June 4, 2015

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:45 P.M.

PRESENT: Commissioners: Sarah W. Morgan, Chair
Kathryn A. Hein
Michael M. O'Hear
Ann Wilson
Marisabel Cabrera
Steven M. DeVougas
Fred Crouther

ALSO PRESENT: Assistant Fire Chief Gerard Washington, representing the Milwaukee Fire Department; and Assistant Chief Edith Hudson, representing the Milwaukee Police Department.

The Chair reconvened the Board in Regular Session, having previously met in Executive Session from 4:43 p.m. to 5:40 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: performance evaluation and consideration of reappointment of Chief of Police Edward Flynn.

The meeting was staffed by Attorney Steven Fronk and Assistant City Attorney LaKeisha Butler. Mr. Fronk presented for adoption minutes of the Regular Meeting of May 21, 2015. Commissioner Crouther moved approval of the minutes as presented, seconded by Commissioner Hein. The motion carried unanimously.

1. COMMITTEE REPORTS:

a) Commissioner O'Hear presented the report of the Research Committee, which met on May 28, 2015, with Commissioners O'Hear, Cabrera, Wilson and DeVougas in attendance. The Committee was established in January 2015 following the presentation of the UWM Police Satisfaction Survey. The Committee continues to educate itself on the citizen complaint process to better understand how the current process works. After initially receiving a presentation from FPC staff on the citizen complaint process at the prior Research Committee meeting, Deputy Inspector Michael Brunson from the Milwaukee Police Department gave a presentation on the Police Department's citizen complaint procedure and the Early Intervention Program (EIP), which the Committee found to be very informative. Now the Committee would like to receive public comment regarding the citizen complaint process for the next Research Committee meeting on June 30, 2015. The public can share their views through a link on the Commission's website, which will be available on June 5, 2015.

2. EXAMINATIONS:

a) This item was removed from the agenda.

b & c) Mr. Fronk presented for approval examination announcement bulletins for the positions of Fire Captain and Fire Lieutenant in the Milwaukee Fire Department. A presentation was made by FPC Human Resources Representative Jason Stenglein regarding the examination requirements, duties of the positions, and weights of the exam components. The eligible lists are anticipated to be ready for approval on December 17, 2015. He thanked Assistant Chief Washington for facilitating the cooperation of his department members with FPC staff, and Carl Nagy, DER Human Resources Manager, who had assisted in the announcement development process. Commissioner O'Hear moved approval of the Fire Captain bulletin, seconded by Commissioner Hein. The motion carried unanimously. Commissioner O'Hear then

moved approval of the Fire Lieutenant bulletin, seconded by Commissioner DeVougas. The motion carried unanimously.

d) Mr. Fronk presented for approval an examination announcement bulletin for the position of Fire Equipment Repairer II (Upholsterer) in the Milwaukee Fire Department. Commissioner O'Hear moved approval of the bulletin, seconded by Commissioner Hein. The motion carried unanimously.

e) Mr. Fronk presented for approval an examination announcement bulletin for the position of Detective in the Milwaukee Police Department. A presentation was made by FPC Human Resources Representative Toni Vanderboom regarding the examination process and the functions of the position. She noted that applications are available on line and that reading lists and study guides are available on the Police Department's SharePoint system. The list that results from this examination will be used to fill vacancies as they occur. Pamela Roberts of the Police Department Human Resources Division gave the number of current vacancies. Commissioner O'Hear moved approval of the bulletin, seconded by Commissioner Hein. The motion carried unanimously.

f) Mr. Fronk presented for approval an examination announcement bulletin for the position of Police Records Assistant Manager in the Milwaukee Police Department. Commissioner O'Hear moved approval of the bulletin, seconded by Commissioner Hein. The motion carried unanimously.

