most recently, New York City Mayor Bill de Blasio in February proposed building a 16-mile streetcar through Brooklyn and Queens at an estimated cost of \$2.5 billion.

Ironically, Portland’s system, considered the first of the modern streetcars and a model for other cities, began with no federal money in 2001 at a cost of \$103.1 million.

No federal funds were used until 2009, when \$79 million was awarded to help pay

for an extension.

Today, the Portland line consists of 7.35 miles of track, built at a total cost of \$251.5 million. It costs about \$5.7 million a year to operate, with only about \$1.2 million covered by fares, advertising and other sources of revenue.

Enthusiasm for streetcars in some cities has cooled in recent months, however, due to design issues, cost overruns, the need for local financing and the realization that economic development along routes often requires stiff incentives from the cities.

These include Anaheim, Calif.; Arlington, Va.; Providence, R.I.; San Antonio; and Washington, D.C.

Operating costs also worry some cities. In Milwaukee, for instance, operating funds are in place only for the system’s first 18 months. Cincinnati has budgeted about \$3.5 million per year for operation, but deficits are looming and leaders may have to tap the general fund for an additional \$1.5 million to \$2.5 million a year.

— Dan Benson

thousands of temporary construction jobs and hundreds of permanent jobs, improve access to the lakefront and boost the downtown economy.

In the meantime, the transit center sits quietly awaiting its demolition, expected to begin in August. Outside on Michigan Street, construction crews are working. Buses periodically pull into the center's underground garage. Its waiting room sits empty. The stairway and escalators to the second floor are cordoned off.

Remaining upstairs are the Milwaukee County Historical Society's interesting wall displays featuring photos, maps and other artifacts of Milwaukee's transportation history.

Those items are expected to be returned to the historical society and some of the owners who lent them to the exhibit, said Mame Croze McCully, the society's executive director.

When the center is razed, those artifacts will be all that remains of what some called "the mistake by the lake."

In August 1993, former Milwaukee County Executive David Schulz, who oversaw the transit center's development until his term ended in late 1992, defended the project and pointed with pride to it in a column he penned for the

Milwaukee Sentinel.

The center, he wrote, "represents a creative use of federal resources ... using the value of land which the federal government had paid for and then given to the county to match additional federal transit funds. ... The result: a valuable transportation facility and terrace park, replacing acres of asphalt surface parking at little cost to county property taxpayers."

In February 2015, however, his sister, Peggy Schulz, wrote in the *Journal Sentinel* that David "admitted at the time that the center was built because the money was there to do so." (David Schulz died in 2007.)

In her column, in which she advocated against Milwaukee's streetcar project, she apologized to David for telling on him, suggesting that the true motive for building the transit center was a secret and it would not have been built where it was — or at all, possibly — if not for the lure of "free" federal money.

"Sound familiar?" she asked. **WI**

Dan Benson is WPRI's 21st Century Federalism Project editor.

Here's a look at other streetcar systems:

Atlanta

Length: 2.7 miles

Cost: More than \$90 million, with \$47 million coming from federal grants

Opened: December 2014, almost a year behind schedule

What's next: The city council recently approved pursuing a 50-mile system that would cost about \$5 billion, which officials say would be paid for by federal grants, private investment and a 1-cent sales tax.

Charlotte, N.C.

Length: 1.5 miles

Cost: \$37 million, paid for by a \$25 million federal grant and \$12 million from local taxpayers

Opened: July 2015

What's next: A 2-mile extension is planned, at a cost of about \$50 million, with half coming from the feds. City officials say



no property taxes will be used.

Cincinnati

Length: 3.5 miles

Cost: \$102 million, with \$10 million from state grants and the rest from tax incremental financing, bond issues and private investment

Opening: Set for September 2016

What's next: Future extensions will be funded mostly by

federal grants and \$15 million in proposed local funding.

Dallas

Length: 1.6 miles

Cost: \$78 million, with \$26 million from federal grants, \$30 million from the state and \$22 million in local funds

Opened: April 2015

What's next: Last year, the city approved an extension, funded by a \$27.5 million federal grant.

Kansas City, Mo.

Length: 2.2 miles

Cost: Projected at \$102 million, with \$37.1 million coming from federal grants and the rest from special assessments on downtown property owners and a 1-cent sales tax increase within the streetcar district

Opening: Set for May 2016

Seattle

Length: 3.8 miles

Cost: \$56.4 million, including \$14.9 million in federal grants, for phase 1; \$132 million, paid for through a regional transit authority, for phase 2

Opened: Phase 1 in 2007; phase 2 in January 2016

What's next: Construction on phase 3, costing \$135 million, could begin this fall with the help of a \$75 million federal grant. A fourth phase is planned.

From the Steven Avery case to the John Doe,

Making a Defender

Dean Strang confesses that he is guilty as charged: He likes defending underdogs. But he doesn't consider himself a crusader.

The Madison defense lawyer, who found sudden, international fame among TV binge-watchers via the Netflix documentary "Making a Murderer," was also at the center of the defense for conservative activists targeted by the John Doe investigation in Wisconsin. That may seem paradoxical, but Dean Strang has a track record of fighting for citizens standing up against government abuse:

lawyer **Dean Strang** challenges government power



**ON THE
FRONTLINES
OF REFORM**
by Betsy Thatcher

Frontlines

•With fellow criminal defense attorney Jerome Buting, Strang defended Steven Avery, the Manitowoc County man convicted of killing photographer Teresa Halbach, 25, in 2005. The defense team believed that authorities planted and manipulated evidence to frame Avery and were blind to other suspects. The case was the subject of the popular 10-part Netflix series.

•Strang's 2013 book, *Worse Than the Devil: Anarchists, Clarence Darrow and Justice in a Time of Terror*, is a meticulous look at the trial of a group of Italian immigrants in early 20th-century Milwaukee. The book examines the impact of hatred and fear of radical immigrants on the trial.

•A self-described “progressive or enlightened” liberal, Strang defended a supporter of Republican Gov. Scott Walker in 2013 when authorities, acting under the guise of Wisconsin’s John Doe law, raided the homes of Walker allies and associates in search of evidence of alleged campaign violations.

“I do like the underdog,” he said in a recent interview at his law firm, Strang Bradley, near Capitol Square overlooking Lake Monona. “Anybody who’s got the government arrayed against them is the



Tom Lynn photo

underdog. ... If the government is charging you with a crime, of course the more impoverished you are, the less educated you are, the more you’re an outsider as a matter of class or subculture, the more at risk you are.”

Yet Strang, 55, maintains that he did not take on the two high-profile cases and write the book — all with

themes that suggest authorities sometimes abuse the tools given to them or chase an outcome based on biases — as part of a crusade against those in power.

‘Where you want to be’

In the case of Avery, portrayed in the Netflix series as an uneducated outcast, Strang and Buting tried to show that Manitowoc County law enforcement targeted Avery. One theory is that the

— CAREER HIGHLIGHTS —

- Co-founded Strang Bradley (2013)
- Hurley, Burish & Stanton, shareholder (2005-'13)
- Wisconsin’s first federal defender (2000-'05)
- Fitzgerald & Strang, shareholder (1997-2000)
- Shellow, Shellow & Glynn, partner and associate (1988-'97)
- Co-founded the Wisconsin Coalition Against the Death Penalty (1994)
- Assistant U.S. attorney (1987-'88)
- Reinhart, Boerner, Van Deuren, Norris & Rieselbach, associate (1985-'87)
- Author of *Worse than the Devil: Anarchists, Clarence Darrow and Justice in a Time of Terror* (2013). His second book will be published in early 2018.
- Adjunct professor at Marquette University Law School, the University of Wisconsin Law School and UW’s Division of Continuing Studies
- Member of the American Law Institute. Serves on several charity boards, including the Wisconsin Innocence Project

sheriff's department went after him because he had sued the county for \$36 million for his wrongful conviction in a 1985 rape. He was imprisoned for 18 years in that case.

"If you're a criminal defense lawyer, that's where you want to be," Strang says. "It was high-profile.

He was the most despised guy in Wisconsin. He had a compelling back story, and there was enough money (from Avery's \$400,000 settlement with Manitowoc County in the civil suit) that it wasn't going to be a financial disaster — a loss maybe, but not a disaster."

