

September 2, 2010

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:36 P.M.

PRESENT: Commissioners: Richard C. Cox, Chair
Carolina M. Stark
Paoi X. Lor
Sarah W. Morgan

ABSENT: Commissioner: Kathryn A. Hein (Excused)

ALSO PRESENT: Mark Rohlfig, Chief, Milwaukee Fire Department; and Edward Flynn, Chief, Milwaukee Police Department.

The Director presented for adoption minutes of the Regular Meeting of July 29, 2010. He noted at that meeting the Board elected officers for Chair, Vice-Chair, and Committee assignments. Commissioner Morgan moved approval of the minutes as presented, seconded by Commissioner Lor. The motion carried unanimously.

1. UNFINISHED BUSINESS:

a) The Director presented the Milwaukee County Circuit Court decision in the matter of MPA and David Grycowski vs. Chief Edward Flynn and the Board of Fire and Police Commissioners filed August 6, 2010. The decision stated the Court upheld the Board's decision that former Officer Grycowski was not entitled to a just cause hearing when placed on a leave of absence by Chief Flynn.

b) The Director presented a report from staff dated August 30, 2010, wherein Firefighter Ryan Olson requests an extension to his temporary exemption of the City residency requirement. Commissioner Stark asked if Mr. Olson was working with a realtor to sell his home. Firefighter Olson was present and stated he is working with a realtor. The Board previously granted Firefighter Olson an exemption on April 15, 2010, set to expire October 1, 2010. Due to problems selling his home he would like an extension. Commissioner Stark moved to approve the exemption request until April 1, 2011, seconded by Commissioner Morgan. The motion carried unanimously.

2. NEW BUSINESS:

a) The Director presented to the Board a report entitled Analysis of Use of Force Incidents Against a Canine in the Milwaukee Police Department. Kristin Kappelman, Research and Policy Analyst, authored the report. She stated this report is an analysis of the 46 use of force incidents against a canine in 2009. The data was extracted from the Milwaukee Police Department's (MPD) AIM system, and the narratives of each report were utilized to fill in any missing data. The most common initial call for service was a loose canine or loose animal complaint, with 17 incidents. Thirty-five of the 46 narratives clearly stated that the canine was loose and/or not under the control of the owner. Thirty-three incidents involved one employee using force against a canine, and 13 incidents involved two employees. Forty-one incidents involved one canine, five incidents involved two canines, and one incident involved three canines. Of the 52 canines that force was used against, 40 canines were Pit Bulls, five were German Shepherd/German Shepherd mixes, three were Rottweiler/Rottweiler mix, and the remaining were other breeds. Fifty of the canines were shot with a firearm, and the remaining two had an electronic control device, such as a Taser®, used on them. The report also presents data from the Milwaukee Area Domestic Animal Control Commission (MADACC) concerning the number of stray dogs or safekeeping dogs transported safely to MADACC in 2009. At this time, it is not feasible to compare MPD's statistics against other departments, but as of June 30, 2010 MPD had used force against 14 canines, which would give the department a projection of 28 for 2010. This represents a 40% decrease between 2009 and 2010. The data presented in the report will be utilized to conduct future analysis on use of force incidents against a canine, and will be used to assess the policies, procedures, and

training of the Milwaukee Police Department. The Director thanked Ms. Kappelman for her excellent work on the report.

b) The Director presented a letter dated August 23, 2010, from staff, wherein it is requested that Fire and Police Commission Rule XIV be amended. The Director explained Rule XIV pertains to residency and the change would require a certification of residency by department members. The Chair laid the matter over to the next meeting.

3. EXAMINATIONS:

a) The Director presented for adoption an eligible list for the position of Heavy Equipment Operator in the Fire Department, consisting of 19 names. The Director noted that the Common Council Finance and Personnel Committee still must approve filling the vacancies, and that contingency should be noted on all promotion letters. The Chair asked how many current vacancies there are. Chief Rohlfling stated there are currently ten vacancies. Tim Keeley, Human Resources Representative from the Department of Employee Relations, spoke regarding the examination. He stated there is a challenge to getting applicants. In the past the exam was given every two years, but in the past five years it has been given annually. For this exam the eligibility cutoff date was extended to include the eligibility of an additional firefighter class. This resulted in twice the number of applicants as the previous year. Commissioner Stark moved approval of the list, seconded by Commissioner Morgan. The motion carried unanimously.

b) The Director presented for approval an examination announcement bulletin for the position of Fire Captain in the Fire Department. Tim Keeley, Human Resources Representative from the Department of Employee Relations, spoke regarding the bulletin. He stated this exam is given every two years and the bulletin is the same as it has been in previous years. Commissioner Morgan moved approval of the bulletin, seconded by Commissioner Lor. The motion carried unanimously.

4. FIRE DEPARTMENT:

a) The Director presented a correspondence dated August 23, 2010, from Chief Rohlfling, wherein he requests approval for a reorganization of the structure of the Fire Department. Chief Rohlfling stated he tried to model the new organizational chart after departments of similar size. The structure has three Assistant Chiefs each managing a bureau, and breaking up the responsibilities of the current Assistant Chief. Currently the chain of command and fiscal accountability is a slightly unclear; the new structure should make things more clear. This will also create more of a team atmosphere. The Chair laid the matter over to the next meeting.

b) The Director presented a letter dated August 11, 2010, from Chief Rohlfling, wherein he notifies the Board that Firefighter Robert D. Johnson has been terminated for violation of Department Rules. Mr. Johnson has appealed his termination to the Board.

c) The Director presented a letter dated August 5, 2010, from Chief Rohlfling, wherein he notifies the Board that Firefighter Tonnie Lane returned from an unpaid military leave of absence, effective August 4, 2010.

