



# WISCONSIN LEGISLATURE

P. O. Box 7882 Madison, WI 53707-7882

May 14, 2015

Chief Edward Flynn  
Milwaukee Police Department  
749 W. State Street  
Milwaukee, WI 53233

Dear Chief Flynn,

We were greatly disappointed to read in the newspaper that you are declining our invitation to testify before our committees. Your lack of response to our offices is particularly disappointing given the phone calls and e-mail invitation sent to you and your staff about the hearing.

We can assure you we are not engaging in "games" with this hearing. Your department, not us, not the media, classified this system failure as "catastrophic." It was your department that did not notify the public about the lost data for at least 5 months. According to information obtained by our offices, the public defenders first learned about the data loss from the media – not from your department or the district attorney. Given the obligations of discovery, this is particularly troubling. There is nothing game-like about these circumstances.

The state has a vital interest in getting to the bottom of this situation. At least 25% of all criminal cases in Wisconsin occur in Milwaukee. The requirement that interviews be recorded is a state law. Does this law need to be changed or clarified because of the hard drive failure? What can other police departments learn from problems with the Milwaukee system? Hard drives crash all the time, what backup systems and redundancies, if any, were in place in Milwaukee? Were any criminal cases delayed or dismissed because of this failure? Are there any criminal charges that may now be overturned on appeal because of the missing evidence? As we consider the state budget, do state revenues directed to Milwaukee need to be redirected to correct this problem?

We could go on, but we do not intend to grandstand, or seek information via press release, or in media reports. We choose to use the tools available to us to gather information in an organized, formal, public setting. It is in this bipartisan environment, with direct questions and direct answers, that the information is best gathered and not through the prisms of others.

As a former police investigator and a journalist, we know there is more than one way to obtain information. If you require us to, we will use other necessary methods to obtain the answers we seek. But you know as well as we do, that getting information second hand is not always the best method.

We urge you to reconsider our invitation. If you are unable to attend due to scheduling conflicts, we encourage you to find a representative to testify in your stead.

Sincerely,

Representative Joel Kleefisch

Senator Van Wanggaard