As for his John Doe client, identified in media reports as Deb Jordahl, a conservative strategist and consultant, "She came in, and we hit it off. I liked her. I felt for her, and she's smart and tough and funny and doesn't take herself too seriously. And she's opinionated. I kind of like opinionated people."

At the time, Strang knew nothing about campaign finance law or election law.

"Everybody else in the case was mostly a civil lawyer, and most practiced in that area, so I was kind of an odd fit," he says. "And I'm not conservative, I'm not Republican or conservative-leaning. I think (his client) needed to think about it. I needed to think about it."

It was at their second meeting that Strang realized, "This is where I want to be."

He viewed his client as "someone who may not have done anything illegal and is having her life turned upside down and, by association with Gov. Walker, is sort of taking an acid bath in the media."

The John Doe case, he says, is among a handful of cases that will stay with him for a long time because "it challenged me to work with people who've got a different set of opinions on a lot of issues than I do."

The post-"Making a Murderer" bloggers — who



have commented on everything from Strang's fashion sense to his sex appeal (one magazine article was headlined "Deconstructing Your Sexual Attraction to 'Making a Murderer's' Dean Strang in 13 Steps") — are completely missing the humble, principled individual,

his associates say.

"Dean has a great deal of integrity. What he has done in his career has nothing to do with being on a crusade or anything resembling that," says Stephen Hurley, a well-known Madison criminal defense lawyer who in 2005 wooed Strang to his firm, Hurley, Burish & Stanton. "It has everything to do with, at the moment, doing what he perceives to be the right thing."

'Absolutely brilliant'

Longtime Milwaukee defense lawyer James Shellow was one of Strang's earliest mentors and saw great potential in him.

In the mid-1980s, Strang was a young attorney at a big civil law firm when Shellow, a prominent and colorful trial lawyer, was brought in to help on a complicated case. Shellow came across an "absolutely brilliant pleading."

"It's unlikely that one reads that quality of writing or that thoroughness of research or that incredible insight that I thought was present in that pleading. The author of it was Dean Strang," says Shellow, known for sometimes working round the clock.

"I looked him up in the phone book, and I called him about 5 in the morning, and I said, 'It's 5 o'clock Sunday morning. What in the hell are you doing at home sleeping? Get your ass down here.'"

And so began what has become a long, professional history and friendship between the two men.

Eventually unsatisfied in civil law, Strang found himself

"The courtroom isn't always a comfortable place for me. I don't have a killer instinct. I'm not terribly aggressive." — Dean Strang

drawn to the courtroom, where civil attorneys rarely appear. (They are paid to settle cases, not try them.) This revelation surprised him — he never intended to be a lawyer, let alone one arguing in court.

A winding path to law

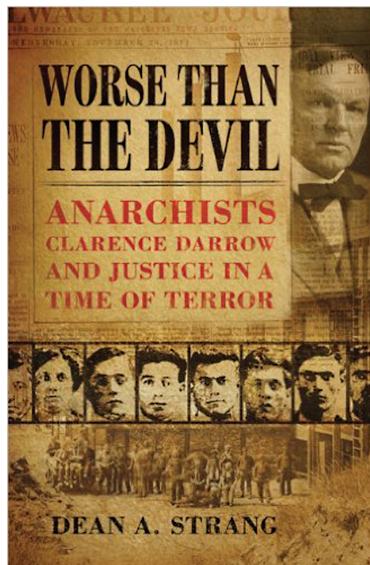
By age 13, Strang, who was born on Milwaukee's south side and raised in Greendale, was determined to be a political cartoonist. "I had a cartoon strip by the time I was 8," he says. It was about a dog named Pete.

As a boy, he discovered the work of Bill Mauldin, the Pulitzer Prize-winning infantryman who dispatched cartoons from the front lines during World War II for *Stars and Stripes*, the military's newspaper.

Strang's love of Mauldin's cartoons led to his decision to apply to Dartmouth College. "When I was 12 years old, and just cartooning all the time, I saw a squib in *The Milwaukee Journal* that said Bill Mauldin was teaching at Dartmouth. In my 12-year-old mind, I was like, 'Oh my God, there's a college that has Bill Mauldin as a professor, and if I go to this college, I can take classes from Bill Mauldin.' ... By the time I was 17 and applying to college, I probably could have or should have figured out that Mauldin was probably there for two weeks or something, or it was probably an artist-in-residence thing."

When Strang arrived at Dartmouth after graduating from Greendale High School, Mauldin wasn't there. But Strang kept pursuing cartooning and was published in college newspapers and the *Milwaukee Sentinel* at age 18.

By the time he was a college junior, though, he decided he needed a career that was more collaborative.



In addition, something bothered him about the emotional milieu of an editorial cartoonist.

"The cartoonist always points out the problem," Strang says. "He never suggests the solution. He's always the critic. I thought, 'I'll be a happier, better person if I'm not relentlessly critical, if I look for ways to solve problems rather than just identify them.'"

So what would he do with his life?

Strang's late father, a manufacturing engineer, always thought his only son would make a good lawyer. Lawyers were celebrated in his family. Strang's paternal aunt became a lawyer in 1952, when few women did, and was a "family icon." His late mother, a teacher, had an uncle who at one time was the longest-practicing attorney in Ohio.

"I sort of defaulted into law school," Strang says. "I entered law school in the fall of 1982. ... It was the beginning of the great bulge (in law school admissions in the United States), and you basically could be a zucchini and you could get into law school."

His law studies at the University of Virginia quickly revealed one thing to him: "I didn't ever want to set foot in a courtroom, and I thought I never would. I didn't take criminal procedure. I didn't take trial advocacy. I took evidence because we had to," Strang says.

Criminal defense skills

After earning his law degree in 1985, Strang joined a Milwaukee civil law firm and found that he enjoyed litigation. He did a short stint in the U.S. attorney's office in Milwaukee, then joined Shellow, Shellow & Glynn and got into criminal defense. It was there that he began honing his skills.

"With every case, he got better, and with every case,

**"I didn't ever want to set foot in a courtroom,
and I thought I never would." — Dean Strang**

he got more insightful, and with every case, he became more excited by what could be done in a criminal trial,” Shellow says of Strang’s time in his office in the 1980s and ’90s, first as an associate and later as a partner.

A few years after Strang left the firm for another, he was selected to be Wisconsin’s first federal defender. In establishing the office — dedicated to serving clients in federal criminal cases who cannot afford a lawyer — in the eastern and western

districts of Wisconsin, Strang “did what many thought was the impossible,” Hurley says.

“And he did it at great personal expense because he could have been making more money in private practice. And he did it very quietly and, as always, very competently and for all the right reasons,” he says.

Strang would never describe himself in such glowing terms.


“The courtroom isn’t always a comfortable place for me. I don’t have a killer instinct. I’m not terribly aggressive,” Strang says. He also shies away from the limelight, feeling awkward and out of place.

His college days were filled mostly with study and not a lot of socializing.

“I’d get invited to parties to break them up,” he says, laughing. “Every party needs somebody who will eventually drive people home, send them fleeing out the door. I can kill a party really quickly.”

To this day, Strang prefers quiet pursuits. He loves baseball, and on weekends at the office he often brings along Rufus, his and wife Jannea’s 5-year-old “half standard poodle, half Wheaten terrier and all wonderful” dog.

Strang’s quiet exterior belies an interior drive and passion, Hurley cautions.

“This is a guy who, when he sees something wrong that needs to be fixed or needs to be addressed, he goes out and does it,” Hurley says. “But he’s not a crusader. It’s about his going home at the end of the day feeling, ‘I have done the right thing.’” 

Betsy Thatcher is a freelance writer in West Bend and a former Milwaukee Journal Sentinel reporter.

Tom Lynn photo



Life campus co



Allen Fredrickson photo

Students recount challenges and frustrations

“The University is not partisan to any party or ideology,” the University of Wisconsin Board of Regents proclaimed back in 1964, “but it is devoted to the discovery of truth and to understanding the world in which we live.”

WPRI President Mike Nichols and *Wisconsin Interest* Editor Charles J. Sykes recently sat down with seven conservative

as a conservative



bucking the liberal trend in the UW System

students from UW-Madison and UW-Milwaukee to find out whether, in their view, the state's universities are as ideologically neutral as their leaders once contended.

