

CHAPTER 314  
BOARD OF FIRE AND POLICE COMMISSIONERS

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**314-1. Members.** 1. STATE LAW. Pursuant to s. 62.50, Wis. Stats., the members of the board of fire and police commissioners shall be appointed by the mayor and subject to confirmation by the common council.

2. REQUIRED. a. Prior to confirmation by the common council, every person appointed a member of the board shall be subject to the same full and complete background investigation as any candidate for appointment to any position in the fire or police departments, including but not limited to verification of educational degrees, previous employment and arrest and conviction records. Such background investigations shall be conducted by the sheriff of Milwaukee county, and the written report of each investigation submitted to the common council.

b. Each newly appointed commissioner shall register for training related to the missions of the fire department and the police department within 6 months of the date of confirmation of their appointment by the common council, and shall complete said training within 12 months of the date of confirmation of their appointment by the common council.

b-1. Fire department training may include such training and ride along programs as recommended by the executive director of the fire and police commission. Newly appointed commissioners who have professional experience as a firefighter are exempt from the fire department training requirement.

b-2. Police department training may include attending the Milwaukee police citizen academy and participating in the police department ride along programs as recommended by the executive director of the fire and police commission. Newly appointed commissioners who have professional experience as a law enforcement officer are exempt from the police department training requirement.

b-3. The fire and police commission shall submit an annual report to the common council of training taken by fire and police commission members.

**314-3. Duties.** In accordance with the duties provided in s. 62.50, Wis. Stats., the board of fire and police commissioners shall:

1. Conduct a policy review of all aspects of the operations of the police and fire departments, advise the common council regarding any recommended policy changes, and may inspect any property of the departments, including but not limited to books and records, required for such review.

2. Audit internal police and fire department investigations to ensure thorough, fair and credible results.

3. Monitor the citizen complaint process to ensure timely and objective resolutions.

4. Use oversight authority to identify systemic problems within the police and fire departments, identify opportunities for improvement through organizational change, and delegate authority for follow-up to the respective chief.

**314-5. Executive Director.** Pursuant to the authority granted to 1<sup>st</sup> class cities under s. 62.51, Wis. Stats., there is created a position of an executive director to comprise the role of executive secretary of the board. Under the direction of the board, the executive director shall act as the principal staff of the board in exercising the board's functions and powers provided in s. 62.50, Wis. Stats., and described under s. 314-3. In addition, the executive director shall:

1. Review a complaint investigation when a citizen is dissatisfied with the outcome of an investigation that has been completed by the police or fire department.

2. Evaluate police and fire department policies, practices and patterns, including but not limited to deployment of staff, crime and fire prevention training, use of force, search, seizure, citizen interaction and communication.

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3. Issue periodic public reports relating to the status and resolution of complaints, timeliness of complaint resolution, trends and patterns of concern pertaining to complaint investigations, nature and frequency of complaints and other performance indicators.

4. Provide to the common council a monthly report summarizing any new policy relating to the control and management of each department issued by the fire chief or the chief of police since the last report. A new policy includes a modification of an existing policy. The report shall include any changes to the policy recommended by the board of fire and police commissioners. The executive director shall further provide a written communication to the common council, not less than annually, listing the new policies of the fire and police departments that have been issued since the last written communication. The written communication shall contain the date that the common council was informed, any action taken by the common council, and any changes to the policy recommended by the board of fire and police commissioners.

**[Pages 223-224 are blank.]**

**314-6. Special Deputy.** The executive director may designate as a special deputy executive director a competent person within his or her office to act for and in his or her stead in specified matters without additional compensation. Such an appointment shall be in writing and copies filed in the city clerk's office setting forth the specific acts the special deputy is authorized to perform in the name of the executive director. Such authority may be revoked and amended in the same manner. Within the scope of his or her specified authority, the special deputy may perform any and all acts required of the executive director. The executive director shall be responsible for all acts of any special deputy. The special deputy shall, before entering upon his or her duties, take the oath required of city officers.

**For the legislative history of chapter 314, contact the Municipal Research Library.**