

STATE OF WISCONSIN                      CIRCUIT COURT                      MILWAUKEE COUNTY

**MILWAUKEE DEPUTY SHERIFF'S ASSOCIATION**  
itself and on behalf of its members,  
**MARK ZIDEK, and ILIR SINO**

**Plaintiffs,**

v.

**DAVID A. CLARKE, JR.,**  
**EDWARD BAILEY, and**  
**MILWAUKEE COUNTY**

**Defendants.**

Case No. 06-CV-04503

Case Code: 30703

Case Type: Unclassified

**AFFIDAVIT OF ROY FELBER**  
**IN SUPPORT OF PLAINTIFFS MOTION FOR TEMPORARY RESTRAINING ORDER**  
**AND PRELIMINARY INJUNCTION**

STATE OF WISCONSIN    }  
  } ss.  
MILWAUKEE COUNTY    }

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I, Roy Felber, being duly sworn upon oath do state that:

1. I am the President of the Milwaukee Deputy Sheriff's Association ("DSA"), and have knowledge of the facts stated herein.
2. This affidavit is made in support of Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction.
3. It is a requirement of employment with the Milwaukee County Sheriff's Office that deputies attend "roll call" at the beginning of each work shift.
4. The general purpose of "roll call" is to determine who is present for duty, to advise employees of any notable events from the previous shift, to advise employees of expectations for the work shift, who the supervisor are, and other work-related matters.

5. On or about May 8, 2006, Captain Bailey sent an e-mail correspondence to Sheriff's Office supervisors indicating that the Sheriff gave permission to the "Fellowship of Christian Centurions" to address the following selected roll calls over the coming weeks:

Day	Date	Division	Time
Tuesday	05/09	Detention	0600 / 0630 / 1400 / 1430 / 2200
Tuesday	05/09	CID (Detective)	0800
Thursday	05/11	Patrol	0600 / 0700 / 1400 / 1500 / 2300
Tuesday	05/16	Airport	0700 / 1500 / 2300

6. A true and correct copy of Captain Bailey's e-mail is attached and marked as *Exhibit A*.
7. Based upon experience, Captain Bailey would not have sent the e-mail on his own, nor would – or could he, given his rank – taken the action necessary to present the "Fellowship of Christian Centurions" to roll calls.
8. Based upon experience, the decision to allow the "Fellowship of Christian Centurions" to speak at roll call, would be made by the Sheriff himself, and no one else.
9. I was present at the May 11, 2006 roll call that was conducted at 1400 hours (2 p.m.) and observed the presentation by the "Fellowship of Christian Centurions."
10. At that 05/09 roll call, the Sheriff's Office supervisor introduced two gentlemen that he indicated had been invited by the Sheriff.
11. The speakers introduced themselves as being from Elmbrook Church, and explained that the "Fellowship of Christian Centurions" was a support group for officers. The speakers invited each employee at the roll call to an upcoming seminar at Elmbrook Church to learn how:
- A. Christ had affected people's lives;
  - B. Christ could affect the employee's lives, and;
  - C. How the employees could then impact others' lives through Christ.

- 12. The speakers at the 05/09 roll call that I attended then discussed the stressful nature of law enforcement, and how their church could provide support. They provided a flyer which, among other things, referenced "HOW YOU CAN IMPACT OTHERS FOR CHRIST," and "HOW CHRIST CAN IMPACT YOUR LIFE" (emphasis in original). A true and correct copy of this flyer is attached hereto and marked as *Exhibit B*.
- 13. The speakers also provided a booklet entitled "Putting the Pieces Together; How Real Life and Real Faith Connect." A true and correct copy of that book is attached and Marked as *Exhibit C*.
- 14. I have been advised that, on or about May 9, 2006, two "roll calls" not identified on Captain Bailey's e-mail were held for the 3<sup>rd</sup> Shift of the Detention Division employees, where a similar presentation was made by the "Fellowship of Christian Centurions;" one at 10:00 p.m., and one at 10:30 p.m.
- 15. I am aware that several Deputy Sheriffs, including Deputy Sino, left their "roll call" in response to the proselytizing of the "Fellowship of Christian Centurions."
- 16. The book attached and marked as *Exhibit B*, was also provided to various supervisors (Sergeants and above), prior to the "roll calls" referenced above.

Dated this 15 day of May, 2006.



Roy Felber

Subscribed and sworn to before me this 15<sup>th</sup> day of May, 2006.

*Kimberly Schuneman*  
 Notary Public, State of Wisconsin  
 My commission: expires 9/20/09