In the pages that follow, we let the students speak for themselves — a right they say they aren't always afforded in the classroom.

Watch video of the round-table discussion at wpri.org.

THE PARTICIPANTS



Kyle Beesley, political science major, UW-Milwaukee



Dana Dahms, human development and family studies major, UW-Madison



Devin Gatton, political science, history and religious studies major, UW-Milwaukee



Justin Lemke, finance major, UW-Madison



Nile Porter, economics major, UW-Milwaukee



Jake Regner, economics major, UW-Madison



Matt Sama, business/marketing major, UW-Milwaukee

Q Sykes: So how many of you feel that most conservatives on a college campus have to keep their mouths shut?

Justin Lemke: *Being conservative, you're kind of an outsider here. When I had my own radio show freshman year on the student radio station in Madison, I talked about conservative issues and had guest speakers. I would get calls to the station complaining, "Why is this student on here telling his opinion?"*

Q Sykes: You're outspoken. What do you think most conservative students at UW-Madison do? Do they keep their heads down? Do they learn not to express their opinions?

Lemke: *I think most of them do. There are a lot of homegrown Wisconsinites at Madison. But when they come to Madison, they know it's liberal. They know they're out of place, so they don't say anything.*

Q Sykes: (Addressing Nile Porter) You have the double bump — you're a member of a minority group and you're a student on a liberal university campus. What is that like? How surprised are people to find out that you are a conservative at UWM?

Porter: *They are very surprised, and I enjoy that. I'm not afraid to share my opinion. Sometimes, though, among certain groups, it's taboo. I was on student government's executive board, so I was one of seven, and they were all liberals. And it seemed, since I was the only black on the board, there was this expectation that I was going to present myself in a certain way, argue for certain points and take up certain issues. And I think our advisers were frustrated that I wasn't willing to do that. A lot of kids in the Black Student Union say, "When are you going to come join the club?" And I tell them, "I'm going to join when you guys accept me for*

my beliefs," which is probably never, which is OK.

Q Nichols: Do you get a lot of blowback? There sometimes is a presumption that, if you're African-American, you're a Democrat, you're liberal.

Porter: *Yeah, I get that from my family. That's why I was kicked out of my house. I helped with Scott Walker's nomination papers; my mom is an MPS teacher. She was very upset and told me to leave, but we're cool now.*

Q Sykes: You all are familiar with the phrase, "the snowflakes," right? You know, the permanent cry-bullies on American university campuses? You saw that at the University of Missouri. We're going to see these kinds of uprisings all across the country at every campus, including Madison and Milwaukee, where the usual suspects will come forward with their list of demands and the spineless administrators will cave in.

Devin Gatton: *At UWM, we have the Black Student Union, Students for a Democratic Society and Youth Empowered in the Struggle. They had a "die-in," and a number of us went there with our own signs, with our own message, to counter this. Ironically, the ones who were angrier were the white students. The black students engaged us pretty well, and we had a good conversation. We disagreed on the issues, but it was pretty civil.*

Q Sykes: So rather than being intimidated by all of this stuff, you're turning it around and pointing out the absurdity of the "snowflake rebellion." Is it going to create a backlash, where people say, "This is silly. This is ridiculous. We're not that fragile. We don't need to have our safe spaces with our movies of

puppies and chocolate chip cookies every time we hear a conservative idea”?

Gatton: *We don't really care about that. I'm married with kids. I spent eight years in the Marine Corps. If a 19-year-old is crushed by what I say, I really don't care. I'll continue doing what I'm doing, and it's not going to bother me whatsoever if they're crying in the corner.*

Q Sykes: What is wrong with kids these days? It does appear that a lot of college students like the free-stuff thing, right?

Lemke: *It's actually quite sad when you talk to these people because they don't have freedom. We try to empower them with education, teach them another side of it, so they learn, "Oh, wait. Yeah, I do keep a budget. I do want to do whatever I want in my life. I don't want someone else telling me what to do."*

Q Nichols: Is part of the problem that there's subtle, or maybe overt, indoctrination coming from the professors?

Lemke: *You're 100% right. I took a journalism class last semester, and my grade went up when I started talking like a liberal. I was failing it the first couple of weeks because I spoke my mind. I just changed it to a liberal perspective.*

Q Nichols: So you pretended to be a liberal in order to get a better grade?

Lemke: *Right, and I tell people this story, and they think, "Oh, that was just you, Justin. That's not real." I talked to another student, whom I didn't even know, and asked him, "Did you have to do this, too?" And he said, "Yeah, I had to do the exact same thing."*

Q Sykes: You think ideology affects the grades you get? That professors will actually grade

you differently?

Gatton: *My dad is a college professor up north, and he told me when I started college, "It doesn't matter what your position is. It doesn't matter what your idea is. Write what the teacher wants you to write. That's how you get the grade. Do what the teacher wants. Worry about your positions when you're out of school."*

Q Sykes: Jake, you've experienced it even in economics?

Jake Regner: *Actually, last semester, I took an Intro to Public Policy class and, the professor had us watch the debates. And, interestingly — I think there were three debates throughout the semester — she said, "Watch the Republican debates." Not once did she want us to watch the Democratic debates. And each time, she said, "Now, when you watch these debates, pay attention and see how they frame this issue or how they don't frame the issue." You could just sense this sort of hostility.*

Q Sykes: Others on this grade issue?

Dana Dahms: *I actually started out as an education major. I am not one anymore. I lasted a semester in education. I would get out of class, and I would call my mom and say, "Guess what they're teaching us? This is completely political, and all I want to do is learn how to teach. I don't want politics in it."*

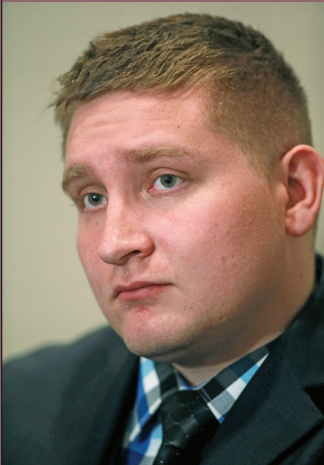
Q Sykes: Give me an example. What were they teaching you?

Dahms: *It was a lot of the "Black Lives Matter" movement because that was happening at the time. A lot of classroom-to-prison pipeline, how having police in schools is bad — just very liberal things. And in class discussions, I didn't really have an opportunity to express my opinions.*



“It's definitely a problem that education students are being taught with a liberal perspective and that there's no hope because we spend 18 or 13 years of our lives in schools, and we have these leaders who are fundamental in our lives and they're always so liberal. The schools churn out liberals, and then those students teach in schools. It's such a pipeline.”

— Dana Dahms



“In my American Sign Language class, the professor actually put in her syllabus that we are oppressing her when we’re speaking our own language. So, by speaking English in her class, because she is a deaf person, we oppress her. That’s what we’re facing. Liberal professors want us to feel like victims. I want to show them I am not a victim.”

— Kyle Beesley

Q Sykes: The bias in the classroom convinced you to not go into that profession? Do you think conservative prospective teachers are selecting out because they encounter that sort of thing?

Dahms: *I think so. I had a long discussion with my parents because teaching was what I planned to do, and they said, “There is always private school teaching.” And I said, “I don’t know if I can handle four more years of hating classes and leaving upset every day.”*

Q Nichols: Do you think there’s a gravitation to certain areas such as economics by conservative kids because they feel it’s an easier path for them? So there’s a segregation that happens by political ideology in the university?

Dahms: *Yes, I do think that.*

Matt Sama: *I actually have two different experiences. One was when I was at Milwaukee Area Technical College before I transferred to a four-year university. I took a sociology course, and it was basically Socialism 101. It was basically the instructor trying to use human behavior and interaction to justify socialism and to justify stealing from somebody in order to give to somebody else. She actually said, “I owe something to society and, as a result, society owes something to me,” which has nothing to do with sociology. And I, on a regular basis, would raise my hand and say, “What does this have to do with anything? Why are we talking about Karl Marx as it pertains to sociology?” It was frustrating because she would single me out and almost scream at me on a daily basis just because I was asking, “What if we tried it this way?” The other scenario was at UWM. I took a film class about multicultural America. And the second week, we were assigned to write about white privilege. I immediately dropped the class, and I will never sit through something like that again. So I understand Dana just saying, “You know what? I’m done*

with this.” But it’s also important for us to put up the good fight.

