

# Milwaukee Police Department Citizen Complaint Process



## Prism Technical

*This review of the citizen complaint process, in conjunction with recently initiated and ongoing internal review and initiatives by the Milwaukee Police Department and the Fire and Police Commission (FPC), is intended to assist the FPC in assessing the quality and effectiveness of the citizen complaint procedures, the fairness and objectivity of complaint investigation results, and the degree of complainant satisfaction with the overall complaint process and associated outcomes.*

Prism Technical  
Management

6114 West Capitol Dr #200

414.847.0990

414.847.0992

4/10/2009

## **EXECUTIVE SUMMARY**

Prism Technical surveyed over 15% of all citizens who filed complaints against the Milwaukee Police Department in 2007, including complaints filed directly with the Department and complaints filed with the Fire & Police Commission. The survey consisted of two segments – an initial brief questionnaire, which was used for all complainants, and a longer interview, conducted with willing participants and allowing for greater detail in survey responses.

The purpose of this report is not to reopen any complaints or engage in a de facto appeal process. Rather it is to gauge the satisfaction of citizens with the process itself. It is difficult, in some cases, to separate citizens' feelings about the process from the ultimate outcome, but we will attempt to do just that in as many cases as possible.

As 2007 was the last year for which complete data was available, only complainants who initiated their complaints in that year were chosen. Results of the survey seem to indicate that many complainants did not feel satisfied when the process was complete.

## **BACKGROUND**

Prism Technical Management was hired by The City of Milwaukee to conduct an assessment of citizen satisfaction with the complaint processes used by the Milwaukee Police Department (MPD) and the Milwaukee Fire and Police Commission (FPC). When Prism began the survey process, 2007 was the most recent year for which complaint data was complete. It is our understanding that since that time, significant changes have been made to the MPD and FPC processes. Nonetheless, this survey provides a valuable snapshot of how citizens perceived the processes in the recent past, and helps to provide guidance about future process modifications.

This review of the citizen complaint process, in conjunction with recently initiated and ongoing internal review and initiatives by the MPD and FPC, is intended to assist the FPC in assessing the quality and effectiveness of the citizen complaint procedures, the fairness and objectivity of complaint investigation results, and the degree of complainant satisfaction with the overall complaint process and associated outcomes.

In 2006, the City of Milwaukee commissioned a review of the FPC, the Board responsible for providing citizen oversight of policy and operational issues with the MPD and the Milwaukee Fire Department, to assess the Commission's structure and oversight authority, the effectiveness of the complaint process and the Commission's community outreach efforts. One of the primary recommendations of the 2006 review was for the FPC to more effectively exercise its policy review powers to periodically audit and evaluate complaints filed with the MPD (generally, complaints filed within the MPD are processed, investigated and resolved without involvement of the FPC). This current report is an outgrowth of that recommendation.

## METHODOLOGY

Prism Technical received access to all of the citizen complaints filed against the MPD in 2007, either directly with the department, or with the FPC. We successfully surveyed over 15% of complainants, seeking their thoughts on a number of issues, including:

- Duration of the Complaint Process
- Demeanor of FPC and MPD Staff
- Objectivity of the Process
- Trust in the Process
- Effectiveness of the Complaint Process
- Suggested Improvements to the Complaint Process

539<sup>1</sup> citizen complaints were filed with the MPD in 2007, and 85<sup>2</sup> were filed with the FPC. We attempted to contact all 624 (539 + 85) complainants by telephone. Making up to three calls to each complainant (per our agreement with the City of Milwaukee), and searching available on and offline directories to find missing or errant phone numbers, we were successful in contacting 77 MPD complainants and 18 FPC complainants by phone, with 11 of those contacted being unwilling to participate (all of whom had filed complaints with the MPD).

In our response to the City's Request for Proposals, we indicated a desire to mail up to 200 surveys to all remaining complainants which were not previously contacted by phone, with a goal of mailing to a maximum of 30% of the unsolicited complainants.

Those receiving surveys by mail were from two compiled lists (MPD and FPC) of all complainants, which were ranked by a random number generator. In the end, following completion of the telephone surveys, Prism mailed surveys to 208 MPD related complainants (over 40% of the remaining group) and 34 FPC complainants (over 50% of the remaining group), attempting to reach them directly, through the Post Office's forwarding procedures, and other means.

It was never our intent to mail to 100% of the remaining population, as it was projected to bear little fruit, which proved correct. Out of the 242 (208 + 34) mailings only 11 were returned – less than 5%.

Ultimately, we were able to interview a total of 74 MPD complainants and 21 FPC complainants<sup>3</sup>, or 15.2% of the total complainant pool of 624.<sup>4</sup>

---

<sup>1</sup> This number does not include MPD and other governmental employees filing complaints, or multiple complaints filed by the same person.

<sup>2</sup> See footnote 1.

<sup>3</sup> Not all respondents answered every question; therefore, the denominator for survey percentages will vary, depending on the questions.

<sup>4</sup> 13.7% (74/539) of MPD complainants were surveyed, and 24.7% (21/85) of FPC complainants were surveyed.

Each of these 95 complainants completed a short form survey (attached as Appendix A) that sought demographic information and invited responses to multiple choice queries regarding the following aspects of the MPD and FPC complaint processes: (a) comparisons to other complaint processes; (b) frequency of complaint filings; (c) staff demeanor; (d) ease of process; (e) duration of process; (f) privacy; (g) professionalism of staff; (h) keeping complainants informed; and (i) satisfaction.

Responses to this initial short form survey, provided statistical data, which will be explored in depth hereinafter, but also informed creation of discussion points for an anecdotal interview template (attached as Appendix B) which was used to gather more in depth comments and insights from willing complainants. The anecdotal interview included questions regarding: (a) choice of filing method; (b) trust in the complaint processes; (c) recommendations; (d) bias; (e) repercussions; (f) training; (g) and helpful personnel.

Thus, following the initial survey process, we conducted in depth anecdotal interviews with 13 MPD complainants, or 17.6% (13/74) of the responding group and 6 FPC complainants, or 28.6% (6/21) of the responding pool, for 20.0% (19/95) of the total responsive group. Participants were chosen for these extended in depth interviews if (1) they indicated a desire to further discuss and explore the complaint process, or (2) if Prism determined that the short form interviews did not allow particular respondents to fully express their thoughts or their situation or perspective on the complaint process was particularly unique. Anyone who wished to contribute more to the discussion was given the opportunity to do so.

It is important to recognize that those who participated in the survey – whether solely the short form interview, or the long form as well – are a self-selected group. There is no way to determine whether the remainder of the complainants would follow the same response pattern as those who were surveyed. This caveat should be particularly underscored with respect to the anecdotal interviews. These interviews, conducted after participants had already completed an initial survey, required even more time from complainants. One must not assume that the comments of these complainants are typical – or atypical. What we can say for certain is that the results herein indicate the beliefs and perceptions of the group of complainants who agreed to spend time discussing the citizen complaint processes of the MPD, FPC or both.

Table 1 – Complainant Contact Data

Survey Type	Percentage of Complaints											
	MPD				FPC				Combined			
	Qty	Percent of Total	Successful Contacts		Qty	Percent of Total	Successful Contacts		Qty	Percent of Total	Successful Contacts	
Phone	539	86.4%	66	12.2%	85	13.6%	18	21.2%	624	100.0%	84	13.5%
US Mail	208	86.0%	8	3.8%	34	14.0%	3	8.8%	242	100.0%	11	4.5%
Main Survey	539	86.4%	74	13.7%	85	13.6%	21	24.7%	624	100.0%	95	15.2%
Anecdotal Interviews	13	68.4%	See note		6	31.6%	See note		19	100.0	See note	

Table Notes: (1) Four complainants filed with both the MPD and FPC, therefore there were 91 unique respondents. (2) 100% of the complainants chosen for anecdotal interviews completed the extended interview sessions, as they indicated an interest in doing so during the initial interview process.

Chart 1 – Number of MPD Surveys Returned and Unreturned

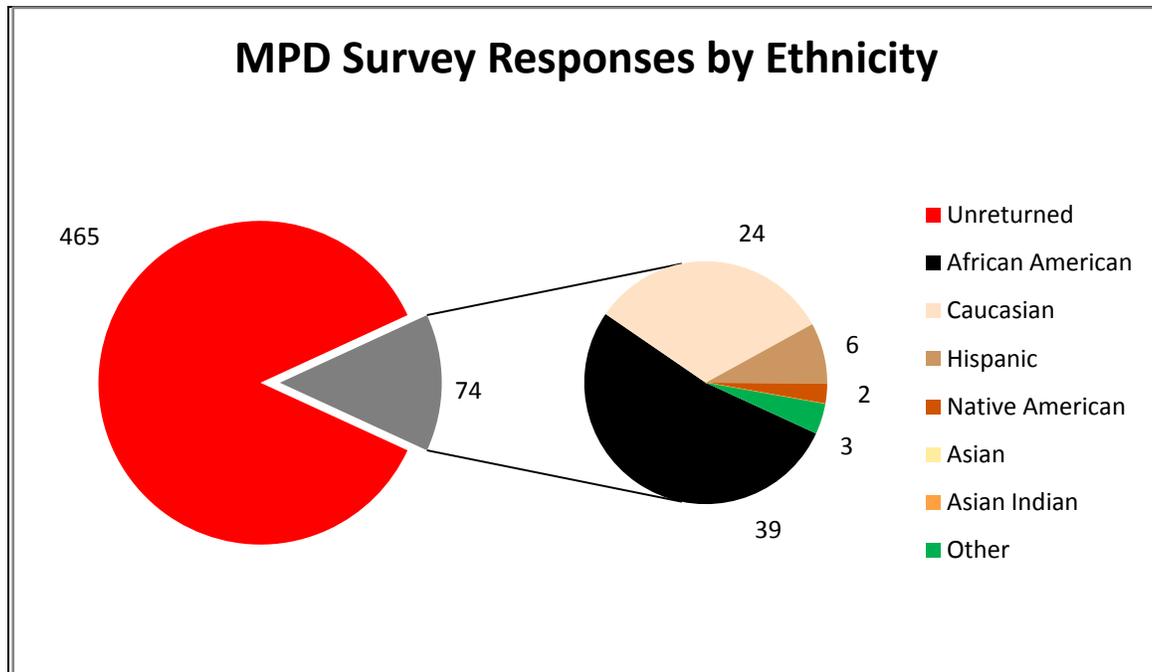


Table 2 – Ethnicity of MPD Respondents (4 filed with both MPD and FPC)

