

September 16, 2010

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:33 P.M.

PRESENT: Commissioners: Kathryn A. Hein
Paoi X. Lor
Sarah W. Morgan

ABSENT: Commissioners: Richard C. Cox, Chair
Carolina M. Stark

ALSO PRESENT: Mark Rohlfing, Chief, Milwaukee Fire Department; and Assistant Chief Monica Ray, representing the Milwaukee Police Department.

The Director presented for adoption minutes of the Regular Meeting of September 2, 2010. He noted at the meeting a report on the Milwaukee Police Department Use of Force Incidents Against Canines was presented and the Heavy Equipment Operator eligible list had been adopted. Commissioner Hein moved approval of the minutes as presented, seconded by Commissioner Lor. The motion carried unanimously.

1. UNFINISHED BUSINESS:

a) The Director returned to the Board a request from the Police Department to reclassify the position of Administrative Lieutenant of Police (Health & Safety). In a report dated September 10, 2010, Maria Monteagudo, Director of Employee Relations, recommends classifying the position as the civilian position of Health and Safety Officer in Salary Grade 06. She also recommends in the Positions Ordinance, under Police Department, Administrative Services Decision Unit, Administration Bureau, Human Resource Division, Medical Section, delete one position of "Administrative Lieutenant of Police (M)" and add one position of "Health and Safety Officer." Andrea Knickerbocker, Human Resources Manager, was present and spoke regarding the report, stating the position is comparable to those positions in the Fire Department and the Department of Public Works. Commissioner Lor moved approval of the report, seconded by Commissioner Hein. The motion carried unanimously.

b) The Director returned to the Board a request from the Police Department to reclassify the position of Fleet Maintenance Supervisor. In a report dated September 10, 2010, Maria Monteagudo, Director of Employee Relations, recommends reclassifying the position to Police Fleet Manager in Salary Grade 07. She also recommends that in the Salary Ordinance, under Salary Grade 07, add the title "Police Fleet Manager" and under Salary Grade 05, delete the title "Fleet Maintenance Supervisor" and in the Positions Ordinance, under Police Department, Administration Bureau, Safety Division, Facilities Services Section, delete one position of "Fleet Maintenance Supervisor" and add one position of "Police Fleet Manager." Andrea Knickerbocker, Human Resources Manager, spoke regarding the report, stating the recommendation was conservative and could pay begin at up to 60% of the range. She also stated the position was comparable to positions in the Department of Public Works. Commissioner Hein moved approval of the report, seconded by Commissioner Lor. The motion carried unanimously.

c) The Director returned to the Board a request from staff to amend Fire and Police Commission Rule XIV regarding residency. He explained the amendments include adding sections 10 and 11 which require employees of the Fire and Police Departments to complete a Residency Compliance Certification. It would also require employees to notify their department of the use of any living quarters outside the corporate city limits, excluding a vacation home or cottage. The form is the same that it used by general City employees. Commissioner Lor moved approval of the amendments, seconded by Commissioner Hein. The motion carried unanimously.

d) Commissioner Morgan announced the request to change the Fire Department organizational structure would be laid over to the next meeting when all Commissioners will be present.

2. NEW BUSINESS:

a) The Director presented a report on Milwaukee Police Department Use of Force Incidents, titled: An Overview of Milwaukee Police Department Use of Force Incidents: January 1, 2010 to June 30, 2010. The analysis was conducted by Dr. Steven Brandl of UW-Milwaukee. Dr. Brandl was present and gave a presentation regarding his report. From January 1, 2010 to June 30, 2010 there were 253 use of force incidents, during the same period in 2009 there was a total of 220 incidents. From 2009 to 2010 there was a 15% increase in use of force incidents. Nearly all use of force incidents occur during an arrest, from the same time period in 2009 to 2010 arrests increased by 18%. For the first six months of 2010, 1.12% of all arrests involved using force, while 1.05% of arrests during the same time in 2009 involved using force. The rate at which police officers use force did not change. During the first six months of 2009, 37% incidents involved using bodily force. Most significant is, from January to June 2009, there were 27 incidents when a firearm was used, compared to the same time in 2010, only 18 incidents involved the use of a firearm. Of the 18 incidents in 2010 where a firearm was used: two involved the fatal shooting of a suspect, one involved a non-fatal shooting of a suspect, one involved shooting at a suspect, and 14 involved the shooting of a dog. Of the 27 incidents in 2009: five involved a subject, 21 involved a dog, and one involved a subject and a dog. All other characteristics and circumstances from 2009 to 2010 were similar. The Director noted that even though use of force incidents rose by 15%, arrests also rose by 18%. The Director thanked Dr. Brandl for his work on the report.