Q Nichols: You felt as though you couldn’t challenge the notion and still get a good grade?

Sama: *Yeah, and one of the things that this sociology class talked about was wages, and I wrote about the minimum wage and how it disproportionately affects black Americans and minorities. And it was just a shouting match the moment I presented my paper to her.*

Q Nichols: Where are the conservatives on campus?

Regner: *Usually in the economics department. In fact, the most unbiased professors I’ve had have been in the economics department.*

Lemke: *My finance professor took a half-hour of our class time to talk about how our government is running itself into the ground. And he said, “This isn’t going to be opinionated.” He just put out the facts from the Congressional Budget Office. I talked to some students afterward, and some said, “Oh, he just wants everyone to vote Republican.” I said, “How can you see that as voting Republican? He just put facts out there.”*

Q Nichols: Where are the liberal professors hiding? Or maybe they’re not hiding. Where are they most apt to be dominating an entire department?

Gatton: *Political science is bad. I have a teacher right now who is a self-proclaimed Marxist. He is not only proud of that, he uses very far-left papers for examples.*

Q Sykes: So is this education, or is this indoctrination?

Gatton: *Both. I don’t think you can separate one from the other right now.*

Sama: *One of the things I’ve noticed is that*

since President Obama was elected, a lot of these professors have come out and shown who they really are because they now feel comfortable with where society is headed. Society is heading toward a radically, very leftist, very socialistic-sympathizing society. You're seeing more and more teachers who were otherwise a bit more impartial and fair now empowered by this leftist movement.

Kyle Beesley: It seems like the younger generation feels more entitled. It's kind of weird that they believe they're owed something by society. I never got that when I was younger. I don't know where this came from. I don't know if their parents are teaching them that, but that's what I see on campus. And that's why Bernie Sanders, I think, is gaining so much traction with our generation — they all feel like they're owed something.

Q Sykes: One law professor from the University of Chicago said it's OK that we infantilize college students because many of them are not actually grown-ups. How do you react to that?

Beesley: There's a good term for this, what in the Marines we called "mothers of America." And they would say, "Well, we can't do this anymore because of mothers of America. We can't put you through the wringer because they'll come yell at us. They'll say that we're being too hard on you." So there's a "wussification" of America, where young people are treated as infants almost through their adult lives. So they're not actually living an adult life until they're out of college. They're babied by their parents. They're never going to mature mentally, whereas in the Marines we did because we had to mature. You don't see that with college kids because their parents are not putting them through the wringer.

Q Sykes: So Kyle just said the rest of you guys are wusses, I think. Does anybody want to

respond to that?

Gatton: I can't help but agree with Kyle on this, as much as I don't want to. But he hit the nail on the head. I know, as a parent, that if I let my children get away with something the first time, they're going to continue doing it. So I don't let my kids get away with it. However, parents in past generations have allowed their kids to get away with things over and over. So when the kids get to college, they say, "Well, my parents let me do it. I need to be able to do it here as well." And then the college says, "Well, they're not ready yet, so we need to continue the process that they went through with their parents." Unfortunately, that's not how the real world works. None of them is prepared to deal with adulthood because they were never forced to do so in their own homes.

Q Nichols: So you think there's going to be a harsh reality for a lot of these kids when they get out of Madison?

Lemke: Every day.

Q Nichols: What happens when they face that reality and they find out that what they've been told is not getting them a job or resulting in the life they thought they were going to have?

Lemke: They complain about having high student loans. Your gender and women's studies major will not get you anywhere. It just won't. But they never tell you, "By the way, there's no job at the end of this."

Porter: When I was on student government, I noticed that a lot of the students were in those majors. They were being cultured to work for the university. It's this big, self-sustaining machine. They don't need the approval of business; they don't need the approval of any influential person or entity outside of the university. It's just this big bubble where they can create these radical thoughts and never have to pay or answer for it, which is ridiculous. **WI**



“ Liberals tend to think about the present. For example, when tackling poverty, a lot of liberals will prescribe a Band-Aid, or a quick solution, which is throwing money at the issue. Conservatives will probably think years down the road, realizing that there's a hurdle after this first one, taking a moment to think about it and then proceeding. They advocate for education, so people can sustain themselves and pass down those beliefs to their children, which tends to lift society as a whole. ”

— Nile Porter

Watch video of the round-table discussion at wpri.org.

MIKE NICHOLS



What the professors don't want to hear

Conservative students forfeit some of their freedoms to survive in liberal environment

Justin Lemke figured out a way to get a better grade in his journalism class at the University of Wisconsin-Madison last semester: Talk like a liberal.

Dana Dahms wanted to be a teacher but found that her UW education classes were so infused with liberal politics that she had to switch majors.

Devin Gatton, a conservative UW-Milwaukee student, said his dad warned him to keep his positions and ideas to himself and just “write what the teacher wants you to write” in order to get the grades. His dad ought to know; he’s a college professor in northern Wisconsin.

They’re not unusual, these Wisconsin college kids. They speak up outside of class — and relayed their concerns in the preceding story. But in the classroom, they do what many conservative students feel forced to do in order to survive in departments so monolithically liberal that professors confuse political ideology and opinion with academic doctrine.

It’s a fundamental irony: Universities that exist to foster critical and independent thinking often do just the opposite.

Some professors elsewhere in the United States say things aren’t as bad as we think and suggest that conservatives de-escalate their so-called rhetorical war against the progressive university. Two conservative professors, Jon A. Shields and Joshua M. Dunn Sr., chimed in recently in *The Washington Post* that while “right-wing faculty members and ideas are not always treated fairly on college campuses ... right-wing hand-wringing about higher education is overblown.”

Maybe for the small coterie of conservative professors. But what about the students who know the bias of the Intro to Public Policy instructor who invariably asks her students to critique the Republican presidential debates, never the Democratic ones? Or the professor in the first-semester class on — ostensibly, at least — education that focuses on the “Black Lives Matter” movement or the “prison pipeline” instead of, say, how to help a child with special needs or unusual gifts?

“So what?” you might ask. These students see it for what it is. Yes, some — at a cost. The ones who talked to us are unusually

incisive, articulate and forthright. They’re also unusually mature. Many of them came to college with well-formed ideologies.

But what about the kids who are more typical 19-year-olds, the ones who are fundamentally influenced by their college professors because they’re, well, college professors and have doctoral degrees, not to mention grade books. What about the students who aren’t strong enough, mature enough or masochistic enough to stand up to the self-proclaimed Marxist instructing them at UWM?

And what about those who, out of self-preservation, swallow hard and remain quiet in order to get what could turn out to be a deeply unsatisfying degree? You shouldn’t have to give up a part of yourself in exchange for the parchment that the world demands.

It’s not just a problem for conservatives on college campuses. Dahms transferred out of UW’s School of Education. She gave up her dream of being a teacher in order to think for herself. But a lot of her classmates didn’t transfer — and it’s a pretty safe bet that many agreed with the political perspective they heard being spouted every day or came to agree over time. They’re the ones who will

Universities that exist to foster critical thinking often do just the opposite.

enter the teaching world themselves — and repeat the cycle because they know no better.

The real tragedy is that in many areas of academia, so much of this is self-perpetuating. Professors, through the tenure process, choose like-minded colleagues. Academics who are conservative learn to avoid certain disciplines such as sociology or education. Dahms’ classmates who stayed in education, meanwhile, eventually will go out into the world with only half a view of it and assiduously attempt to shape the rest of the Earth to their own likeness.

After watching the UW Board of Regents kowtow to professors in recent months, I’m tempted to suggest that they should worry about students for a change — but that wouldn’t be quite fair. The regents do care about students, some of them at least. And they do care about freedom of speech and expression — at least according to the board’s recent statement affirming its commitment to freedom of expression.

The regents’ statement, passed in December, assures everyone that UW institutions have a “commitment to a completely free and open discussion of ideas.”

“Each institution ... has a solemn responsibility not only to promote lively and fearless exploration, deliberation and debate of ideas, but also to protect those freedoms when others attempt to restrict them,” the regents say.

The problem is that when it comes to what actually occurs in too many classrooms, that solemn responsibility is forgotten, and too many students, the conservative ones, are forced to remain silent. I wonder if the regents really understand that.

