

November 18, 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: Richard C. Cox, Chair  
Carolina M. Stark  
Kathryn A. Hein  
Paoi X. Lor  
Sarah W. Morgan  
Michael M. O'Hear

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

The Director presented for adoption minutes of the Regular Meeting of November 4, 2010. He noted at that meeting the examination announcement bulletin for Police Telecommunicator was approved and the reclassification request for three Assistant Fire Chief positions was referred to the Department of Employee Relations. Commissioner Morgan moved approval of the minutes as presented, seconded by Commissioner Hein. The motion carried unanimously.

1. NEW BUSINESS:

a) The Director presented a report entitled Analysis of March 26, 2010 MPD Vehicle Pursuit Policy Revision. Author of the report Research and Policy Analyst Kristin Kappelman spoke regarding the report. On March 26, 2010 the Milwaukee Police Department (MPD) revised its pursuit policy in order to address concerns about citizen and officer safety. The primary difference between the previous policy and the current policy is that an officer now needs probable cause, not reasonable suspicion, that a violent felony has occurred or is about to occur. This policy is used to regulate officers' decisions to initiate or continue a dangerous pursuit for someone who is not an immediate threat to the public. Data was collected from March 26, 2009 to September 26, 2009 and March 26, 2010 to September 26, 2010. This was designed to show any effects the revision had on MPD pursuit policy. Between 2009 and 2010 pursuits decreased by 35. The average amount of time spent on a pursuit also decreased from an average of four minutes in 2009 to an average of two minutes in 2010. Also the maximum time decreased by 50 minutes, from 62 minutes in 2009, to 12 minutes in 2010. The distance covered also decreased. The average distance covered in 2009 was 1.38 miles and 1.26 miles in 2010. The most common distance in 2009 was two miles, which dropped to .25 miles in 2010. In 2009 the most common maximum speed reached was over 75 mph, in 2010 the most common maximum speed reached was 40 mph. Overall the average maximum speed decreased by 11 mph, from 58 mph in 2009, to 47 mph in 2010. In 2009, 2.6% of pursuits were terminated by law enforcement, this increased to 38.1% in 2010. Suspect crashes decreased from 22 crashes to 8 crashes, a 63.6% reduction. Accidents decreased by 13, from 25 in 2009 to 12 in 2010. Injuries decreased by 12, from 19 in 2009 to 7 in 2010, a 63.2 % decrease. Suspect injuries decreased from 12 to 3, officer injuries decreased from 5 to 0, and third party injuries increased from two to four. Overall suspect apprehensions decreased from 66 suspects apprehended or 84.6% in 2009, to 27 suspects apprehended or 64.3% in 2010. The overall number of pursuits and suspects apprehended decreased in the two reporting periods, the majority of variables that can be used to determine safety decreased as well. Considering that the revision was focused on citizen and officer safety, the revisions have been successful. Commissioner O'Hear asked how vehicle pursuit is defined. Ms. Kappelman responded that the definition is in the full report available online. He also asked if the data is self-reported by the officers. Ms. Kappelman responded that the data is pulled from the Administrative Investigations in Management (AIM) system, which MPD uses and FPC has access to. Commissioner O'Hear asked if the apprehensions data includes suspects who were apprehended later through different means. Ms. Kappelman responded that she believes that the reported apprehensions were at the scene, not later. Chief Flynn added there have been some instances where suspects are apprehended later by other means. Commissioner O'Hear asked why the speeds in pursuits have decreased. Chief Flynn speculated that since the average distance decreased, the officers didn't have the time to get up to higher

speeds. The Director added that the policy change also governs the termination of a pursuit after it has begun. Commissioner O'Hear thanked Ms. Kappelman for a fascinating and helpful report.

Chief Flynn complimented the Board, the Director, and Ms. Kappelman for undertaking the report. He stated the revision was in the wake of three fatal vehicle crashes. In those three instances the pursuit was terminated well before the crash happened. The Department began to look at what actions officers could take to prevent reckless criminals from killing innocent people. If officers were going to risk their lives he wanted it to be in pursuit of someone who is a clear and present danger to other people. National studies and statistics and MPD experience were looked at to determine the policy revision.

The Director thanked Ms. Kappelman for her work on the report.

b) The Director presented a memo dated November 9, 2010, from staff, wherein Police Officer Charles Carabelli requests a temporary exemption of the City residency requirement. Commissioner Cox asked Officer Carabelli for clarification about when the closing of the home is and what kind of timeframe he's asking for. Officer Carabelli responded that the closing is two months from today and would like an extension for those two months. Commissioner Stark moved approval of the temporary residency exemption until the first meeting in February 2011, seconded by Commissioner Morgan. The motion carried unanimously.

## 2. EXAMINATIONS:

The Director presented for approval an examination announcement bulletin for the position of Fire Equipment Repairer II in the Fire Department. Commissioner Stark moved approval of the bulletin, seconded by Commissioner Morgan. The motion carried unanimously.

## 3. FIRE DEPARTMENT:

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

TO FIRE CAPTAIN, on a waiver basis, from eligible list established February 19, 2009, effective November 28, 2010:

#14 – MICHAEL M. BLACKWOOD.