b) The Director presented an Informational Memorandum regarding the referral of individuals to the Wisconsin Department of Motor Vehicles (DMV) for driver's license reexamination. The Fire and Police Commission received a citizen complaint arising from a traffic stop in which the police officer referred the citizen to be retested at the DMV. This required the citizen to go to the DMV pay the fees and take a written and road test. The motivation for the officer referring the citizen to the DMV was that the citizen indicated the speed limit was five miles different from what the posted speed was. The Police Department records were reviewed, and it was determined that a better way to monitor this situation was to require a supervisor to review any referral to the DMV for a retest.

3. COMMITTEE REPORTS:

a) Commissioner Hein presented the report of the Committee on Testing and Recruiting. The Committee met yesterday along with staff members of the Fire and Police Commission, the Fire and Police Departments, and the Department of Employee Relations. Discussed was the current Firefighter recruit class that is half way through their training and at 32 recruits. We also discussed the search for a new psychologist, because the current one is retiring, and what the process entails. There was also discussion on the Police Aide hiring timeline for 2011 which will mirror the 2010 timeline, the recruitment for Police Aide, and the Police Aide brochure and poster. The Police Department presented their Equal Employment Opportunity Plan (EEO) and discussed the underutilization chart.

4. EXAMINATIONS:

a) The Director presented for approval an examination announcement bulletin for the position of Telecommunications Supervisor in the Police Department. Michelle Stein, Human Resources Representative, was presented and spoke regarding the bulletin. She stated the major change is that the Police Department indicated a desire to recruit outside the Department in order to expand the pool of candidates, in the past it had been a transfer/promotional opportunity. The Director stated that the telecommunications equipment that has been used in the past has been updated and those changes are also reflected in the bulletin. Commissioner Hein moved approval of the bulletin, seconded by Commissioner Lor. The motion carried unanimously.

b) The Director presented for approval an examination announcement bulletin for the position of Police Aide in the Police Department. Michelle Stein, Human Resources Representative, spoke regarding the bulletin. She stated in order to give the Police Department recruiters more of an opportunity to recruit during the application period, applications available sooner. The Director confirmed the application period

would be from September 22nd to November 8th. Commissioner Lor moved approval of the bulletin, seconded by Commissioner Hein. The motion carried unanimously.

5. FIRE DEPARTMENT:

a) The following promotions, as presented by Chief Rohlfig, were approved by the Board:

TO HEAVY EQUIPMENT OPERATOR, on a waiver basis and contingent upon Finance and Personnel approval, from eligible list established September 2, 2010, effective October 3, 2010:

#1 – MARK H. BOHLMANN; #2 – JOHN P. FISHER; #3 – LEONARD R. BRANDT, JR.; #4 – PAUL D. JOHANNECK; #5 – ACASIO ROCHE III; #6 – ANTHONY J. GALLO; #7 – RYAN A. OSTROWSKI; #8 – JEFFREY H. LANG; #9 – ERIC A. DRAEGER; and #10 – JOSEPH V. HILLE.

TO FIRE EQUIPMENT REPAIRS SUPERVISOR, from Fire Equipment Mechanic, effective September 19, 2010:

RICHARD M. GADZALINSKI.

b) The following appointment, as presented by Chief Rohlfig, was approved by the Board:

TO FIRE TECHNICAL SERVICES MANAGER, from eligible list established March 10, 2010, effective October 3, 2010:

#3 – DEBORAH K. WILICHOWSKI.

c) The Director presented a letter dated September 7, 2010, from Chief Rohlfig, wherein he requests that the appointment of #91 – Kyle M. Komorowski to Firefighter, approved at the July 1, 2010 Regular Meeting, be rescinded as the candidate either withdrew or did not qualify for the position. Commissioner Lor moved to rescind the appointments, seconded by Commissioner Hein. The motion carried unanimously.