I’d like to thank Dahms, Gatton and Lemke as well as students Kyle Beesley, Nile Porter, Jake Regner and Matt Sama for having the courage to speak up. I hope other conservatives throughout the UW System will now as well. [WI](#)

Mike Nichols is the president of WPRI.

Higher education reform: The next big idea



How Wisconsin could lead the way
in transforming the modern university

By Charles J. Sykes

Can we fix higher education?

Is it possible to reform an institution so plagued by bloated costs, academic failure, debt and political correctness?

The questions sound naïve since so many previous attempts have failed to dent academia's stubborn resistance to reform. But that may be about to change – and Wisconsin could lead the way.

Big Idea

The keys to reform lie in:

- Bursting the higher education bubble;
- Adopting new technologies that threaten the status quo;
- Being willing to embrace big, bold reforms.

For some families, sending a child to a private university today is like buying a BMW every year — and driving it off a cliff. If the education is financed through student loans, paying for four years of college is like buying a Lamborghini on credit.

Since 2004, student debt has more than quintupled; 66% of students now borrow to pay for college, up from 45% as recently as 1993. Millions of students carry debt burdens without even getting a degree. Student loan debt now exceeds the nation's total credit card and auto loan debt. The delinquency rate on student loans is higher than on credit cards, auto loans and home mortgages.

Where does the money go? Spending on instruction remains flat, even as spending on administration, buildings, athletics and non-instructional student services has exploded. Recent decades have seen the proliferation of vice presidents of student success, directors of active and collaborative engagement, dietetic internship directors and sustainability directors, along with vast arrays of administrators devoted to diversity and inclusion.

From 1975 to 2005, the number of full-time faculty in higher education rose by 51%, but the ranks of bureaucrats rose by 85%

and the number of “other professionals” by 240%.

Soaring student debt

All of this was floated on an ocean of expanding student debt: \$1.3 trillion and rising. The unfortunate realities are that:

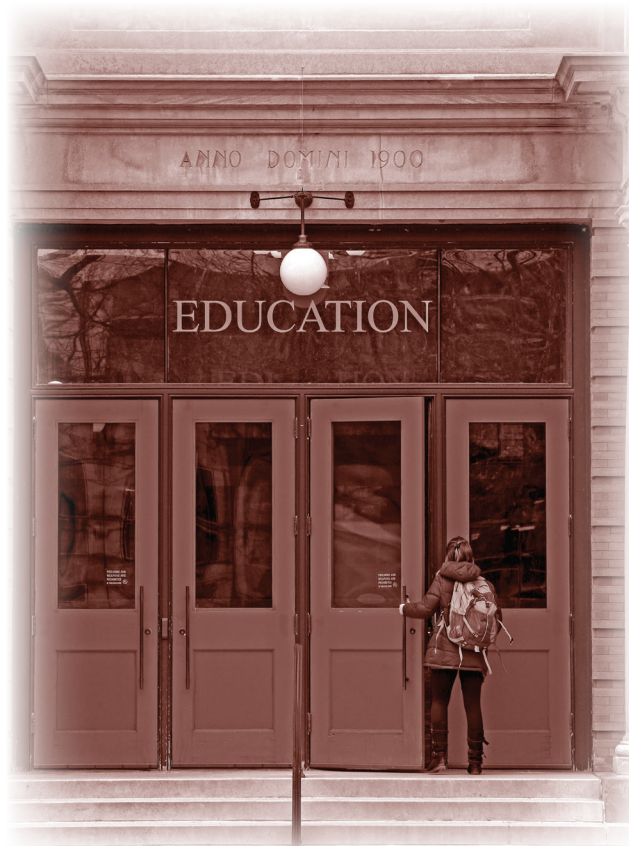
- Too many students spend too much time in college.
- Too many spend too much money there.
- Too many go to the wrong college to study the wrong subjects.
- Too many are graduating with costly but worthless degrees.
- Too many drop out without getting a degree.

As a result, far too many pay too much for too little.

So where do we start deflating the bubble? The modern multiversity needs to be downsized, starting with its massive building programs, bureaucracies and non-instructional staff. But we also need to start

asking more fundamental questions, such as: “Why does it take four years to get a degree?”

There is, after all, nothing sacred about four years. Why not three? Or two, or one? As political scientist and author Charles Murray has noted, students who want to be software designers, accountants, hospital administrators, high school teachers, social workers, journalists, optometrists or interior designers do not need to spend four years in college. Classes that would allow them to obtain “the academic basis for competence” would take perhaps one or two years. The rest



Allen Fredrickson photo

Massive open online courses are anti-elitist but profoundly meritocratic. There are no SAT or ACT scores, no legacy admissions preferences, no class or racial bias, no affirmative action, no bloated lists of extracurricular activities.

is merely time-wasting, expensive filler.

That is why an idea floated this year by Gov. Scott Walker is so radical: What would happen if a university announced that henceforth it would offer a three-year bachelor's degree? In one stroke, it would cut the cost of a college education. While such a shift also would cut the school's per-student revenue, it would provide a distinctive way of competing for students — and put the institution on the cutting edge of reform.

A bigger idea

But there is an even more radical idea: wedding the three-year degree to massive open online courses (MOOCs), which could change the basic nature of higher education.

Futurist and author Nathan Harden sees MOOCs as a mighty and irresistible model of creative destruction: “Big changes are coming,” he wrote a few years back, “and old attitudes and business models are set to collapse as new ones rise. Few who will be affected by the changes ahead are aware of what's coming.”

Harden explained:

“The live lecture will be replaced by streaming video. The administration of exams and exchange of coursework over the Internet will become the norm. The push and pull of academic exchange will take place mainly in interactive online spaces, occupied by a new generation of tablet-toting, hyper-connected youth who already spend much of their lives online. Universities will extend their reach to students around the world, unbounded by geography or even by time zones. All of this will be on offer,

too, at a fraction of the cost of a traditional college education.”

The results, he wrote, will be apocalyptic:

“The future looks like this: Access to college-level education will be free for everyone; the residential college campus will become largely obsolete; tens of thousands of professors will lose their jobs; the bachelor's degree will become increasingly irrelevant; and 10 years from now Harvard will enroll 10 million students.”

This is not only disruptive, it is breathtakingly radical, because MOOCs are anti-elitist but profoundly meritocratic. There are no barriers to entry, no SAT or ACT scores, no legacy admissions preferences, no class or racial bias, no affirmative action, no bloated lists of extracurricular activities. Instead, students just need the willingness to do the work and achieve mastery.

Equally radical, MOOCs will shift power from the institution to the student as academia is decentralized in a way already experienced by so many other industries that have found themselves upended by consumer-driven, on-demand models. MOOCs will challenge the status quo on just about every level of higher education — from admissions to teaching to the granting of coveted degrees. When universities no longer hold the keys to those credentials, their world will be rocked.

How big a threat does this pose? Imagine this future:

Rather than showing up with a degree from the U of Somewhere with a simple B.A., a student arrives

for her first job interview with a degree or a bundle of certificates of mastery that includes courses with world-class scholars. She can show her prospective employer a stacked portfolio that includes a course in artificial intelligence from Stanford, in computer science from Cornell and Harvard, in Alexander the Great from Wellesley, in environmental law from Yale and in globalization from Georgetown. Her degree also includes verified certificates from Princeton for a course in the paradoxes of war, from the Copenhagen Business School in social entrepreneurship and from the University of Pennsylvania in analyzing global trends for business and society.

Moreover, she can show that in each of those courses, she achieved actual mastery — in contrast to graduates of traditional colleges, who may have gotten credit for C-level work in far less-demanding classes. And our applicant shows up without a mountain of debt, since she earned her degree for a fraction of what her peers paid.

That student could mark the beginning of the end for the business model that has sustained higher education for decades. Anant Agarwal, CEO of MOOC provider edX, which was founded by Harvard University and the Massachusetts Institute of Technology, envisions a future where “rather than students coming in for four years to do a bachelor’s

degree, they’ll come in having taken their first year of courses as MOOCs. Then they’ll spend two years on campus, spend the final year getting a job and continuing to take MOOCs and becoming lifelong, continuous learners.”

