

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**



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