All Complaints	Black	White	Hispanic	Native	Asian	Asian Indian	Other	Total
Male	15	13	3	0	0	0	2	33
Female	24	11	3	2	0	0	1	41
Totals	39	24	6	2	0	0	3	74

Chart 2 – Ethnicity and Gender of MPD Respondents

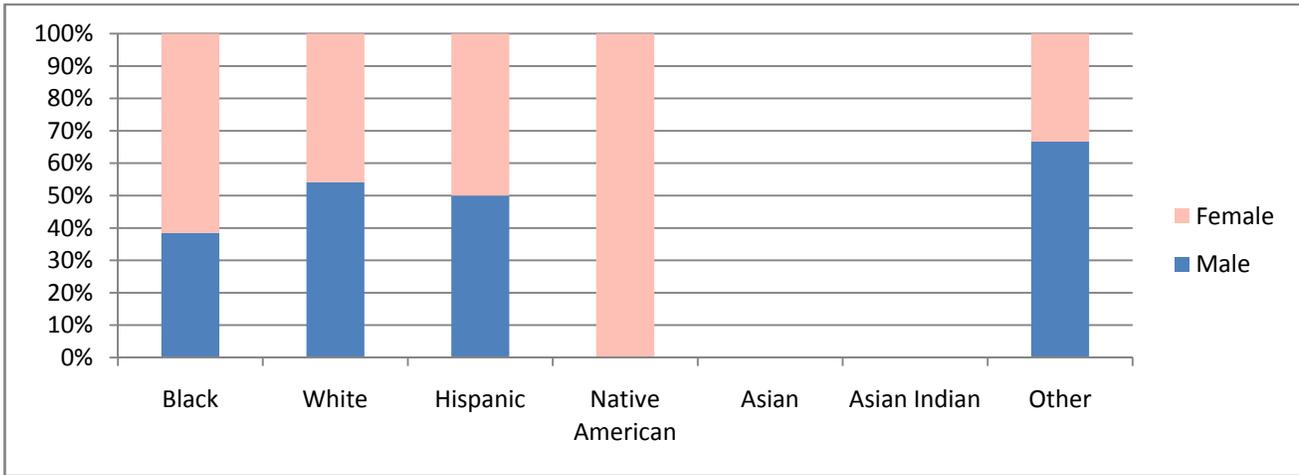


Table 3 - Ethnicity and Family Income of MPD Respondents (based on US Census Tract)

All Complaints	Black	White	Hispanic	Native	Asian	Asian Indian	Other	Average
Male	\$ 23,282	\$ 41,568	\$ 38,437	n/a	n/a	n/a	\$ 21,542	\$ 32,462
Female	\$ 36,524	\$ 46,285	\$ 21,060	\$ 42,495	n/a	n/a	\$ 52,240	\$ 38,674
Average	\$ 31,418	\$ 44,698	\$ 29,745	\$ 42,495	n/a	n/a	\$ 31,774	\$ 35,904

Chart 4 – Number of FPC Surveys Returned and Unreturned

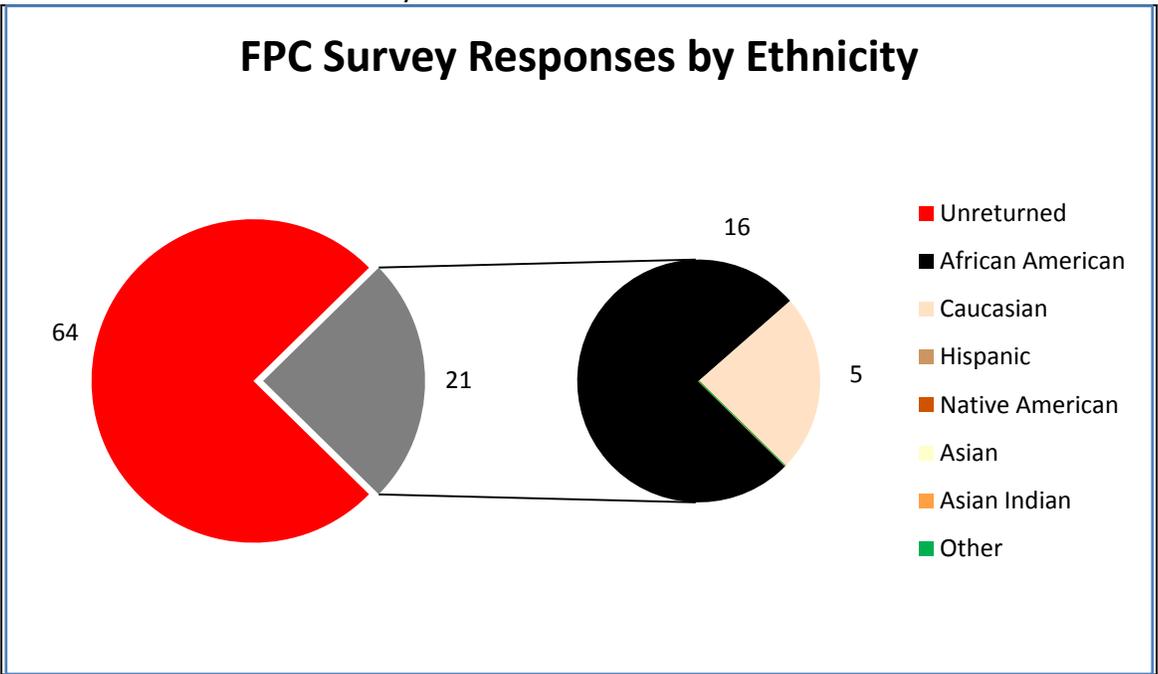


Table 4 – Ethnicity of FPC Respondents (4 filed with both MPD and FPC)

All Complaints	Black	White	Hispanic	Native	Asian	Asian Indian	Other	Total
Male	7	3	0	0	0	0	0	10
Female	9	2	0	0	0	0	0	11
Totals	16	5	0	0	0	0	0	21

Chart 5 – Ethnicity and Gender of FPC Respondents

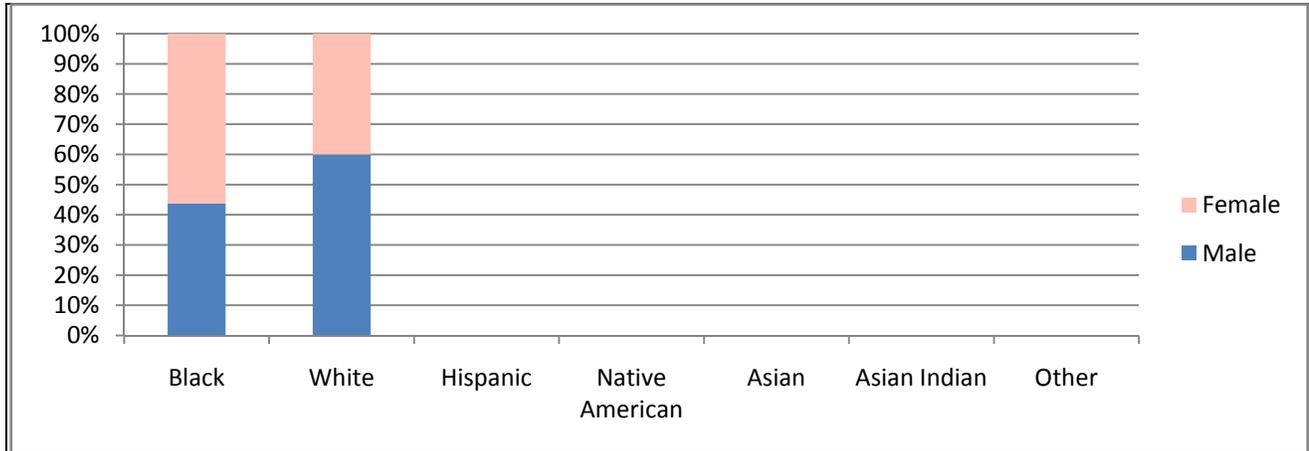


Table 5 - Ethnicity and Family Income of FPC Respondents (based on US Census Tract)

All Complaints	Black	White	Hispanic	Native	Asian	Asian Indian	Other	Average
Male	\$ 27,170	\$ 40,906	n/a	n/a	n/a	n/a	n/a	\$31,291
Female	\$ 29,979	\$ 35,277	n/a	n/a	n/a	n/a	n/a	\$30,942
Average	\$ 28,750	\$ 38,654	n/a	n/a	n/a	n/a	n/a	\$ 31,108