Changes on the way

State universities — including the University of Wisconsin — could adopt the model, with equally

radical consequences, especially for college affordability. (See related story on Page 30.)

There are already signs of interest: In 2013-’14, UW-Madison launched four pilot MOOCs, which have drawn more than 135,600 learners from 50 states and 141 countries. In 2015, UW added six more courses. This is just the beginning.

In 2015, MIT announced that it would offer a full master’s degree that would involve taking about half the course content online and half on campus.

The same year, Arizona State University announced that it would allow undergraduate students to take their



MOOCs will challenge the status quo on just about every level of higher education. When universities no longer hold the keys to those credentials, their world will be rocked.

entire freshman year online and offer credit for MOOCs that could be applied toward a degree at ASU or transferred to other universities that would recognize the credits.

How disruptive was ASU’s announcement? Let’s count the ways:

A new world in online courses

There is a long history of attempts at distance learning, including the venerable correspondence course. But massive open online courses (MOOCs) represent something new: With their size, quality, interactivity and potential to shake up credentialing, they change the game.

"We're nearing the point," says Harvard University professor David Malan, "where it's a superior educational experience, as far as the lectures are concerned, to engage with them online."

Coursera co-founder and president Daphne Koller explained in a talk on ted.com how the courses are different from what has come before: They start on a given day, students watch the videos on a weekly basis and do homework assignments. These are "real homework assignments for a real grade," she stressed, "with a real deadline."

And the videos are not just standard ones. Periodically, the video pauses, and students are asked to answer a question. The contrast with the mass lecture is significant, Koller noted:

"(When) I ask that kind of a question in class, 80% of the students are still scribbling the last thing I said, 15% are zoned out on Facebook and then there's the smarty pants in the front row who blurts out the answer before anyone else has had a chance to think about it.

"In the online courses, every student has to engage, and every student has to demonstrate mastery to pass. The courses use technology to evaluate student progress and provide grades. In courses that do not lend themselves to multiple-choice grading, the MOOCs rely on 'peer grading.' But the real innovation in the MOOC is the ability to personalize instruction and to evaluate the effectiveness of both teaching and learning."

The courses also can require mastery of the subject. While traditional college courses offer credit to a student who may grasp only a fraction of the material, online courses can set the bar higher. And once mastery is achieved at the end of the course?

"The students got a certificate. They could present that certificate to a prospective employer and get a better job, and we know many students who did. Some students took their certificate and presented this to an educational institution at which they were enrolled for actual college credit," Koller said.

And, unlike the bachelor's degree, which is increasingly untrustworthy as an indicator of what the student has mastered, a certificate from one of the elite online providers can be a very reliable and specific indicator of what the student has achieved and what he or she can do.

— Charles J. Sykes

- The program has no admission requirements, no SATs, no GPAs. Anyone anywhere in the world can take MOOCs for credit.
- Students pay for the courses only if they pass. The program, therefore, is risk-free.
- If students pass their courses in the Global Freshman Academy, they have to pay only \$200 per credit.

That alone is a game-changer. The full cost for a freshman taking the online courses would be \$5,160 (which includes a \$45-per-course verified student fee). Compare that with Arizona State's annual out-of-state tuition of \$24,503. Adding in room and board and other on-campus expenses, the cost rises

to more than \$39,600.

In one stroke, ASU's embrace of online courses slashed the cost of a year of college by more than \$34,000, or over 85%. ASU is already becoming a magnet for students from around the world.

Imagine if Wisconsin followed suit, turning itself into a mecca of educational opportunity and innovation.

If the governor is looking for his next big, bold idea, he already has the road map. [WI](#)

Wisconsin Interest editor Charles J. Sykes is founder of the Right Wisconsin website and a talk show host on AM-620 WTMJ in Milwaukee. This article is adapted from his book, *Fail U.: The False Promise of Higher Education*, which will be published in August by St. Martin's Press.



Making college more affordable

With tuition skyrocketing, we need bold changes to improve access to higher education

By Richard Vedder

Richard Vedder is the director of the Center for College Affordability and Productivity and an adjunct scholar at the American Enterprise Institute, both in Washington, D.C. A distinguished professor of economics at Ohio University, he is the author of several books, including *Going Broke by Degree: Why College Costs Too Much* and *The Wal-Mart Revolution: How Big-Box Stores Benefit Consumers, Workers and the Economy* (with Wendell Cox). Vedder earned his Ph.D. in economics from the University of Illinois.

Wisconsin is justly proud of its universities. The University of Wisconsin-Madison is ranked by the London-based Times Higher Education as the 50th-best university in the world and the fourth-best U.S. public university east of the Mississippi River. *U.S. News & World Report* rates UW as the 11th-best public university in the United States, tied with the University of Illinois at Urbana-Champaign.

Yet until Gov. Scott Walker's tuition freeze took effect in the 2013-'14 school year, tuition had been soaring, up 118.7% in the previous decade — an extraordinary 8.1% a year. For average citizens, attending even public universities is becoming a large financial burden.

This is a nationwide phenomenon: College tuition has risen more than any other component in the Consumer Price Index, with the possible exception of health care costs.

Why? Universities are truly America's "peculiar institutions," organized in a medieval manner with a culture resistant to change. They are highly dependent on third parties — the federal and state governments and private philanthropy — to pay the bills. As with health care, when someone else is financing much of the enterprise, users are less sensitive to costs, and the opportunity for waste, fraud and abuse grows.

Three explanations are frequently offered for rising college costs.

The human factor

The first, originally attributed to Princeton economist William Baumol decades ago, is that higher education is a service industry in which it is virtually impossible to gain efficiencies by substituting machines for humans.

Teaching is like theater: It takes as many actors to

perform "King Lear" as when Shakespeare wrote it 400 years ago. While there is a grain of truth to this (I teach the same number of students the same way I did 50 years ago), there are two flaws in this argument.

First, technology *does* allow lower instructional costs, with online teaching in particular. Second, the vast increase in personnel at universities has largely gone for non-instructional hiring, especially bureaucrats swelling administrative staffs.

Reduced funding

A second argument is familiar in Wisconsin: Politicians are reducing appropriations, so tuition must be increased to cover the revenue shortfall. Again, there is some truth to this, but there are two big flaws here as well.

First, tuition has risen over the years at private schools (Marquette

University, Lawrence University and Beloit College, for instance) almost as much as at public institutions, yet private schools don't receive state appropriations. Second, even in the era when appropriations were rising, state university tuition was still increasing faster than overall inflation.

Financial aid program

The third explanation is usually attributed to former U.S. Education Secretary Bill Bennett, who argued that the vast federal student financial assistance programs enacted after 1970 led colleges and universities to raise tuition in order to capture the federal monies for themselves.

Meticulous new studies from the National Bureau of Economic Research and the New York Federal Reserve Bank confirm the "Bennett Hypothesis." From 1938 to 1978, before federal student financial aid was

Tuition cannot rise faster than income forever.

extensive, I estimate that college tuition rose typically about 1% a year, after adjusting for inflation. That was less than the rate of inflation, so the burden of financing college actually fell a bit.

From 1978 to 2015, the era of exploding federal funding, tuition rose over 3% a year, faster than income growth. If tuition since 1978 had risen at the pre-1978 rate, today it would be only about half as high as it is. We would not have a \$1.3 trillion student debt problem.

Federal financial aid was designed to improve college access for low-income students. The tragic irony is that the proportion of college graduates from the bottom quartile of the income distribution is lower today than in 1970. High college sticker prices have scared away lower-income kids disproportionately.