TO FIRE LIEUTENANT, on a waiver basis, from eligible list established December 17, 2009, effective November 28, 2010:

#12 – NATHANIEL C. GREEN; #13 – SEAN N. DUFFEY\*; #14 – BRIAN T. MOORE\*; #15 – JAMES A. HEGWOOD, JR; and #16 – DAVID R. POLACHOWSKI.

\*Note: #13 and #14 previously promoted through Fire Lieutenant Paramedic special promotion process.

TO HEAVY EQUIPMENT OPERATOR, on a waiver basis, eligible list established September 2, 2010, effective November 28, 2010:

#14 – JOHN A. MICHALAK, JR and #15 – BENJAMIN P. BERENDT.

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

TO FIRE EQUIPMENT DISPATCHER, from eligible list established June 4, 2009, contingent upon successful completion of a background investigation, medical examination, and drug screening, effective December 13, 2010:

#10 – MELANIE PAOLO; #11 – KATHY FELDMANN; and #13 – NANETTE NEU.

TO FIRE EQUIPMENT DISPATCHER, on a contingent basis, from eligible list established June 4, 2009, also contingent upon successful completion of a background investigation, medical examination, drug screening, and vacancies, effective December 13, 2010:

#14 – MEGAN HART and #16 – KASHKA MEADORS.

c) The Director presented a correspondence dated November 15, 2010, from Chief Rohlfing, wherein he describes the process for a promotional opportunity to three positions of Assistant Fire Chief. Chief Rohlfing stated the position was posted this week and will close on November 24<sup>th</sup>. Any member in the rank of Battalion Chief or above, with over one year of experience is eligible to apply. On November 29<sup>th</sup> candidates will receive the written portion of the testing process which requires an extensive resume and written response to five questions, due December 13<sup>th</sup>. The responses will be evaluated by Chief Rohlfing and two chief officers from outside departments. After they are reviewed, oral interviews will be conducted during the second week in January by Chief Rohlfing and two other individuals, to allow an opportunity to ask questions about their resume and their written responses. The written response score and the oral interview score will be combined for a final score and ranking. The Chief will select the top three individuals to be nominated for promotion to the Board. Commissioner Hein asked how long the whole process will take. Chief Rohlfing responded that due to the holidays he hopes the process will be finished by mid to late January.

d) The Director presented a letter dated November 9, 2010, from Chief Rohlfing, wherein he requests that one position of Paramedic Field Lieutenant be reclassified to Fire Lieutenant due to a retirement, in accordance with the City of Milwaukee Ordinance Numbers 021593 and 021594. Commissioner Stark moved approval of the request, seconded by Commissioner Morgan. The motion carried unanimously.

e) The Director presented two letters dated November 9, 2010, from Chief Rohlfing, wherein he notifies the Board that he granted Heavy Equipment Operator Eric A. Draeger an unpaid military leave of absence effective November 16, 2010 and concluding December 21, 2010, and Firefighter Michael P. Saskowski an unpaid military leave of absence of uncertain duration effective November 5, 2010.

#### 4. POLICE DEPARTMENT:

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

TO PERSONNEL PAYROLL ASSISTANT I, without competitive examination, from Office Assistant III, effective November 28, 2010:

ROSEANNE MACK.

TO OFFICE ASSISTANT III, without competitive examination, from Office Assistant II, effective November 28, 2010:

THERESA THOMPSON.

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

TO OFFICE ASSISTANT I, from a Department of Employee Relations eligible list, contingent upon successful completion of a medical examination and drug screen, effective November 29, 2010:

ELIZABETH BAUER.

c) The Director presented a letter dated November 1, 2010, from Chief Flynn, wherein he notifies the Board that the appointment date of Help Desk Specialist II Brian Staniszewski has changed from October 11, 2010 to November 1, 2010.

d) The Director presented a letter dated November 9, 2010, from Chief Flynn, wherein he notifies the Board that he has granted Police Officer William Morales an extension to his leave of absence to fill the appointed position of Regional Coordinator with the Office of Violence Prevention, Mayors Against Illegal Guns, for the City of Milwaukee.

e) The Director presented two letters dated November 8 and 12, 2010, from Chief Flynn, wherein he notifies the Board that Police Officer Mathew J. Destree has been suspended without pay for a total of 15 working days for violation of Department Rules under Personnel Order 2010-193 dated November 8, 2010 and Personnel Order 2010-194 dated November 12, 2010.

f) The Director presented two letters dated November 8 and 12, 2010, from Chief Flynn, wherein he notifies the Board that Police Officer Roman A. Martinez has been suspended without pay for a total of 15 working days for violation of Department Rules under Personnel Order 2010-195 dated November 8, 2010 and Personnel Order 2010-196 dated November 12, 2010.

g) The Director presented a letter dated November 5, 2010, from Chief Flynn, wherein he notifies the Board that Police District Office Assistant Tasha N. Foxx has been discharged for violation of Department Rules under Personnel Order 2010-191 dated November 5, 2010.

5. PUBLIC COMMENT:

There was no comment made from the public present.

6. ADJOURNMENT:

Commissioner O'Hear moved to adjourn the meeting, seconded by Commissioner Morgan. The motion carried unanimously.

The meeting concluded at 5:55 P.M.

Respectfully submitted,



Michael G. Tobin  
Executive Director

MGT:mk