The Director presented a letter dated August 5, 2010, from Chief Rohlfling, wherein he notifies the Board that Fire Lieutenant Christopher J. Kietzke returned from an unpaid military leave of absence, effective August 13, 2010.

5. POLICE DEPARTMENT:

a) The following promotion, as presented by Chief Edward Flynn, was approved by the Board:

TO OFFICE ASSISTANT II, from Office Assistant I, effective September 5, 2010:

MONIQUE D. ALSTON.

b) The following appointments, as presented by Chief Flynn, were approved by the Board:

TO MICRO FILM TECHNICIAN I, without competitive examination, effective September 5, 2010:

CHRISTINE M. MARTINEZ.

TO OFFICE ASSISTANT I, from a Department of Employee Relations eligible list, contingent upon successful completion of a medical examination and drug screening, effective September 7, 2010:

PAMELA A. KOLEAS.

TO SCHOOL CROSSING GUARD (REGULAR), effective August 20, 2010:

JOHNNY F. EALY, and SHARLETTA M. THURMAN.

TO SCHOOL CROSSING GUARD (SUBSTITUTE), effective August 19, 2010:

JANICE M. GAYFIELD, and MARY A. JONES.

c) The Director presented a letter dated August 12, 2010, from Chief Flynn, wherein he requests that the appointment of Freeman L. Semons, Jr. to the position of Police Dispatcher be rescinded as Mr. Semons is no longer interested in the position. Commissioner Stark moved to rescind the appointment, seconded by Commissioner Morgan. The motion carried unanimously.

d) The Director presented a letter dated August 5, 2010, from Chief Flynn, wherein he notifies the Board that Police Officer Deborah A. Strzelecki has been suspended for 11 working days for violation of Department Rules and Regulations under Personnel Order 2010-144 dated August 5, 2010.

The Director presented a letter dated August 5, 2010, from Chief Flynn, wherein he notifies the Board that Police Officer Anthony J. Hawkins has been suspended for 11 working days for violation of Department Rules and Regulations under Personnel Order 2010-145 dated August 5, 2010.

e) The Director presented a letter dated August 6, 2010, from Chief Flynn, wherein he requests reclassification and compensation study of the position of Electronic Technician Assistant, currently assigned to the Communication Maintenance Section. The Chair referred the request to the Department of Employee Relations for study and report.

f) The Director presented a letter dated August 5, 2010, from Chief Flynn, wherein he requests reclassification of the position of Administrative Lieutenant (Health and Safety) to classify it as a civilian position. The Chair referred the request to the Department of Employee Relations for study and report.

g) The Director presented a letter dated August 20, 2010, from Chief Flynn, wherein he requests that an examination be conducted for the position of Electronic Technician, currently there are two vacancies. The Chair referred the request to the Department of Employee Relations for implementation.

h) The Director presented a letter dated August 11, 2010, from Chief Flynn, wherein he requests that an examination be conducted for the position of Communication Systems Manager, assigned to the Information Technology Division. The Chair referred the request to the Department of Employee Relations for implementation.

i) The Director presented a correspondence dated August 23, 2010, from Chief Flynn, wherein he requests approval of a Standard Operating Procedure (SOP) to certify qualified retirees who request certification under the Law Enforcement Safety Act of 2004, commonly referred to as HR 218 to carry a concealed firearm. Chief Flynn stated the proposal is to accept the standards that were developed in HR 218 which authorized cities to develop standards to allow retired officers to carry a concealed firearm anywhere in the United States. The SOP requires a background check and a firearms training course after which the retiree would be certified for one year. There is no anticipation of a rush of retirees wanting to be certified. Commissioner Stark stated she is pleased and impressed with the certification policy. She felt it was thoughtful and complete in addressing concerns and possible issues. Commissioner Stark moved approval of the SOP, seconded by Commissioner Morgan. The motion carried unanimously.

6. PUBLIC COMMENT:

Mark Buetow, Vice President of the Milwaukee Police Association, questioned the status of Police Service Specialist Investigators under the new SOP for concealed carry firearms, and whether their \$100 fee would be waived because they are current employees who already completed a background investigation during their rehire. He also questioned their ability to carry their weapon at work. Commissioner Cox stated his questions will be addressed later in the process.

Ray Young, President of the Milwaukee Retired Police Association, thanked the Board and Chief Flynn for working on the certification process. He stated liability issues slow the process down, but he appreciates the opportunity to carry a concealed weapon, but not all retirees will. He feels it will be a win-win situation for the City and citizens of Milwaukee for retirees to be of service. He anticipates very few problems based on the other departments across the country certifying retirees.

7. ADJOURNMENT:

Commissioner Stark moved to adjourn the meeting, seconded by Commissioner Morgan. The motion carried unanimously.

The meeting concluded at 6:02 P.M.

Respectfully submitted,



Michael G. Tobin
Executive Director

MGT:mk