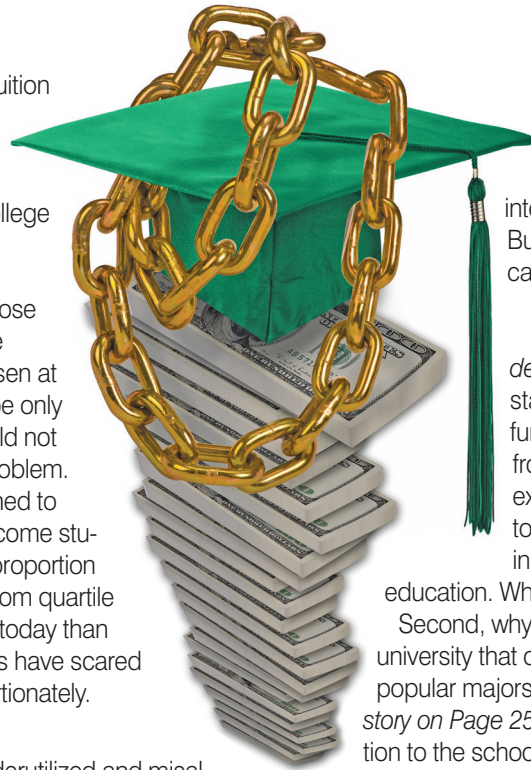
Resources misplaced

College resources are vastly underutilized and misallocated. Classrooms and offices are often largely empty several months a year, not to mention on weekends. Professors have scandalously low teaching loads at Madison and probably at other UW schools, ostensibly to allow them time to write papers that almost no one reads for the *Journal of Last Resort* or its equivalent.

Data from the U.S. Bureau of Labor Statistics and the University of California-Los Angeles' Higher Education Research Institute suggest that the typical college undergraduate spends fewer than 30 hours a week on academic pursuits for maybe 30 weeks a year — fewer hours than the typical eighth-grader spends. Administrators have hired armies of expensive, but mostly unnecessary, assistants to help do the bureaucratic heavy lifting.

A campus "Edifice Complex" has led to the construction of luxury dorms, classroom buildings and recreation facilities, adding to costs. Intercollegiate athletic costs are exploding, increasingly requiring institutional subsidies. Accreditation thwarts innovation and creates barriers of entry into providing education services. Salaries of university presidents and coaches have soared, raising questions about the legitimacy of the tax-exempt status of universities. Food and lodging costs are rising far more than in the general economy. Why? Inefficiencies? Monopolistic exploitation of students? And as evidenced recently at UW, faculty fight fiercely to maintain tenure — lifetime employment contracts.

The governor has proposed modest reforms that have promise. For example, why not have college students attend school, say, 45 weeks a year — three 15-week semesters (giv-



ing them *only* seven weeks' annual vacation) — and graduate in three years?

That could even allow a one-semester internship to prepare for the real world of work. But even bolder reforms are in order: Tuition cannot rise faster than income forever.

Let me suggest three ideas.

First, why shouldn't the state fund *students*, not *institutions*? Remove or reduce state subsidies for universities, and use those funds to give generous vouchers to students from lower-income families and to students excelling academically, with lesser amounts to others. Aid can be targeted to those most in need. This concept has worked in K-12

education. Why not in higher education?

Second, why not start a free or low-cost state online university that offers several hundred courses in perhaps 25 popular majors, taught by first-rate instructors? (*See related story on Page 25.*) Have the state give its own accreditation to the school, whose students would not be eligible for federal student loans (avoiding the hassles of dealing with the accreditation cartel). For an investment of \$25 million to \$50 million, it is doable. Students could combine a year or two of courses with traditional instruction at conventional universities to earn a degree at a lower cost. Better yet, have the state contract out the instruction to respected private providers of education services.

A test for proficiency

Third, inaugurate a Wisconsin College Exit Examination. Devise a three-hour test, the first half of which would be an examination of critical reasoning and writing skills (the Collegiate Learning Assessment would work), and the second half would be perhaps a 100-question test of basic knowledge in important disciplines — history, civics, economics, mathematics, chemistry, geography, philosophy, etc.

High scorers would receive a "Certificate of College Equivalency from the State of Wisconsin." The top 10% would receive a \$5,000 check and notification of superior performance. This would stimulate test-taking and probably employer acceptance of the test. Students, in theory, could take the test at any time — even after one or two years of college.

College diplomas are pieces of paper costing \$100,000 or more. Their purpose is to demonstrate competency to employers. Devising really good tests that measure the same thing would be infinitely cheaper and would conserve resources.

As a nation, we face a long-term funding crisis — our federal unfunded liabilities are tens of trillions of dollars. That is going to reduce the ability of states to fund heretofore routine functions, such as state universities. It is time to institute reforms. WI

Getting away

Milwaukee's homicide detectives used to solve 93% of their cases. Now 4 in 10 killers remain on the streets.

By Dave Daley

The explosion of murders in Milwaukee is a nonstop and, by now, well-known horror story: drug dealers shooting up the wrong houses, killing young children; a woman dying of stab wounds while waiting 22 minutes for police to respond to frantic 911 calls; and a three-day stretch in March when seven people were slain — including a 23-year-old woman and her unborn child, and a mother and her 12-year-old son.

In 2015, Milwaukee had nearly a 70% jump in homicides — 145, compared with 86 in 2014, making it one of the most dangerous big cities in the United States.

with murder

Lost amid the bewilderment, tears, anger and clichéd promises to somehow get to the root of the violence, however, is an even more frightening statistic: The killers in four of every 10 Milwaukee murders are still on the streets, walking free. Milwaukee's once-vaunted homicide clearance rate has fallen steadily over the past several years,



Flynn

Crivello

from 93% in 2008 to an alarming 61% in 2015. The skid is not hard to understand, Milwaukee Police Association President Mike Crivello says: Since

becoming chief, Edward Flynn has shown a clear disdain for the detective bureau — once an elite corps — slashing the size of the bureau by nearly 40%, halting the testing for detective positions and letting expire the list of officers eligible for promotion to detective.

Of the 250 detectives in the bureau when Flynn took over in 2008, nearly 100 were never replaced when they retired or moved on, the union says.

Homicides

At the same time, Flynn transferred dozens of detectives from headquarters downtown to the seven district offices, part of his strategy to get more police into the neighborhoods, improve communication between detectives and beat cops and get detectives focused on a geographic area to better see crime patterns. The emphasis shifted from detection to prevention.

The strategy has produced small declines in robberies, thefts and rapes and bigger declines in aggravated assaults and auto thefts, annual crime data show. But those incremental drops — up a bit one year, down the next — have come at the expense of the homicide clearance rate, Crivello says.

He laid out that charge in a blistering, eight-page letter to the Milwaukee Fire and Police Commission in July 2015 as it debated whether to reappoint Flynn. The commission's response? It unanimously gave the chief a third four-year term.

"Chief Flynn began as the new chief of Milwaukee in January 2008," Crivello wrote. "Shortly thereafter, the once strong, well-defined department commenced on a path focused on unproven experimentation, which ultimately contributed to an escalation of crime and a decline of the once-lauded clearance rate."

The key to solving homicides is basic: More detectives mean more cases are cleared. "It's not rocket science. ... It's fundamentals," Crivello says.

Smaller caseloads matter

National crime statistics support the assessment that more investigators, when given more time and resources to do their work, translate into higher clearance rates.

Richmond, Va., is posting homicide clearance rates in the 80% to 90% range, well above the 64% national average in 2014. One reason: Richmond police reduced the caseloads of detectives investigating murders.

The Baltimore County Police Department posted an 83.3% clearance rate in 2011 and topped that in 2012 with an astonishing 95.7% rate, getting singled out by the U.S. Justice Department as a model for other police

forces. Baltimore County Police Chief James Johnson said the secret is to train, retrain and retain good detectives and give them the time and resources that a murder investigation requires.

Over the past six years, Crivello says, he repeatedly has warned the Fire and Police Commission

of the link between the drop in homicide clearance rates and the reduction in detective positions. But his warnings have fallen on deaf ears, he says.

Flynn also has brushed aside his warnings, Crivello says, with the chief telling him, "I'm not trying to eliminate the detective bureau; I'm trying to right-size it." The reduction in detectives — who are paid much more than rookie beat cops — clearly saves the city money and makes Flynn's budget numbers look good.

The chief declined to be interviewed for this story. But in a 2011 academic paper that Flynn co-wrote for the criminal justice policy and management program at the Harvard Kennedy School of Government, he made clear his desire from the outset to radically change a detective bureau that he felt was out of touch with residents.

**"It's not rocket science. ...
It's fundamentals."**

— *Mike Crivello,*

Milwaukee Police Association president

► Increase in
Milwaukee homicides
from 2014 to 2015

► Reduction in Milwaukee
Police Department
overtime in 2012

► Reduction in
detective bureau
since 2008

BY THE
NUMBERS

70% ↑

15% ↓

25% ↓

Flynn institutes reforms

Under Harold Breier, who was chief from 1964 to '84, detectives "became isolated within the department and almost completely disconnected from the community they were supposed to be serving," Flynn wrote. "The detectives became a power unto themselves, answerable only to themselves."