3. FIRE DEPARTMENT:

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

TO FIRE LIEUTENANT, on a waiver basis, from eligible list established December 19, 2013, contingent upon successful completion of a drug screening, effective June 7, 2015:

#43 - EDWARD J. NEVINS, IV.

b) Mr. Fronk presented a letter dated June 1, 2015 from Chief Rohlfing, wherein he requests an exception to Fire and Police Commission Rule XI, Appointments, Section 2 (b), which would allow for the appointment of 23 Fire Cadets who will not have had two full years in the program by the start of the August 3, 2015 Firefighter class, and for the appointment of 11 of those Fire Cadets who will also not have reached the age of 21 by the start of the class. Commissioner O'Hear moved approval of the exception, seconded by Commissioner Crouther. The motion carried unanimously.

4. POLICE DEPARTMENT:

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

TO POLICE SERGEANT, on a waiver basis, from eligible list established December 19, 2013, contingent upon successful completion of a drug screening, effective June 21, 2015:

#59 – PAUL J. BJORKQUIST.

TO DETECTIVE, on a waiver basis, from eligible list established December 19, 2013, contingent upon successful completion of a drug screening, effective June 21, 2015:

#54 – JASON E. RODRIGUEZ; #55 – CRAIG J. THIMM; #56 – MELANIE M. BEASLEY; #58 – ALEXANDER AYALA; #59 – GUY J. FRALEY and #60 – KYLE R. MROZINSKI.

TO PERSONNEL PAYROLL ASSISTANT II, from Personnel Payroll Assistant I, effective June 21, 2015:

LYNN M. KRAUSE.

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

TO HUMAN RESOURCES ADMINISTRATOR, a transfer from the Department of Employee Relations, effective June 14, 2015:

NICOLE FLECK.

TO CRIME ANALYST, contingent upon successful completion of a medical examination and drug screen, effective June 22, 2015:

ALEX J. GERKE, NICOLE C. GRAMS-HERZOG, and RYAN J. ORLOVSKY.

Commissioner Wilson asked what the Crime Analyst position is responsible for. Assistant Chief Hudson gave a brief overview of the duties and work location.

c) Mr. Fronk presented a letter dated May 28, 2015, from Chief Flynn, wherein he notifies the Board that he demoted Police Sergeant Emeterio Gutierrez to the rank of Police Officer for violating Department Core Values under Personnel Order 2015-61 dated May 28, 2015.

d) Mr. Fronk presented a letter dated May 21, 2015, from Chief Flynn, wherein he notifies the Board that he suspended Police Officer Christopher T. Moore for forty-five (45) days for violating Department Core Values under Personnel Order 2015-55 dated May 21, 2015.

e) Mr. Fronk presented a letter dated May 28, 2015, from Chief Flynn, wherein he notifies the Board that he suspended Police Telecommunicator Keila L. Schroedl for fifteen (15) days for violating Department Core Values under Personnel Order 2015-59 dated May 28, 2015.

f) Mr. Fronk presented a letter dated May 28, 2015, from Chief Flynn, wherein he presents a request for reappointment to the position of Office Assistant II from Tasha Foxx. Ms. Foxx was appointed to the Department on May 11, 2003, and resigned on March 7, 2015. Since the period between Ms. Foxx's separation from the Department and the date of her reappointment request is less than six months, she is eligible for reappointment to the Department under FPC Rule XIII. Based on the information provided in the background investigation for reappointment, Chief Flynn recommends that the request be denied. Ms. Foxx was not present. The Chair inquired whether any Commissioner wished to go into closed session to discuss the matter. Hearing no response, the Chair then asked for a motion. Commissioner O'Hear moved that Ms. Foxx's appointment request be denied. Commissioner DeVougas seconded the motion. The motion carried on a vote of 6-0, with Commissioner Cabrera abstaining.

g) Mr. Fronk presented a letter dated May 21, 2015, from Chief Edward Flynn, wherein he requests approval of a revised organizational chart for the Milwaukee Police Department, effective May 24, 2015. The Chair asked for the reason for the change. Assistant Chief Hudson stated the city is experiencing an increase in violent crime. The changes allow for the department's entire investigative functions to be under one command and relocated responsibilities that were not operational aspects so these commanders could focus on crime concerns. The First District, Third District and Neighborhood Task Force will be under the Central Command Bureau commanded by Assistant Chief James Harpole. The Central Command Bureau also contains specialized police units such as the Canine Unit, Fugitive Apprehension Unit and the Tactical Enforcement Unit. The Fourth, Fifth and Seventh Districts will be under the North Command Bureau, under the command of Assistant Chief Kurt Leibold. The Second District, Sixth District and the Office of Community Outreach and Education will be under the South Command Bureau, commanded by Assistant Chief Edith