Chart 6 - Number of Combined Surveys Returned and Unreturned

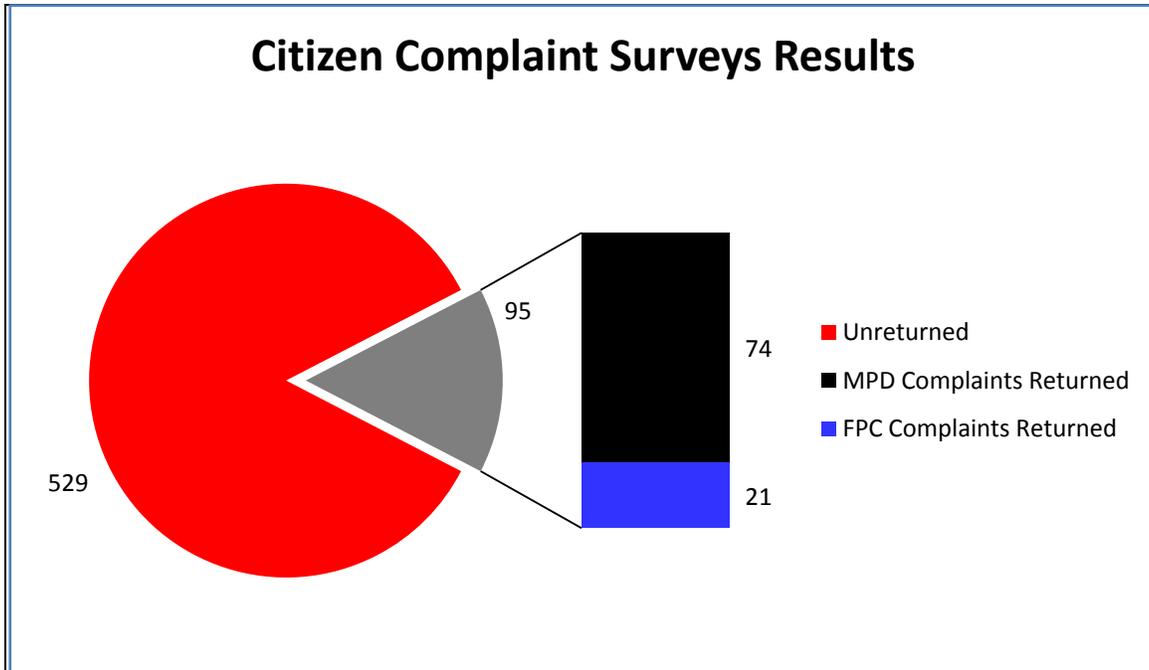


Chart 7 – Ages of Surveyed Complainants for MPD, FPC and Combined

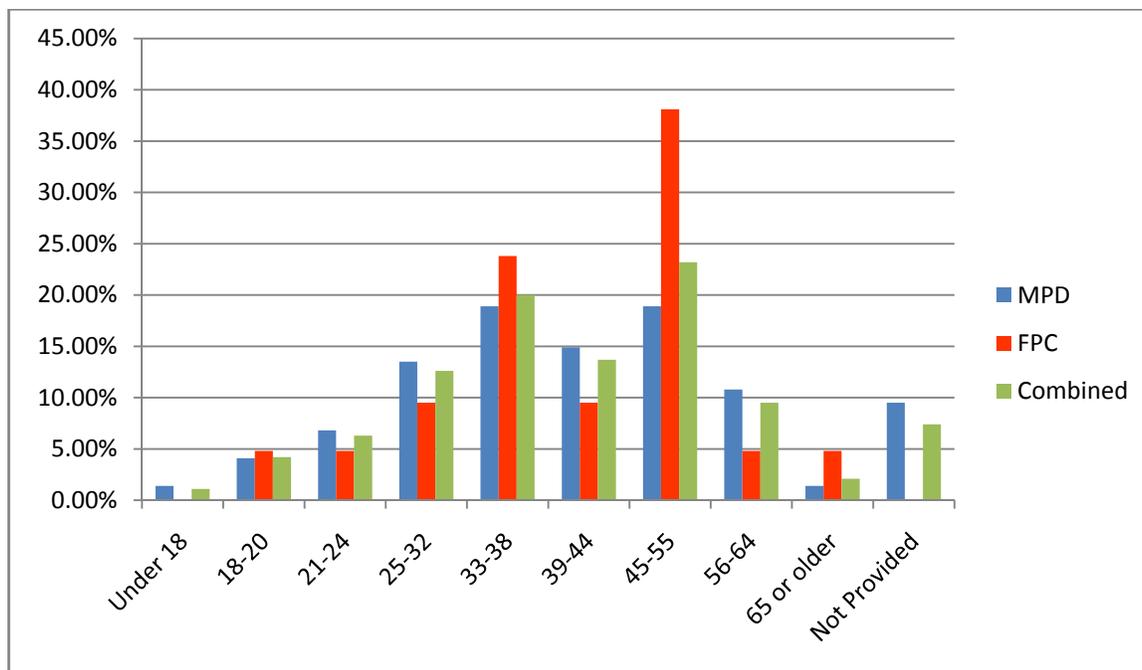


Table 6 – Ages of Surveyed Complainants for MPD, FPC and Combined

Age	Number of Respondents by Complaint Filing Location						Percentage of all Respondents		
	MPD		FPC		Combined		MPD	FPC	Combined
Under 18	1	1.4%	0	0.0%	1	1.1%	1.1%	0.0%	1.1%
18-20	3	4.1%	1	4.8%	4	4.2%	3.2%	1.1%	4.2%
21-24	5	6.8%	1	4.8%	6	6.3%	5.3%	1.1%	6.3%
25-32	10	13.5%	2	9.5%	12	12.6%	10.5%	2.1%	12.6%
33-38	14	18.9%	5	23.8%	19	20.0%	14.7%	5.3%	20.0%
39-44	11	14.9%	2	9.5%	13	13.7%	11.6%	2.1%	13.7%
45-55	14	18.9%	8	38.1%	22	23.2%	14.7%	8.4%	23.2%
56-64	8	10.8%	1	4.8%	9	9.5%	8.4%	1.1%	9.5%
65 or older	1	1.4%	1	4.8%	2	2.1%	1.1%	1.1%	2.1%
No response	7	9.5%	0	0.0%	7	7.4%	7.4%	0.0%	7.4%
	74	100.0%	21	100.0%	95	100.0%	77.9%	22.1%	100.0%

Note: Totals may not equal 100% due to rounding.

Chart 8 – Race/Ethnicity of Respondents for MPD, FPC and Combined

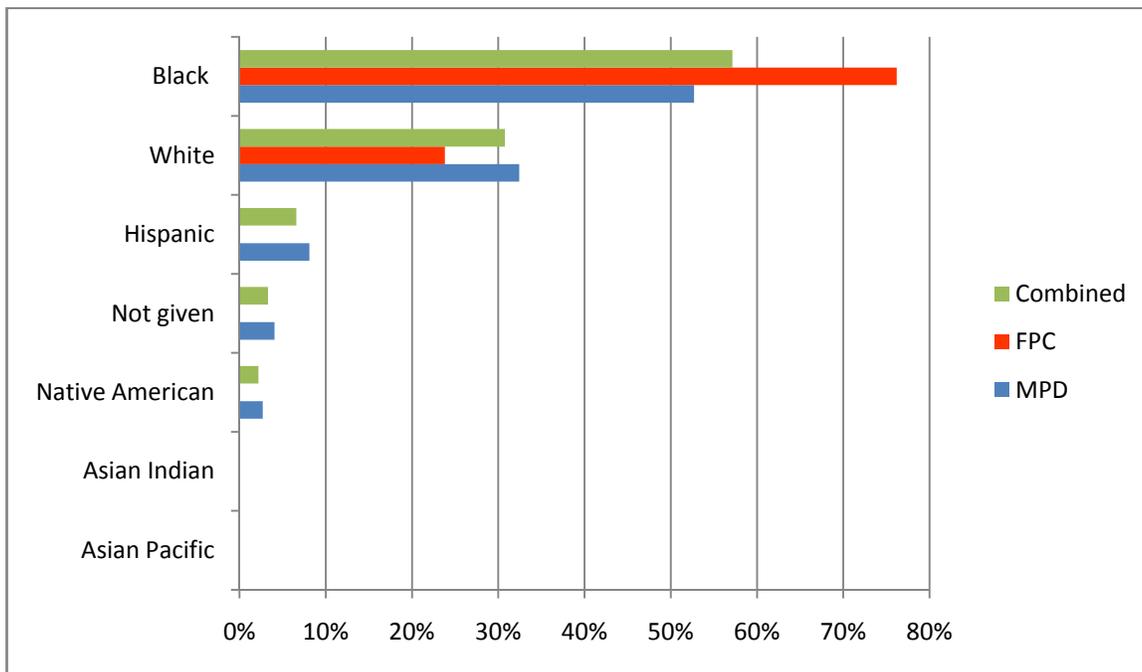


Table 7 – Race/Ethnicity of Respondents for MPD, FPC and Combined

Ethnicity	Number of Respondents						Percentage of Respondents		
	MPD		FPC		Combined		MPD	FPC	Combined
Black	39	52.7%	16	76.2%	55	57.9%	41.1%	16.8%	57.9%
White	24	32.4%	5	23.8%	29	30.5%	25.3%	5.3%	30.5%
Hispanic	6	8.1%	0	0.0%	6	6.3%	6.3%	0.0%	6.3%
Native American	2	2.7%	0	0.0%	2	2.1%	2.1%	0.0%	2.1%
Asian	0	0.0%	0	0.0%	0	0.0%	0.0%	0.0%	0.0%
Asian Indian	0	0.0%	0	0.0%	0	0.0%	0.0%	0.0%	0.0%
Other	3	4.1%	0	0.0%	3	3.2%	3.2%	3.2%	3.2%
	74	100.0%	21	100.0%	95	100.0%	77.9%	22.1%	100.0%

Additional MPD Demographic Data

Of the 74 complainants that shared their experiences with the survey team:

