

June 6, 2013

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:38 P.M.

PRESENT: Commissioners: Sarah W. Morgan, Chair
Kathryn A. Hein
Paoi X. Lor
Ann Wilson

ABSENT: Commissioner: Michael M. O'Hear (Excused)

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

The Chair reconvened the Board in Regular Session, having previously met in Executive Session from 4:34 p.m. to 5:35 p.m. pursuant to Section 19.85 (1)(c) Wis. Stats. to consider employment, promotion, compensation or performance evaluation data of any public employee over whom the Board has jurisdiction or exercises responsibility, to wit: Quarterly Review of Fire Chief Mark Rohlfing.

The Director presented for adoption minutes of the Regular Meeting of May 16, 2013. Commissioner Hein moved approval of the minutes as presented, seconded by Commissioner Lor. The motion carried unanimously.

1. UNFINISHED BUSINESS:

a) The Director presented correspondence dated May 29, 2013, from staff, wherein Police Officer Michael Kuykendall requests an extension to his temporary residency exemption to continue to reside in Greenfield until he can move into a residence in Milwaukee on June 15, 2013. Commissioner Hein moved to grant a nine-day extension until Officer Kuykendall's move-in date of June 15, 2013, seconded by Commissioner Lor. The motion carried unanimously.

The Director presented correspondence dated May 30, 2013, from staff, wherein Police Officer Frank Vrtochnick requests an extension to his temporary residency exemption to continue to reside in Sussex while recovering from injuries and surgeries related to an on-duty hit and run accident he was involved in on December 25, 2011. Commissioner Hein moved to grant a six-month extension, seconded by Commissioner Wilson. The motion carried unanimously.

2. FIRE DEPARTMENT:

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

TO FIRE CAPTAIN, on a temporary and waiver basis, from expired eligible list established February 17, 2011, effective June 9, 2013:

#18 – LAMON PIPPIN.

b) The Director presented correspondence dated May 30, 2013, from Chief Rohlfing, wherein he requests that the appointment of #19 – Nicholas Obermann from the Fire Equipment Dispatcher Eligible List established November 1, 2012, approved at the November 1, 2012 Regular Meeting, be rescinded as this candidate either withdrew or did not qualify for the position. Commissioner Lor moved to rescind the appointment, seconded by Commissioner Hein. The motion carried unanimously.

c) The Director presented correspondence dated May 30, 2013, from Chief Rohlfing, wherein he notifies the Board that the contingency appointment of #16 – Rebekah McAleese from the Fire Equipment Dispatcher eligible list established November 1, 2012, approved at the November 1, 2012 Regular Meeting, was utilized effective May 28, 2013.

d) The Director presented correspondence dated May 30, 2013, from Chief Rohlfing, wherein he notifies the Board that Fire Lieutenant Scott L. Klockow returned to duty from his duty disability pension, effective May 29, 2013.

3. POLICE DEPARTMENT:

a) The Director presented correspondence dated June 3, 2013, from Chief Flynn, wherein he nominates Police Lieutenant Thomas G. Stigler, Police Lieutenant Alfonso Morales, Police Lieutenant Aimee M. Obregon, Police Lieutenant Jeffrey M. Point, Police Lieutenant David A. Salazar, Jr., Police Lieutenant Paul L. Felician, and Police Lieutenant Jutiki C. Jackson, on a waiver basis, to the exempt position of Captain of Police in the Police Department, to be effective June 23, 2013. Pursuant to Rules of the Board, final action on these nominations was laid over to permit the nominees to be interviewed.

b) The Director presented correspondence dated June 3, 2013, from Chief Flynn, wherein he nominates Captain of Police Donald J. Gaglione, Captain of Police Terrence T. Gordon, and Captain of Police Michael J. Brunson to the exempt position of Deputy Inspector of Police in the Police Department, to be effective June 23, 2013. Pursuant to Rules of the Board, final action on these nominations was laid over to permit the nominees to be interviewed.

c) The Director presented correspondence dated May 30, 2013, from Assistant Chief Leibold, wherein he requests that the probationary period of Police Telecommunicator Catherine A. Deford be extended for a period of three months, until September 25, 2013, to allow supervisors an opportunity to evaluate her progress, continue an assessment of her training needs, and develop a plan focused toward her potential success. Commissioner Hein moved approval of the request, seconded by Commissioner Lor. The motion carried unanimously.

d) The Director presented correspondence dated May 13, 2013, from Chief Flynn, wherein he presents a request from Lead Police Telecommunicator Tina M. Torrescruz for voluntary demotion to her former position of Police Telecommunicator, to be effective June 16, 2013. Commissioner Wilson moved approval of the request, seconded by Commissioner Hein. The motion carried unanimously.

e) The Director indicated the request for reappointment of Detective had been removed from the agenda.

f) The Director presented correspondence dated May 30, 2013, from Assistant Chief Leibold, wherein he notifies the Board that Police Officer Brad Westergard returned from an unpaid military leave of absence which commenced February 10, 2013, effective April 14, 2013; Police Officer Micolette Acevedo was granted an unpaid maternity leave of absence until July 22, 2013, effective April 11, 2013; Police Officer April Hoffman was granted an unpaid medical leave of absence until June 4, 2013, effective April 20, 2013; and Police Officer Anthony Rivera was granted an unpaid military leave of absence until September 13, 2013, effective March 20, 2013.

g) The Director presented correspondence dated May 15, 2013, from Chief Flynn, wherein he notifies the Board that Police Officer Kurt D. Kezeske has been discharged for violation of Department Rules and Regulations under Personnel Order 2013-50 dated May 15, 2013.

4. PUBLIC COMMENT:

Sarah Patch spoke regarding the way the Milwaukee Police Department (MPD) views human errors made by officers. In Dr. Patch's view, officers' careers cannot take precedence over the health, safety, and citizens of the community. According to Dr. Patch, in situations such as the Derek Williams incident police officers may

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not deserve punitive action, but corrective and protective action may be in order and she requests that MPD and the Fire and Police Commission (FPC) bear that in mind. She said there is no perfect indicator of future performance, but she has heard from Human Resource professionals that the best indicator of future performance is past performance. To that end, when an honest mistake is made, the department needs to ensure it does not happen again and that may mean putting police officers into different roles.

Mike Crivello, Milwaukee Police Association President, said it is important for the FPC to get the facts out relative to what really took place during the Derek Williams incident. According to Mr. Crivello, officers performed as trained to perform on that night. It was unfortunate that there was a loss of life, but the officers did what was expected. It is important that the public be properly educated as to what really took place.

Debra Jenkins said MPD SOP 090.10 defines what should be done when an arrestee is in the hands of an officer. Ms. Jenkins wanted to remind the Board that the SOP clearly states what should be done when there is a person in custody of an officer.

Harriet Callier, ARACOPA Coalition for Social Justice, said she appreciated Mr. Crivello's call for clarity and corrective action with regard to the Derek Williams incident. Ms. Callier described an incident in 2010 that was the exact same situation that Derek Williams was in; i.e., the arrestee was seated in the back seat of a squad car asking an officer for help because he was not breathing. Ms. Callier said the officer did not respond to the arrestee plea for help. Given that this incident happened approximately eight months prior to the Derek Williams incident, Ms. Callier would like to know how many times a situation needs to happen before it becomes a training issue?

5. ADJOURNMENT:

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

The meeting concluded at 5:53 P.M.

Respectfully submitted,

Michael G. Tobin
Executive Director

MGT:kj