Flynn's reorganization was intended to get detectives rethinking their basic function and begin to work not only as investigators but, in effect, as intelligence officers. They would share with others in the department their accumulated information about offenders, victims and criminal networks in this data-driven policing.

The reforms were "wrenching" for many in the detective bureau and remained a work in progress, Flynn acknowledged in his 2011 paper. Some believe the changes are not working.

Steve Spingola, a lieutenant supervisor in the homicide unit from 1998 to 2005, says interdepartmental collaboration is fine, but not if investigations are compromised. Flynn transferred supervisors from the patrol division to the detective division, meaning people who had never been detectives were supervising detectives. And one of Flynn's reforms has uniformed officers conducting interviews, a job that detectives spend years learning how to do effectively. The result has been a decline in the quality of investigations, Spingola says. Further, prosecutors complain that conviction rates are affected, he adds.

Spingola's assessment is supported by a 2012 article in *Governing*, a Washington, D.C.-based magazine that focuses on state and local government management. The article reported that some investigations conducted by uniformed officers in Milwaukee resulted in prosecutors receiving ill-prepared cases. And in some instances, the article said, judges threw out cases and uniformed officers were disciplined for mishandling investigations.

Concerns about the downsized detective bureau did

reach the Milwaukee Common Council, and two years ago, about 30 detective positions were filled, changing the overall decrease in detective staffing from 40% to 25%.

Overtime cuts cited

Flynn's office says the department's homicide clearance rate has been above the national average of 56% for cities the size of Milwaukee since 2000.

"While the overall number of detective positions has been purposefully attrited to approximately 10% of MPD's sworn strength, the number of investigators assigned to homicide investigations has not attrited and has remained relatively static at 30 to 36 detectives. There are currently 36 detectives assigned," according to a statement from Flynn's office. A *Milwaukee Journal Sentinel* report indicates that number was 40 two years ago.

If, as Flynn's office says, staffing has remained steady, what explains the fact that today four out of 10 murderers are eluding MPD, when just a few years ago nine of 10 were caught?

The fact that Milwaukee murders increased in five of the eight years Flynn has been chief plays a role: more murders, but the same or slightly fewer number of detectives to solve them.

Another factor is Flynn's sharp reduction in overtime, with a 15% cut in 2012 alone. The first 48 hours are critical in solving a homicide, says retired MPD lieutenant of detectives David J. Kane, a supervisor in the homicide unit for 10 years.

When he was in the unit, Kane says, in those first two days following a homicide, detectives routinely put in 12-hour days to crack a case — and that means overtime. "You've got to attack that homicide," Kane adds. "If you want to solve homicides, you can't close the purse strings. It was stay until you got it done. You cannot worry about overtime."

Spingola agrees. "They used to let you work round the clock on a homicide," he says. "Now, if you're supposed to get off at 4, you're off at 4."

"If you want to solve homicides, you can't close the purse strings."

— *David J. Kane,*
retired MPD lieutenant of detectives

► **Homicide detectives assigned to investigate the 2014 theft of a Stradivarius violin**

► **Days it took to solve the violin robbery**

► **Homicide cases not cleared in 2015**

40

10

39%

Homicides

Chief can have an impact

One of Flynn's sharpest critics over the years has been retired Captain Glenn Frankovis, a no-nonsense cop who battled crime in some of Milwaukee's toughest neighborhoods for nearly 30 years. Surprisingly, Frankovis does not fault Flynn for the spike in murders last year.

There are too many factors in why murders happen — domestic fights, shaken babies, thug-on-thug crime — to make the homicide total a reliable measure of how well a police force is doing, he says.

However, the homicide clearance rate is an area where a chief can have an impact, and Flynn's reduction in the detective bureau — largely by letting vacancies go unfilled — is clearly a factor in the drop in the clearance rate, Frankovis says.

"That is all on him," he says.

Frankovis, who retired in 2004, notes that when Flynn first arrived, the chief's strategy of flooding bad neighborhoods with more police jibed with Frankovis' way of thinking. But the allure began to fade.

He can pinpoint the day he completely soured on Flynn: In 2011, the chief told the *Journal Sentinel*, "Since the average resident of this city is willing to wait four hours for the cable guy and half a day for a furniture delivery, it seems to me a reasonable delay in responding for a call is an acceptable balance. I'm willing to accept increased response time for decreased crime. And I'm willing to say a marginal increase in response time is directly related to our significant decrease in street crime."

There was an arrogance in Flynn's remark that rankled Frankovis. In his three decades as a cop, he found a quick police response crucial in building residents' trust. If police don't show up or show up long after the crime, the resident doesn't bother calling 911 the next time, Frankovis says. That might help crime statistics, but the crime doesn't go away — it just doesn't show up in a police report.

Add to that a general mistrust of police and the "snitches get stitches" credo that pervades many inner cities — residents won't talk to police because they fear reprisals — and you've got the perfect brew for high murder rates and low clearance rates.

All hands on deck

While Flynn restricts detectives from working extra hours to solve homicides, he did issue a "stay until you get it done" directive in one noted case: the theft of a \$6 million, 300-year-old Stradivarius violin.

The handling of the 2014 robbery of Milwaukee Symphony Orchestra concertmaster Frank Almond perfectly

underscores the point that committing more police resources usually gets the crime solved. The case put a national spotlight on Milwaukee, and Flynn put out the word: *Find that violin; find the thieves.*

Every resource in MPD, including overtime, was employed. All 40 of the Metropolitan Division's homicide detectives contributed to the violin investigation in some way, insiders told the *Journal Sentinel*.

"It was all hands on deck, 24 hours a day," one police source said. "Unless they were out sick or on vacation, they were on."

Within 10 days, the Police Department, with help from the FBI, found the suspects, recovered the violin and the chief took his bows at a news conference.

Online commenters poured out vitriol on Flynn. "Homicide detectives? For a violin?" one reader posted at JSOnline.com. "This is so disturbing. Ed Flynn, I'm so disgusted by this. What a way to shove it in our faces what is really 'valuable' in Milwaukee. UGH!"

Tammy Love — whose daughter Ashleigh, 19, was murdered in 2009, a case that remains unsolved — hit Flynn hard. "REALLY!!!! I am so upset right now, I am shaking," she posted. "My daughter's killers remain on the loose, along with other murderers, and homicide detectives were pulled to work on this. I cannot even put into words what seeing and hearing about this does to me. ..."

In a recent interview, Love elaborated. "If you don't have money or know somebody, your case doesn't matter," she says, with frustration and anger in her voice. "My daughter's life isn't worth more than a violin?" she asks. "I felt like my daughter's death meant nothing."

Love, who works in the lunchroom at Roosevelt Elementary School in Wauwatosa, says she does not blame the homicide detectives assigned to the violin investigation: "They have to do what the upper people tell them to do."

Her daughter's murder investigation has been turned over to MPD's cold case unit. "I'm keeping up hope," Love says.

Hope is good, but it doesn't solve crimes. If Milwaukee police can swiftly nab violin thieves by dedicating resources and manpower, imagine how a similar sense of urgency could get murderers off the streets and bring justice to victims' families. **WI**



Dave Daley is a former Milwaukee Journal Sentinel and Milwaukee Journal reporter.

Wisconsin Policy Research Institute Inc.
633 W. Wisconsin Avenue, Suite 330, Milwaukee, WI 53203
CHANGE SERVICE REQUESTED

NON-PROFIT ORG.
U.S. POSTAGE
PAID
MILWAUKEE, WI
Permit No. 3158

INDIVIDUAL INITIATIVE limited & efficient government free markets Opportunistic Educational

People pay attention to WPRI.

Join Wisconsin's Laboratory for Innovation Online

Find the best in thoughtful conservative commentary; well-researched reports and analysis; our biannual magazine, Wisconsin Interest; poll results; multimedia content; and information about events that we host.



“As a longtime reader of their work and as a Wisconsinite who knows the fiscal and economic risks we face, it’s clear that WPRI’s research and insight is needed now more than ever before.”

— Congressman Paul Ryan

Click WPRI.org

Follow us on
Facebook.
Twitter: @wpri