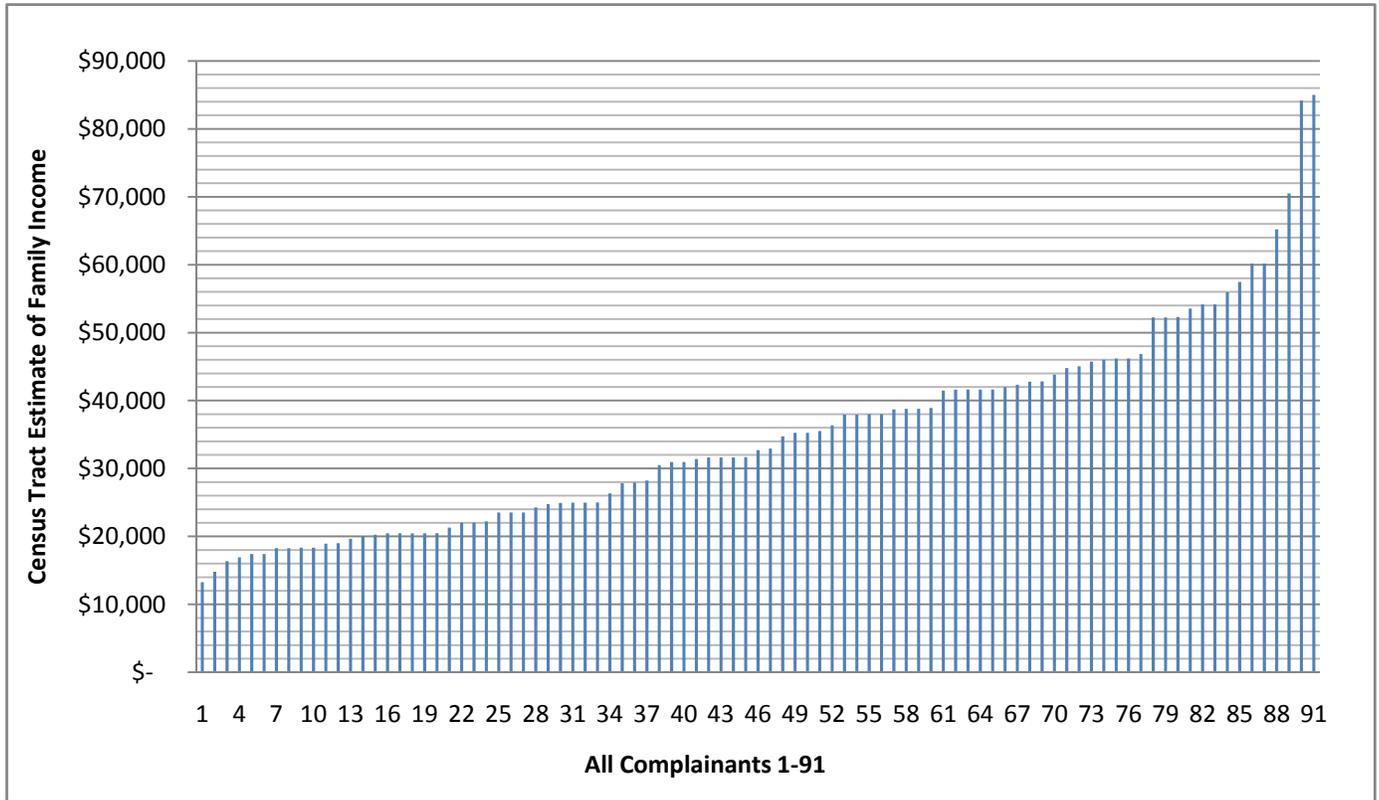
- 4 filed with both the MPD and FPC.
  - 1 black suburban resident filed with both the FPC and MPD.
- All but 11 were residents of the City of Milwaukee.
  - 7 were Wisconsin residents, not from Milwaukee, residing in areas 15-25 miles from downtown Milwaukee.
  - 3 were Wisconsin residents residing further than 50 miles from Milwaukee.
  - 1 was an out of state resident.
  - 7 were women, 4 were men.
  - 7 were white, 3 were black, and 1 was Hispanic.

Additional FPC Demographic Data

Of the 21 complainants that shared their experiences with the survey team:

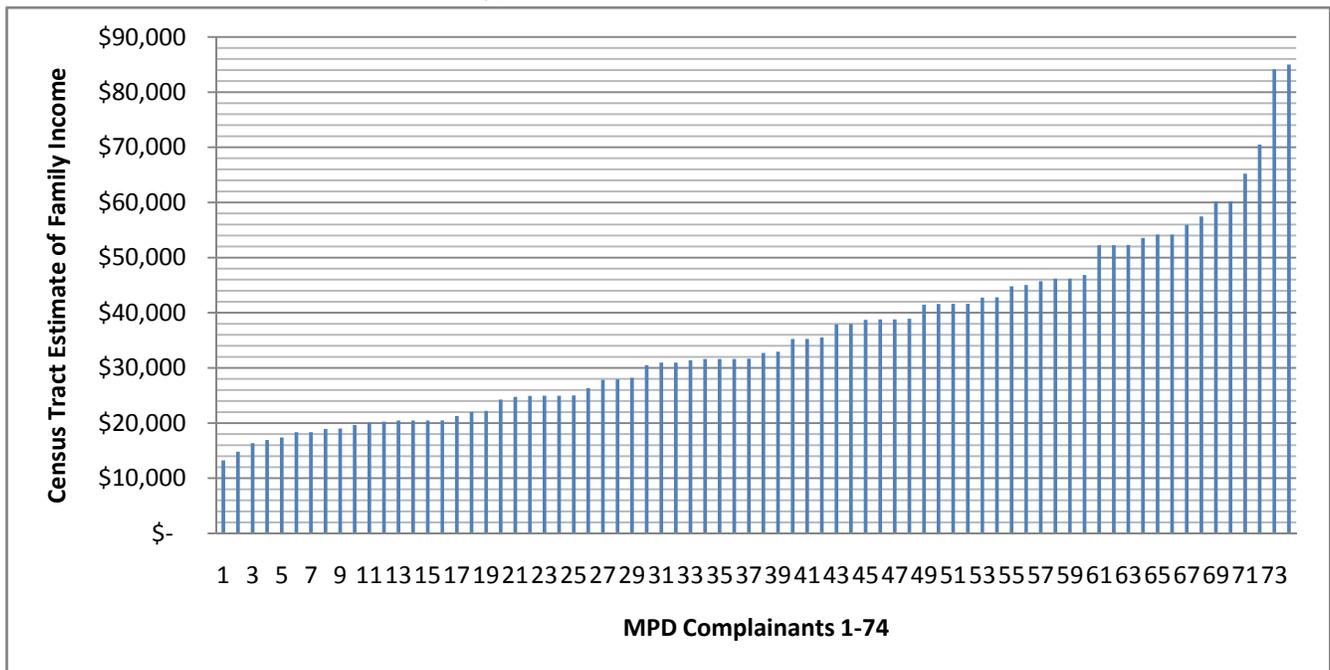
- All but one of the complainants were residents of the City of Milwaukee.
- 4 complainants filed with both the MPD and FPC.
  - 1 black suburban resident filed with both the FPC and MPD.

Chart 9 - Income distribution chart (MPD and FPC combined)



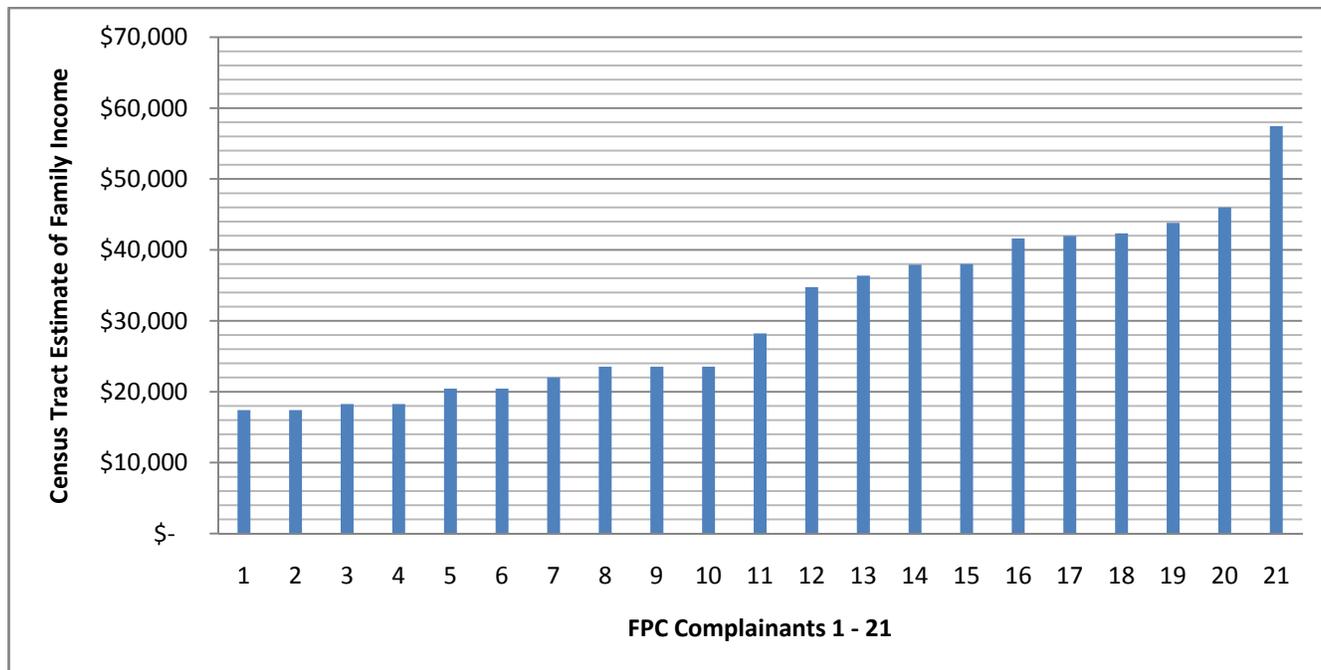
For all filings, the average income per complainant was \$35,018, with median at \$32,702.  
 Note: There were 91 unique complainants. Four filed with both the FPC and MPD.

Chart 10 – Income distribution (MPD only)



For MPD filings, the average income per complainant (based on census tract data) was \$35,904, with median at \$32,190.

Chart 11 – Income distribution (FPC only)



For FPC filings, the average income per complainant (based on census tract data) was \$31,108, with median at \$28,220.

The average income of all those filing complaints with MPD was \$35,904. There were 12 individuals that indicated they had filed prior complaints against the MPD. Of these, 9 were black (4 male/5 females), 2 were Hispanic (1 male) and 1 male of unknown ethnicity.

Table 8 – Income Quartiles (based on Census Tract) of those filing prior complaints

Income Quartile	1 <sup>st</sup> (bottom)	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Filed Prior Complaints	5	4	1	2

Two of the nine individuals in the 1<sup>st</sup> and 2<sup>nd</sup> income quartiles (see Table 8, above) believed their complaints were handled better this time compared to prior complaints filed and two others felt it was about the same. The remaining five in the low half, felt the process was worse or much worse.