d) The Director presented a letter dated September 7, 2010, from Chief Rohlfig, wherein he notifies the Board that the contingency appointments of #132 – Victor J. Izquierdo, #133 – Cory S. Kilsdonk, #134 – Joe A. Monroe, #135 – John M. Cooley, #136 – Johnson M. Dolly, and #143 – Robert DeLeon, Jr. to Firefighter, approved at the July 1, 2010 Regular Meeting, have been used.

e) The Director presented a letter dated September 9, 2010, from Chief Rohlfig, wherein he notifies the Board that Fire Recruit Michael Drew has been placed on Workers' Compensation due to an on-duty injury sustained during training, effective July 30, 2010.

f) The Director presented a letter dated September 9, 2010, from Chief Rohlfig, wherein he requests that the reclassification request for Fire Equipment Repairer II, presented to the Board at the June 17, 2010 Regular Meeting, be rescinded due to substantial changes in the position's duties. Commissioner Lor moved to rescind the request, seconded by Commissioner Hein. The motion carried unanimously.

6. POLICE DEPARTMENT:

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

TO POLICE TELECOMMUNICATOR (REGULAR), from Police Telecommunicator (Seasonal), effective September 19, 2010:

#2 – KRYSTO PARKS, and #4 – GINA SELLERS*.

*Note: Contingent upon Finance and Personnel approval.

TO SCHOOL CROSSING GUARD (REGULAR), effective August 31, 2010:

CHARLOTTE A. GRUBE.

TO SCHOOL CROSSING GUARD (SUBSTITUTE), effective August 31, 2010:

TONY WILLIAMS.

b) The Director presented a letter dated September 9, 2010, from Chief Flynn, wherein he notifies the Board that Identification Supervisor Ellieanna Chavez returned from an unpaid medical leave of absence granted July 18, 2010, effective August 2, 2010; Police Officer Kathryn Gebhardt returned from an unpaid maternity leave of absence granted July 7, 2010, effective August 1, 2010; Police Officer Michael Loechler returned from an unpaid military leave of absence granted April 19, 2009, effective July 1, 2010; Police Telecommunicator Corliss Shaw returned from an unpaid medical leave of absence granted May 18, 2010, effective July 1, 2010; Police Officer Ruby Esqueda was granted an unpaid maternity leave of absence commencing July 8, 2010, and concluding November 3, 2010; Police Officer Tiffany Koch was granted an unpaid military leave of absence commencing June 27, 2010, and concluding March 2011; and Police Officer Thomas Lieske was granted an unpaid military leave of absence commencing July 10, 2010, and concluding July 2011.

c) The Director presented a letter dated August 25, 2010, from Chief Edward Flynn, wherein he notifies the Board that Police Sergeant Walter A. McCullough has been suspended without pay for ten working days, for violation of Department Rules and Regulations under Personnel Order 2010-159 dated August 25, 2010.

d) The Director presented a letter dated September 13, 2010, from Chief Flynn, wherein he requests that an examination be conducted for the reclassified position of Health and Safety Officer. Commissioner Morgan referred the request to the Department of Employee Relations for implementation.

7. PUBLIC COMMENT:

Edgar Brooks, former Firefighter/Paramedic, spoke regarding his current situation. He admits what he did was wrong and very unprofessional. Since he resigned he has had a lot of time to think about what he did and understands he lost a career. He asks the Board to grant him a hearing on why he chose to resign and to show the Board he deserves another chance to serve as Firefighter/Paramedic for the City. He asks for the Board to use their discretion and open their heart professionally to see that he deserves a second chance to serve the City again. He understands the hard work and dedication it takes, also the status of a Firefighter and other civil employees. He would like a private hearing to show the Board he has progressed and grown to be a better man.

8. ADJOURNMENT:

Commissioner Lor moved to adjourn the meeting, seconded by Commissioner Hein. The motion carried unanimously.

The meeting concluded at 6:02 P.M.

Respectfully submitted,



Michael G. Tobin
Executive Director

MGT:mk