Hudson. The Investigations and Intelligence Bureau now includes the North, Central and South Investigations Divisions, along with the Metropolitan Investigations Division, Sensitive Crimes Division, Narcotics Division, Investigative Management Division and the Intelligence Fusion Center, which is under the command of Inspector William Jessup. The Central Booking Section, Court Administration Section, Property Control Section, Technical Communications Division, and Facilities Services Division are under the Strategic Management Bureau, along with Information Systems Division and Records Management Division. The Strategic Management Bureau is under the command of Inspector Mary Hoerig. The Risk Management Bureau includes the Internal Affairs Division, Inspections Division, Human Resources Division, the Police Academy and the Early Intervention Program. It is under the command of Inspector Carianne Yerkes. The Office of Management, Analysis and Planning will now be under the Office of the Chief, along with Public Relations, Budget & Finance and Executive Protection. Commissioner O'Hear moved for approval of the revised organization chart, seconded by Commissioner Crouther. The motion carried unanimously.

5. PUBLIC COMMENT:

Mary Watkins was happy about the work the Research Committee is doing on educating itself on the Citizen Complaint process. She noted that half the year is over and there has still been no citizen complaint hearing. She wondered if the Sergeant who had been demoted should have been promoted in the first place and said that many of the candidates for promotion have disciplinary histories. She felt the current promotional process cannot continue. She also felt the FPC had taken a step backward because in her latest public records request, she was told she would have to pay $128.00 for her request. This was in contrast to her previous public records request in which she received a copy of a complaint for free on her flash drive. She felt a price should be picked that everyone can afford.

Chris Ahmuty, Executive Director of the American Civil Liberties Union of Wisconsin stated that he was a frequent critic of the Milwaukee Police Department's use of technology for surveillance purposes. However, he felt the recent catastrophic technological failure regarding the recording of prisoner interviews was being used at the recent state hearings as a political stunt and that politics are being brought into the issue. He asked the Board and Common Council to investigate legitimate concerns about the Police Department's use of technology and to demonstrate that its oversight authority is exercised on behalf of the citizens of Wisconsin, not on behalf of any political party.

Michael Brimmer complained about the violence in Milwaukee. He had been reviewing the FPC website and was pleased to see many reports posted there. He asked that the PARC report be reinstated to the website. He also noted that the UWM survey indicated that 63% of minorities were happy with the Police Department. However, this information is not helpful if the surveys are not continued and he asked to have the survey repeated every year. He also felt that the dollar amount of legal settlements involving the Police Department should be included on the website because the City is spending so much money on lawsuits. He concluded that he wished the FPC would highlight the information it had on its website better.

Nathaniel Hamilton commended the work the Research Committee was doing on reviewing the Citizen Complaint process, but recommended that the south side and far north side of the city be included. He stated the Police Department and FPC had to be more transparent by allowing more input from citizens and using that input. There needs to be work done on the respect level between the Police Department and the community. He provided the Commissioners with a list of places in Aldermanic District 7 where future meetings can be held.

Eileen Wolf, a MPD detective for 35 years, complained that she cannot get the Police Department to enforce ordinances about dogs. She told about dogs barking, people leaving dog feces in her yard and trash bin or walking around with no plastic bags and scoops, dogs on leashes longer than what is allowed, unlicensed dogs, etc. The Department of Neighborhood Services said they don't have the manpower to handle these complaints. She feels her house has been targeted for the past two years.

6. ADJOURNMENT:

Commissioner Crouther moved to adjourn the meeting, seconded by Commissioner DeVougas. The motion carried unanimously.

The meeting concluded at 6:27 P.M.

Respectfully submitted,

Sarah W. Morgan
Chair

SWM:jcs