One of the complaints in the upper half income category felt the new complaint was handled about the same, while the other two, felt it was worse or much worse.

Income statistics

When data is reviewed by estimated family income, little data of distinction surfaces indicating any difference in perception of the complainants, except for those filing with the FPC – as 100% of those reporting the process was “intimidating” were in the upper half of the income bracket, spread evenly in

the 3<sup>rd</sup> and 4<sup>th</sup> quartile, at 3 each. Nine of the 15 (60.0%) complainants with family incomes in the upper half of those filing complaints with the MPD felt the process was “intimidating.”

Other than the noted differences, neighborhood/family income based upon census tract data had little to no observed correlation to surveys results.

It was noted by the data team that 100% of the Whites (5 of 5) filing with the FPC were in the upper half of the income level for all FPC complainants. 79.2% (19 of 24) of all Whites filing complaints with the MPD were in the upper half of incomes for all MPD complainants. Two thirds (26 of 39) of all Blacks filing complaints with the MPD were in the lower half of incomes for all complainants. Other demographic statistics were fairly evenly distributed with little to no impact upon the survey results.

## SURVEY RESULTS

### Complaint History

When assessing complainant satisfaction with the complaint process, it may be useful to know whether complainants have previously filed complaints against the Police, either through MPD or FPC. It is outside the scope of this report to examine whether certain individuals are serial complainants or have filed numerous complaints found to be meritless.

78.9% (75/95) of all respondents had never previously filed complaints against the Police Department.

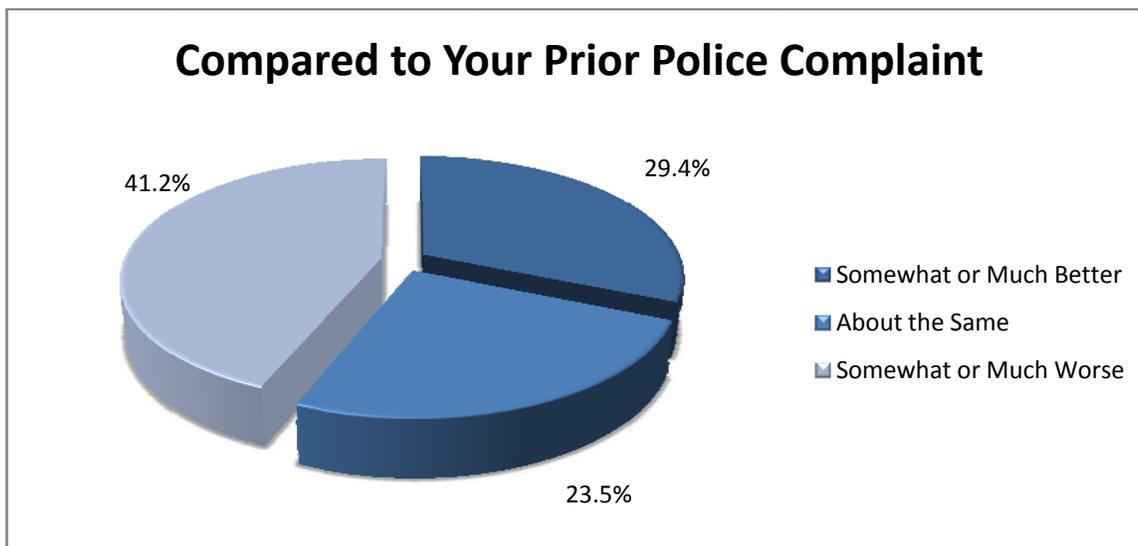
23.8% (5/21) of those filing with the FPC had filed complaints previously, while only 16.2% (12/74) of those filing with the MPD had filed complaints previously.

Of those that had previously filed complaints, one filed complaints 3 years in a row; another filed several complaints; two re-filed previously initiated complaints (having seen no results previously); and two others filed complaints long ago. In summary, the vast majority of complainants do not appear to be serial complainants.

Of those who had previously filed complaints, 29.4% (5/17) said it was handled somewhat better or much better the second time, 23.5% (4/17) said about the same, and 41.2% (7/17) said it was somewhat worse or much worse the second time around.

Breaking these numbers out among MPD and FPC, 60% of complainants (3/5) thought the FPC handled things better this time around, while only 16.7% (2/12) of MPD complainants felt the same (See Chart 12). In fact, nearly 58.3% (7/12) of MPD respondents felt the complaint was handled worse this time, while only 20.0% (1/5) of FPC complainants felt the same. Furthermore, nearly 41.7% (5/12) of the MPD respondents thought the complaint was handled “much worse” recently than it had been in the past.

Chart 12 – Complainant Comparison of 2007 Complaint Process with Previously Filed Complaint



For comparison purposes, complainants were asked if they had ever filed complaints with any other governmental agency or commercial service providers. Of those that had (11.6% (11/95) of the total survey group), most felt that the police complaint process was handled somewhat worse than their other experience. One person did indicate, however, that the Milwaukee Police Department was much faster than their other experience, while another stated that they never heard back from the other agency. These other experiences included phone companies, a Circuit Court Judge, a suburban police department, and a retail store.

**Describing the Current Complaint Process**

Participants were provided a list of words (See Chart 13) and asked to pick the one(s) that best described the 2007 complaint processes. The results are shown in Chart 13 and Table 9.

Chart 13 – Participants’ Responses to Multiple Choice Query about Complaint Process

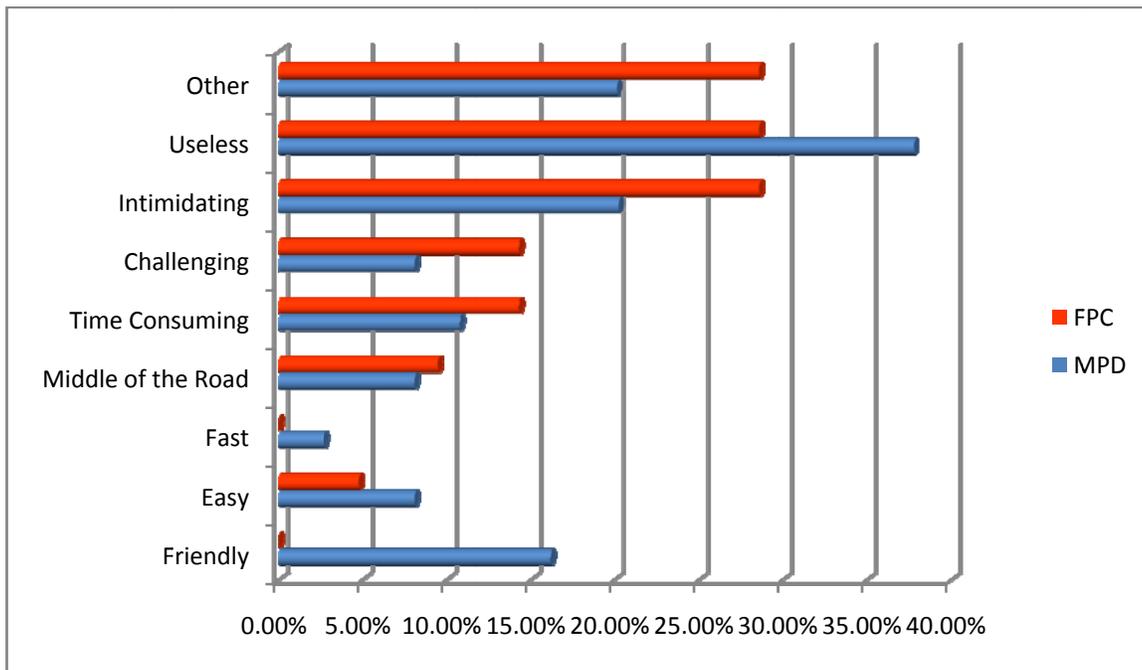


Table 9 - Participants' Responses to Multiple Choice Query about Complaint Process (choosing all that apply)

Description	Number Responding			
	MPD		FPC	
Friendly	12	16.2%	0	0.0%
Easy	6	8.1%	1	4.8%
Fast	2	2.7%	0	0.0%
Middle of the Road	6	8.1%	2	9.5%
Time Consuming	8	10.8%	3	14.3%
Challenging	6	8.1%	3	14.3%
Intimidating	15	20.3%	6	28.6%
Useless	28	37.8%	6	28.6%
Other	15	20.2%	6	28.6%

Table 10 - Words used to describe the Complaint Process from FEMALES filing with the MPD (choosing all that apply)

	Female "ALL" (41)	%	Female Black (24) 58.5%	%	Female White (11) 26.8%	%	Female Hispanic (3) 7.3%	%	Female Native (2) 4.8%	%	Female Other (1) 2.4%	%
Friendly	7	17.0%	4	16.6%	3	27.2%	0	0.0%	0	0.0%	0	0.0%
Easy	3	7.3%	1	4.1%	2	18.1%	0	0.0%	0	0.0%	0	0.0%
Fast	2	4.8%	2	8.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Middle of the Road	4	9.7%	0	0.0%	4	36.3%	0	0.0%	0	0.0%	0	0.0%
Time Consuming	5	12.1%	2	8.3%	2	18.1%	0	0.0%	0	0.0%	1	100.0%
Challenging	3	7.3%	1	4.1%	1	9.0%	1	33.3%	0	0.0%	0	0.0%
Intimidating	10	24.3%	5	20.8%	3	27.2%	1	33.3%	1	50.0%	0	0.0%
Useless	16	39.0%	10	41.6%	3	27.2%	2	66.6%	1	50.0%	0	0.0%
Other	5	12.1%	4	16.6%	0	0.0%	1	33.3%	0	0.0%	0	0.0%

Table 11 - Words used to describe the Complaint Process from MALES filing with the MPD (choosing all that apply)

	Male "ALL" (32)	%	Male Black (15) 46.9%	%	Male White (13) 40.6%	%	Male Hispanic (2) 6.3%	%	Male Native N/A 0.0%	%	Male Other (2) 6.3%	%
Friendly	5	15.6%	3	20.0%	1	7.7%	0	0.0%	0	0.0%	1	50.0%
Easy	3	9.3%	0	0.0%	3	23.0%	0	0.0%	0	0.0%	0	0.0%
Fast	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Middle of the Road	2	6.2%	0	0.0%	2	15.4%	0	0.0%	0	0.0%	0	0.0%
Time Consuming	3	9.3%	2	13.3%	1	7.7%	0	0.0%	0	0.0%	0	0.0%
Challenging	2	6.2%	1	6.7%	1	7.7%	0	0.0%	0	0.0%	0	0.0%
Intimidating	5	15.6%	3	20.0%	2	15.4%	0	0.0%	0	0.0%	0	0.0%
Useless	12	37.5%	6	40.0%	4	30.8%	2	100.0%	0	0.0%	0	0.0%
Other	10	31.2%	5	33.3%	4	30.8%	0	0.0%	0	0.0%	1	50.0%

Note: The results in Tables 10 and 11 do not include responses from one individual who did not identify his/her gender; totals in both tables may not equal 100% due to rounding.

