



Milwaukee County Sheriff's Office

NEWS RELEASE

David A. Clarke Jr.
Sheriff



2013 Sheriff of the Year

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Sheriff Calls County Transit Decision to Fire Transit Worker Who Came to the Aid of a Woman Being Beaten Shameful and Misguided Calls on County Executive Abele to Reverse this Decision

Milwaukee, WI – Sheriff David Clarke called the decision to fire a transit worker for “not following the rules” by coming to the aid of woman who was calling for help typical bureaucratic stupidity. He is calling on County Executive Abele to step in and undo what Clarke is saying is “*a black-eye for Milwaukee County management.*” Clarke’s statement:

Every day, law enforcement encourages citizens to come to the aid of a crime victim when it can reasonably and safely be done. We call it one’s civic duty. This is what strengthens a sense of community. Milwaukee County Transit officials call it a “violation of the rules.” The bureaucrats that made this decision should be identified and publicly mocked.

The employee should be commended for doing precisely what the state law (940.34 Duty to aid victim or report a crime) requires in such situations. He has two choices. He can summon police or come to the aid of the victim. He said his radio did not work, therefore he came to her aid. The law clearly says that anyone who does not comply with this law is subject to criminal prosecution. This transit worker is a hero. He led by example. It is what we want supervisors to do. He disregarded his own safety to protect someone else. There is no greater act of civic responsibility. Milwaukee County should have heralded Mr. William H. Bierman Jr. as an example of the selfless acts performed by county workers, but no, not Milwaukee County. They fired him instead.

These transit officials think of nothing but liability. These bureaucrats did not for one second put themselves in the shoes of the woman who was under attack. In fact, the county would have faced liability for this government worker had he not gone to her aid, as well as facing criminal prosecution himself. In a ‘pick your poison’ situation, good judgment means to think about someone besides yourself and help that person. That is what Transit Supervisor William Bierman did. Statute 940.34(3) says that anyone coming to the aid of a person is immune from civil liability, yet county transit bureaucrats are all in a tizzy over liability. I don’t think my use of the word stupidity earlier was exaggerated.

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*Nothing aggravates me more than a mindless bureaucrat. Their rule is in place to guide transit workers under **ordinary** day to day circumstances. Seeing a woman being beaten right in front of an operator is **not** an ordinary circumstance. Sound judgment is called for in these circumstances. Had he not come to her aid and invoked their rule as a reason for not getting involved, I would not have had a problem if they would have then disciplined him for a lack of common sense and sound judgment.*

We have seen video of transit operators who sat and watched while a passenger was assaulted. The public is usually appalled when the drivers in those situations do not at least try to safely intervene. The response from transit administration when drivers do not try to safely intervene is to say that the operator was “following the rules.”

This is why many people who might otherwise use Milwaukee County buses do not, fearing for their safety. It is a quality of life issue for many people. They can't count on operators using good judgment, nor can they count on MCTS management to use their heads when these situations occur.”

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