It is instructive to compare the FPC and MPD responses here. More found the MPD to be friendly and easy, yet more found the FPC's process to be more time consuming, challenging and intimidating. In both groups, a large percentage used "useless" to describe the process. The flipside is that at least 60% of both groups found the process at least somewhat useful. Many stated that they believe the process is biased, and one person plainly said, "the City of Milwaukee condones racism." Another said they found the process "violating."

One person stated that they were told the steps that would be taken in the complaint process, but then all of those steps were bypassed.

Still, some felt the process was "acceptable," and "accommodating."

Encapsulating the fear of retaliation felt by some, one person said she is "more afraid of the police than the drug dealers."

## **Duration**

### **"In the Absence of Facts, People Make Them Up.**

What they imagine is usually worse than the reality. Don't leave people who are distraught or worried hanging for long periods of time. (The definition of a 'long' period of time will vary proportionately with how upset the person is.) Form the practice of telling people what steps you will take; when you will get back to them; and that you will notify them if your concept of the time frame alters. Then stick to your word. You may also want to invite the person to contact you if circumstances, including his or her level of anxiety, changes in any way before you are scheduled to respond."<sup>5</sup> – C.K. Gunsalus

Participants were asked to address their level of satisfaction with the duration of the complaint process.

Not many respondents were very happy with the process duration, whether it lasted weeks, months, or in a few cases, years.

Some say the whole process is "window dressing," noting that they have waited over a year for a hearing and have no idea what the investigation status is. One person said "it has been two years and there has still been no contact or conclusion."

---

<sup>5</sup> This quote is from C. K. (Tina) Gunsalus's *Basic Guidelines for Handling Complaints*. Ms. Gunsalus serves as Special Counsel in the Office of University Counsel and Adjunct Professor in the Colleges of Law and Medicine at the University of Illinois at Urbana-Champaign. She is a nationally recognized expert on matters of research integrity, ethics, and professionalism in academia. She is a member of the faculty of the Medical Humanities/Social Sciences program and teaches communications, conflict resolution skills and ethics.

Echoing survey results, one person called the MPD process “easy, but slow,” and many complained of getting no response at all.

The quote from Ms. Gunsalus, above, should be kept in mind when thinking about the result of lengthy or stalled investigations. The impact of a slow-moving complaint process – particularly if the complainant is not kept informed – can be devastating to the perception of the ultimate result.

Some positive responses included an officer going to see a complainant within a day to get details of the complaint and following up the second day. Another said she was called within 24 hours and assisted.

Still, lack of feedback is a consistent concern, with some saying they had to keep calling back to get any information.

One person acknowledged that the whole process took one to two months for the complaint, and the follow-up time was fine, “but the outcome was crappy.”

Another said “[t]he process took 6 months and should be 2-3 months.” A two month turnaround time is acceptable for some, but a “one month turnaround would be better.”

One person, alleging abuse of a minor by officers, said that the investigation took too long – “no one came to view his bruises until it was too late to see them. Cops have each other’s backs.” A complaint of this nature, she said, “should be investigated within 24 hours.”

Overall duration results showed that 57% (36/63) thought the MPD process was below or well below average compared to what it should be, and 74.2% (46/62) thought MPD did a poor job of keeping them informed and getting back to them.

81.0% (17/21) of FPC respondents thought the process duration was below or well below what is expected, and 80% (16/20) thought FPC did a poor job of keeping them informed and getting back to them.

With respect solely to the FPC, one person said, “The complaint process is effective, but slow. It took three-four months before they got back to me, and eight months before a meeting was held. I almost think it might be on purpose,” so that people decide to drop the complaint or lose interest.

A 25 - 30 day turnaround time is preferred, said another. Complaints, he said, should be processed “within one to one and a half weeks, have a meeting the following a week, and a resolution the week after.”

## Demeanor / Professionalism

In an attempt to assess complainant perception of staff demeanor and professionalism, survey participants were asked to choose from a provided list of descriptors (see Chart 14 and Table 12).

A common refrain – especially with respect to the MPD -- is that the person taking the complaint is friendly and accessible, but others involved in the investigation are not. The “initial complaint and collection of information was friendly,” said one respondent, “but follow-up lacked friendliness.”

Some stated the MPD “did not act professional” or was “insulting.” Many say they are treated disrespectfully, and have the blame shifted to them, rather than the officer.

When asked to describe the Officer or Employee that took their complaint information, respondents stated the following (they could choose as many descriptors as they wanted):

Chart 14 - Participants’ Responses to Multiple Choice Query about Demeanor / Professionalism of Those Taking Complaints

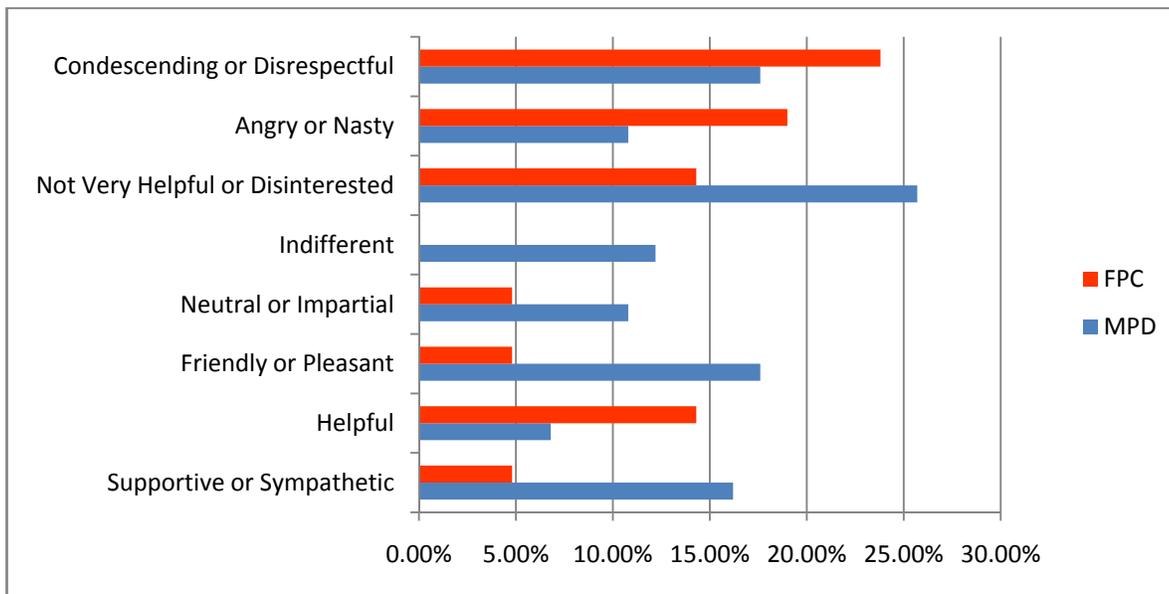


Table 12 - Participants' Responses to Multiple Choice Query about Demeanor / Professionalism of Those Taking Complaints

Description	Number Responding						Percentage Responding		
	MPD		FPC		Combined		MPD	FPC	Combined
Supportive or Sympathetic	12	16.2%	1	4.8%	13	13.7%	12.6%	1.1%	13.7%
Helpful	5	6.8%	3	14.3%	8	8.4%	5.3%	3.2%	8.4%
Friendly or Pleasant	13	17.6%	1	4.8%	14	14.7%	13.7%	1.1%	14.7%
Neutral or Impartial	8	10.8%	1	4.8%	9	9.5%	8.4%	1.1%	9.5%
Indifferent	9	12.2%	0	0.0%	9	9.5%	9.5%	0.0%	9.5%
Not Very Helpful or Disinterested	19	25.7%	3	14.3%	22	23.2%	20.0%	3.2%	23.2%
Angry or Nasty	8	10.8%	4	19.0%	12	12.6%	8.4%	4.2%	12.6%
Condescending or Disrespectful	13	17.6%	5	23.8%	18	18.9%	13.7%	5.3%	18.9%

One person (along with many others) said that the process “needs to seem more caring.” He believes the police can effectively police themselves, still respects the MPD, and believes some complaints are “bogus,” but feels like he might not lodge a complaint again, because all of the effort felt like a waste of time.

Sensitivity training and more extensive psychological testing, including for biases, was suggested by several respondents.

Speaking specifically of the FPC, “the person who took the complaint was friendly,” said one. Another agreed that “the initial point of contact was fairly friendly.” An additional respondent concurred, stating that “[t]he FPC person was friendly, helpful and understanding.”

### **Objectivity**

Complainants were surveyed regarding their perception of process objectivity; i.e., did the 2007 process (a) treat complainants and officers as equals; (b) give complainants a fair opportunity to be heard; and (c) properly discipline officers found to have engaged in wrongdoing.

One person went through the MPD and FPC complaint processes, “with nothing being done in either case.” He said, “[t]he process favors the officers.”

Many believe that the process is slanted to favor officers and it is hard to get an officer to take the complainant’s side, as “everyone protects the blue uniform.”

“I would file another complaint to put it on the record,” said one disgruntled complainant, “but I don’t believe anything would happen. They just aren’t going to investigate their own the way they will someone else.”

One person thought that the types of claims that are pursued by the police and the District Attorney’s office against citizens are “routinely dismissed by the MPD and FPC when they are made against officers.”

### **Trust / Perception**

Participants were asked, in a variety ways, whether they trusted the complaint process and how they perceived the MPD.

Asked if the MPD or FPC understood their concerns, one half (10/20) of the FPC respondents and nearly 60% (35/60) of the MPD respondents said no. 15% (3/20) of the FPC respondents said FPC was above average – or well above average – in understanding their concerns, and 10% (6/60) of MPD respondents agreed.

Over 42% (28/66) of respondents found the professionalism of MPD staff in the complaint process to be below or well below average, while only 16.7% (11/66) found it to be above – or well above – average.<sup>6</sup>

Some state that they can no longer trust the police or that “not all Police are good or can be trusted.”

When asked to compare their view of the Police Department or FPC before the complaint process and after, respondents’ views, on average, were slightly diminished, falling from neutral to negative.

Perception of MPD before and after: 58.1% (36/62) had an average or above average perception, and 41.9% (26/62) had a negative perception of MPD prior to starting their complaint. Following the complaint process, 62.3% (38/61) had a negative perception, and 37.7% (23/61) had an average or above average perception.

Perception of FPC before and after: 55% (11/20) had an average or above average perception of FPC prior to starting their complaint and 45% (9/20) had a negative perception. Following the complaint process, 75% (15/20) had a negative perception, and only 25% (5/20) had an average or above average perception.

One person indicated that she filed her complaint with both the MPD and the FPC because she was skeptical that either would actually conduct an investigation and wanted to cover all of her bases. After filing with both, she simply does “not trust either process.” She felt “they were supporting the police

---

<sup>6</sup> Professionalism statistics are not reported for FPC because some respondents may have felt that the professionalism question referred not just to FPC personnel, but to the original incident that led to the complaint.

and didn't care about" her. For the public to trust the process there must be more consistent follow through, more examination of facts and "not just trusting the officer" *carte blanche*. Her level of trust in the department did not change, because she didn't trust it before and still doesn't.

"The Police Department and Fire and Police Commission were very understanding and helpful," according to one complainant whose original complaint dealt with an alleged overly physical arrest by officers.

One person indicated that they filed a complaint with the MPD, rather than the FPC, because the FPC is "a civilian body that won't do anything, especially for a black male." Nonetheless, he believes that if you file a complaint with IA, "they won't investigate it." Ultimately, he stated, the process needs to be "away from MPD and FPC." FPC is "appointed by the Mayor and is not going to rock the boat." A third party group of civilians with no tie to City government should oversee the complaint process, he argues. The process is biased because "it supports the department. They won't investigate themselves thoroughly." People commit crimes and are "slapped on the wrist." The process took about two months, and "should have gone much faster." The complaint process "is not uniform across the board," and he "knew they wouldn't do much." A former police officer, he indicated that "many black officers make complaints against white officers and it's not investigated." The complaint process all "depends on if the department likes you." He strongly believes that he has experienced retaliation – he "went after a lot of City jobs and didn't get them because of this."

One female Hispanic complainant indicated that her experience with the complaint process "has changed for the negative" the way she views the MPD. She believes MPD cannot effectively and ethically police itself and there should be a third party in charge of complaints and the public should play a role.

The "process is totally in favor of officers," said one interview subject. "Officers," he said, are too "easily manipulated" by colleagues. "The public doesn't trust the process and shouldn't." He would file another complaint, even though he "followed every procedure and felt powerless."

With respect solely to the FPC, "perhaps 80% of the public trusts the process," according to one complainant.

While some believe the police can effectively investigate themselves, many believe that there must be a separate unit to investigate complaints. Some believe that the FPC can play this role, but others are dubious.

One complainant was completely disillusioned with the FPC complaint process, claiming that he had been tackled, kicked, stomped and verbally abused by officers, but was told that FPC's investigation could not determine whether he had been assaulted, and his complaint was therefore dismissed. He does not trust the complaint process and does not believe the public should either. A common refrain is that investigations must take place immediately, because in some cases, particularly those involving physical abuse, the evidence may be gone by the time the investigation occurs.

One complainant noted that things “do seem better since the Frank Jude case,” and attendant publicity, but the MPD truly needs to “kick guys off the force who are doing wrong,” and “must punish cops the same way they punish others.”

The “Code of Silence” needs to be broken, he said, and “good cops can’t let bad cops get away with doing wrong.”

One person went to FPC instead of the MPD, because they sensed that the MPD would “protect their own,” but the FPC “ended up taking forever.”

FPC is “biased and unjust and needs to be removed from the process,” he said, and MPD “cannot effectively or ethically investigate itself.”

One person believes that “FPC is a sham; a hoax. It doesn’t work. They are politically appointed by the Chief and the Mayor.” The FPC “doesn’t have integrity” and needs to be elected, because everyone on the commission now “has political ties.” He says he faced retaliation for his complaint, and was told by officers to “leave the department alone,” and was “shoved into a car.”

The “FPC never finds officers guilty of unnecessary use of force,” according to one respondent.

### **Retaliation**

Complainants were asked whether they experienced or feared any retaliation from Police officers for filing complaints.

Most people did not express the belief they had experienced retaliation of any kind, though some expected some retaliation to occur. Others believe that they were retaliated against.

One respondent “will not file another complaint because I am afraid of retaliation ... I was a victim twice – the second time was retaliation for the complaint.”

Most complainants would file complaints again if they felt warranted, but some wouldn’t, due to a fear of retaliation. Others feel that it just isn’t worth it. They believe that they have “experienced retaliation and [are] fearful that officers will try to harm” them.

“I might not file again because it seemed to make things worse,” said one complainant.

### **Suggested Process Improvements**

Some complainant responses to interview questions did not fit neatly into the survey’s precisely delineated segments. Those responses generally related to suggestions as to how to improve the complaint processes and are encapsulated below.

One person said all communication with the MPD was written, and she would have preferred some verbal feedback.

Another thought she wasn't given enough time to state her complaint.

One complainant indicated it took three hours to file a complaint, that she had her identification confiscated, and no further communication was received.

Others say that clearly crimes were committed by officers, but there was no pursuance of evidence. "Normally, the MPD does a good job," said one respondent, "but this was a poor exception."

"The whole process is ridiculous," according to one complainant.

When asked their beliefs about how to handle complaints against officers, most stated that repercussions should depend on what the officers did, but those with open complaints should be off the street.

"2-3 complaints against the same officer should yield strong repercussions," said one respondent.

A number of complainants believed that someone who is not a part of the MPD needs to do the investigation, and the public needs a say in the process, said many.

Many stated that if they were to file complaints again, they would likely use attorneys.

Most want complaints dealt with within a few months, and a couple suggested that complaints should be recorded.

"Repercussions for officers should include jail time," according to a number of respondents. For example, said one, "if I'm arrested for kicking an officer, and the officer kicks back, he should be arrested."

Most felt that after three complaints, an officer should face serious discipline.

One person, however, felt that officers should only have one complaint before suspension, "because they have weapons and could use them and be considered justified because of biases that exist."

There should be training for officers on how to handle the complaint process, according to many complainants.

Officers should be psychologically evaluated at least every six months, and should certainly be evaluated when they have had complaints filed against them, said one person.

One complainant – alleging physical and verbal abuse by an officer -- stated that he went directly to the MPD, and didn't really know he had other options. He trusts the process and said that the person he "spoke to was pretty cool." He does recommend certain changes – the person taking the complaint should "try to get more detail upfront. They were nice and cooperative, but didn't really try to help."

Complaints should be open to the public, and there should be extensive training, particularly on “social skills, and dealing with responses and different types of people,” said this complainant. “Filing complaints isn’t even worth it,” he said, and he “might not do it again.” He appreciated a supervisor who told one of “the officers to stop picking on everyone.”

He doesn’t believe there should be immediate repercussions for complaints, as officers probably face a number of complaints, but at 3, “a serious look at the officer should occur.” The process seemed fine, other than the difficulty of proving what happened.

Online information about officers “would be good so that people knew of complaints,” according to several respondents. Some noted that it would be appropriate to have the nature of the complaints available online, even if the names are kept confidential.

One person, who alleged pretty horrific abuses by MPD, said that she would want complaints to be public, “I don’t care if other people know what happened. I want them to know.”

Open complaints should be public knowledge, “as long as officers are still innocent until proven guilty.” But police should be treated “just like everyone else” – whose arrests are public knowledge, even though they might be proven not guilty.

Many do not realize that they can go the FPC, and thought complaining to the MPD was their only option. “I was never told I could appeal to the FPC,” said one person.

More civil rights training is needed, along with more psych testing, according to some. “A week of psych testing is required in the military,” said one interviewee, “and it should be the same for the police.”

“Whoever investigates complaints against police officers must have training in victim advocacy, victim witness training, and how to recognize what an abused witness looks like,” according to one respondent.

Analyzing the Fire & Police Commission complaint process, one respondent suggested that “[t]he FPC should have substations where people can make complaints,” instead of requiring everyone to go downtown, according to a number of complainants.

Sensitivity or community relations training should be the outcome of certain complaints, said one complainant; this should happen after the second complaint.

Some have filed their complaints with both the MPD and the FPC.

It’s hard to know if the FPC is actually doing its job, according to one complainant, because “they don’t follow up – they start and never finish.”

Outside parties must come in to review the police and do investigations, said one complainant.

## COMMENTARY

### **“Is Anyone Listening?”**

Research tells us repeatedly that people who raise concerns want:

- their complaint resolved as close as possible in place and time to the events complained about
- to receive an explanation and an apology where warranted
- any necessary action taken to prevent repetition”<sup>7</sup>

Above all else, citizens who initiate complaints want to feel that they are being heard -- in many cases, this is why they brought the complaint in the first place – throughout the process.

A number of complainants maintain a level of distrust regarding the police department investigating itself.

An immediate investigation is preferred, particularly for complaints alleging physical abuse, and a one month turnaround time is the preference. Whatever the length of the process, complainants must be kept abreast of what is happening. Lulls in communication only lead to further distrust and dissatisfaction.

Many complainants came away from the process feeling that police act – and are treated as though -- they are above the law. Steps must be taken to alleviate this perception, and if true, the practice.

A number of those surveyed stated that if they were to initiate a complaint in the future, they would only do so with legal representation. It is not far-fetched to believe that the addition of attorneys to the process on a large scale basis may slow the process and make complainants more combative. While it might be inappropriate for the MPD or FPC to discourage the use of attorneys, the bodies may wish to consider ways to make complainants more comfortable with, and trusting of, the complaint process, and find ways to ensure that parties do not feel that they can only achieve a favorable result if they retain counsel.

As the FPC’s complaint process did not appear to be widely known, greater public awareness could improve perception of its process and results. Furthermore, public education about the role of the FPC and the manner of determining investigation results and discipline might have been warranted. Awareness of the Commission’s activities, beyond the complaint process, might also serve to improve perception.

---

<sup>7</sup> UK Commission for Healthcare Audit and Inspection, from the 2007 Report, “Is Anyone Listening: A Report on Complaints Handling in the NHS (National Health Service)

With respect to both processes (MPD and FPC), it is clear that keeping complainants informed of what is taking place will improve satisfaction tremendously. While not everyone will be happy with the final outcome, moving the process along as swiftly as possible – and keeping complainants informed of the steps to come – and when they will come – will greatly improve satisfaction.

It is also paramount that complainants are treated with respect throughout the process. A friendly initial point of contact – as many respondents said they encountered – is a great first step, but this level of respect must continue throughout the process, so that complainants feel that they are heard and treated with respect throughout.

As Yale Law School Professor and policing scholar Tracy Meares has noted<sup>8</sup>, negative contacts with the police make citizens' perceptions of the department worse, while positive experiences lead to more constructive perceptions, across gender, race and age groups. Meares goes on to say that this is the case "even when the positive experience comes from a negative outcome." This, she says, is the essence of legitimacy: people comply with the law (and with law enforcement) because they believe it to be just. Many studies, Meares noted, have found that legitimacy is a much greater arbiter of compliance with the law than is the fear of repercussions.

Applying Meares' studies to the complaint process, one concludes that ensuring that citizens feel respected, heard and prioritized will make them much more likely to view the MPD positively – even if they are not ultimately pleased with the outcome. Citizens who view the MPD positively, per Meares' studies, are more likely to treat the department, and the law in general, as legitimate, and therefore, a moral guidepost. Improving the complaint process, therefore, will not simply make its users happier, but will also contribute to community peace.

---

<sup>8</sup> Most recently at Marquette University Law School, on February 19, 2009.

## Appendix A – Initial Survey



In order to complete our analysis of the Milwaukee Police Department (MPD) and Fire and Police Commission (FPC) complaint process we may need to contact a small group of respondents for additional information. However, we will only contact you if absolutely necessary. Your personal information, phone number, address including your email address will not be shared with anyone (including the Police and the Commission).

- Thank you, Prism Technical 414.847.0990

Please enter the information indicated below.

First Name	Middle Name	Last Name
Home Phone	Email Address (emailaddress@xyx.com)	
Home Address		
City	ST	Zip



Have you ever filed a complaint against the Milwaukee Police Department before?	YES [ ]	NO [ ]
---	---------	--------

How did the Department or the Commission handle the newest incident compared to your prior complaint?

Much Better [ ]	Somewhat Better [ ]	About the Same [ ]	Somewhat Worse [ ]	Much Worse [ ]
--------------------	------------------------	-----------------------	-----------------------	-------------------

If NO, skip to  
"For comparison..."



**For comparison** purposes, have you ever filed a written complaint against any other governmental agency or commercial (store or business) service provider? (If so, please indicate the agencies: \_\_\_\_\_)

	YES [ ]	NO [ ]
--	---------	--------

If NO, skip to  
"What words..."

How did the Police Department or the Commission handle this complaint, compared to your latest experience with other agencies mentioned in the previous question?

Much Better [ ]	Somewhat Better [ ]	About the Same [ ]	Somewhat Worse [ ]	Much Worse [ ]
--------------------	------------------------	-----------------------	-----------------------	-------------------



**What words** would you use to describe the current complaint process used by the Milwaukee Police Department or the Fire and Police Commission? [CHECK ALL THAT APPLY]

Friendly [ ]	Easy [ ]	Fast [ ]	Middle of the road [ ]	Time consuming [ ]	Challenging [ ]	Intimidating [ ]	Useless [ ]
-----------------	-------------	-------------	---------------------------	-----------------------	--------------------	---------------------	----------------

Other [ ], please describe:



Please go to Page 2 on the reverse side

Considering the Officer or Employee that took your complaint information, please indicate how you felt about his/her tone or demeanor? [CHECK ALL THAT APPLY]

Supportive or Sympathetic [ ]	Helpful [ ]	Friendly or Pleasant [ ]	Neutral or Impartial [ ]	Indifferent [ ]	Not very helpful [ ]	Angry or Nasty [ ]	Condescending or Disrespectful [ ]
----------------------------------	----------------	-----------------------------	-----------------------------	--------------------	-------------------------	-----------------------	---------------------------------------

Other [ ], please describe:



Please rate the following attributes of the complaint process: [CHECK ALL THAT APPLY]

	Well below average	Below average	Average	Above average	Well above average
Privacy during the complaint process	[ ]	[ ]	[ ]	[ ]	[ ]
Professionalism	[ ]	[ ]	[ ]	[ ]	[ ]
Timeliness or Promptness	[ ]	[ ]	[ ]	[ ]	[ ]
Understanding your concerns	[ ]	[ ]	[ ]	[ ]	[ ]
Keeping you informed of the process	[ ]	[ ]	[ ]	[ ]	[ ]
Getting back to you	[ ]	[ ]	[ ]	[ ]	[ ]
Before completing the complaint, how would you rate the MPD/FPC?	[ ]	[ ]	[ ]	[ ]	[ ]
After completing the complaint, how would you rate the MPD/FPC?	[ ]	[ ]	[ ]	[ ]	[ ]

Comment:



What is your gender? [ ] Male [ ] Female [ ] Prefer not to answer



What category describes your age?

Below 18 years [ ]	18-20 [ ]	21-24 [ ]	25-32 [ ]	33-38 [ ]	39-44 [ ]	45-55 [ ]	56-65 [ ]	Over 65 years [ ]	Prefer not to answer [ ]
-----------------------	--------------	--------------	--------------	--------------	--------------	--------------	--------------	----------------------	-----------------------------



What category best describes your ethnicity?

Black (African American) [ ]	White (Caucasian) [ ]	Hispanic (Puerto Rican, Cuba, Mexican) [ ]	Native American (American Indian) [ ]	Asian Pacific (Japanese, Chinese, Hmong, etc.) [ ]	Asian Indian [ ]	Middle Eastern [ ]	Other [ ]
---------------------------------	--------------------------	---	--	---	---------------------	-----------------------	--------------



Thank you!  
Milwaukee Police Department  
Fire & Police Commission  
Prism Technical



Please place this survey in the appropriate envelope and return within 72 hours. Thank you.

## Appendix B – Anecdotal Interview Questions

[Only ask questions in red if warranted by previous responses]

Thank you for taking the time to speak with me today about the Citizen Complaint Process.

Do I have your permission to record this interview for the purpose of creating a transcript? Your participation will be kept confidential, but recording the interview will allow us to complete it faster so that I do not have to take notes.

1. Can you briefly explain the events that led to you filing a complaint against the Milwaukee Police Department?
2. Do you recall if you made your complaint with the Police Department or with the Fire & Police Commission?
3. If so, why did you choose to file with the MPD or FPC instead of the other?
4. Do you believe that the FPC handles complaints differently than MPD?
5. Have you ever filed any other complaints against the Police Department? How many? Did you file those complaints with the Police or with the Fire & Police Commission?
6. Do you trust the current complaint process? Why or why not?
7. Do you feel that the public trusts the current complaint process? Why or why not?
8. Should they? Why or why not?
9. If the public does not or should not trust the current complaint process, what needs to happen in order for the public to trust it?
10. What other recommendations do you have to improve the complaint process?
11. Beyond the trust issues we have already discussed, what is your overall feeling about the current complaint process? What, if anything, needs to change?
12. Do you believe the current complaint process is biased? If so, how? Why?

13. Has the current complaint process changed how you view the Police Department or the Fire & Police Commission as a whole? For better? For worse?
14. Do you think the Police Department can effectively and ethically investigate complaints against itself or its officers?
15. Should there be a separate unit/department or third party to process and/or investigate complaints filed against the Police?
16. Do you believe the Fire & Police Commission can effectively play this role?
17. If not, then who?
18. What is a timely turn around for you? How long should it take to follow-up on a complaint against the Police?
19. What procedures should be used when taking complaints?
20. Do you believe complaint process is uniform across the board? Why? Why not?
21. Should there be immediate repercussions for officers that have had complaints filed against them?
22. What disciplinary action(s) should be taken against officers with open complaints? What about closed complaints?
23. Does it matter what the complaint was for?
24. How many complaints are needed against an officer before disciplinary action is taken?
25. How can the complaint process be more useful or user-friendly?
26. Who should verify or follow-up on complaints?
27. How does MPD/FPC complaint process differ/compare to other complaint processes you are familiar with?
28. Should the complaint process have approval stages?

29. Have you experienced any retaliation for filing a complaint against MPD?
30. Should open complaints against the department or officers be public knowledge?
31. Should the public have a say in how complaint process is executed?
32. Should there be training on how to handle complaint process? Complaints?
33. Given your current results, would you file another complaint?
34. Is there anything you would do differently?
35. Were there any members of the Police Department or the Fire & Police Commission who you found to be especially helpful, friendly or caring?
36. If so, can you remember their names or titles?
37. Is there anything that we haven't discussed that you would like to add?

Thank you for your time.