

June 1, 2017

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:40 P.M.

PRESENT: Commissioners: Steven M. DeVougas, Chair
Kathryn A. Hein
Ann Wilson
Fred Crouther
Angela McKenzie
Nelson Soler

ABSENT: Commissioner: Marisabel Cabrera (Excused)

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

The Chair reconvened the Board in Regular Session, having previously met in Executive Session from 5:08 p.m. to 5:30 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 of candidates for promotion to Police Lieutenant, Police Sergeant, and Detective.

The meeting was staffed by Executive Director MaryNell Regan. The Chair opened the meeting with Public Comment.

1. PUBLIC COMMENT:

Jarrett English of the American Civil Liberties Union stated the ACLU has serious concerns about Milwaukee Police Department (MPD) Standard Operating Procedure (SOP) 910 – Civil Disturbance and Crowd Management. It will affect the engagement between police officers and civilians as they exercise their First Amendment rights. They have specific concerns about what behaviors and actions would meet the definition of civil disturbance, what parts of the proposed SOP were redacted and why, are they available to the FPC for examination and review, and is the MPD quick reference guide to protect peaceful assembly referenced here numerous times and ultimately referred to as Form PP-3 and Form PP-13 available for review. The ACLU believes more time is needed to study how the SOP may affect constitutional rights when civilians interact with law enforcement.

2. CONSENT AGENDA:

The Director presented the following items for approval on the consent agenda. (Detailed information concerning the items can be found under the appropriate regular meeting agenda heading in the minutes.)

- A. ~~Regular Meeting Minutes – May 18, 2017~~ (removed from agenda)
- B. Promotion: 1. IT Support Specialist – Sr. (2 positions) (Fire Dept.)
2. Office Assistant IV (Fire Dept.)
- C. Correspondence regarding Discharge of Police Officer
- D. Request for Information Systems Manager Examination

There being no objections, all of the items were approved for adoption.

3. NEW BUSINESS:

a) The Director announced that a meeting of the Committee on Policies and Standards is scheduled for Wednesday, June 7, 2017, at 9:00 a.m. in Room 111, 809 N. Broadway. Items to be discussed are the

MPD's employee-involved domestic violence policy, the traffic safety policy and vehicle pursuit policy. Documents that pertain to the agenda items will be posted on the website later today or tomorrow. The Committee expects to hear from MPD staff, alderpersons and subject matter experts. The hearing will be broadcast over the Internet via the Live Stream channel.

4. EXAMINATIONS:

a) The Director presented for adoption an eligible list for the position of Fire Cadet in the Fire Department, consisting of 151 names. La'Neka Horton, Human Resources Representative, spoke briefly about the selection process that started with 858 applicants and included three dates for the written exam. Commissioner Crouther moved approval of the list, seconded by Commissioner Hein. The motion carried unanimously.

b) The Director presented for adoption an eligible list for the position of Police Aide in the Police Department, consisting of 55 names. Ms. Horton also spoke about the selection process that started with 446 applicants and included 4 dates for the written exam. Commissioner Wilson moved approval of the list, seconded by Commissioner Hein. The motion carried unanimously.

c) The Director presented for adoption an eligible list for the position of Building Maintenance Mechanic II in the Police Department, consisting of four names. Emily Keeley, Human Resources Analyst – Sr. for the Department of Employee Relations (DER), spoke about the position's duties and responsibilities and the selection process. Commissioner Crouther asked if there was an apprenticeship program for this position, since job experience is a requirement. Ms. Keeley said there was no such program established yet to her knowledge. Commissioner Crouther moved approval of the list, seconded by Commissioner Hein. The motion carried unanimously.

5. FIRE DEPARTMENT:

a) The following promotions, as presented by Chief Rohlfing, were approved by the Board under the Consent Agenda, Items B-1 and B-2:

TO INFORMATION TECHNOLOGY SUPPORT SPECIALIST - SENIOR, from DER eligible list, effective June 5, 2017:

RYAN M. NELSON and NICHOLAS J. CHIRAFISI*.

*Appointment is effective June 19, 2017.

TO OFFICE ASSISTANT IV, from Office Assistant III, effective June 5, 2017:

AMANDA M. LANAGHAN.

6. POLICE DEPARTMENT:

a) The Director presented three letters dated May 24, 2017, from Chief Edward Flynn. The first letter requests that the promotion of #37 – Brian Young to the position of Detective be held in abeyance until a pending disciplinary appeal is concluded, at which time he would either be considered eligible for a promotion or the Chief or Board could object.

The second and third letters request that the promotions of #38 – Martez L. Ball and #40 – Jerome T. Battles to the position of Detective be held in abeyance until pending investigations are concluded. Commissioner Crouther moved to approve all three requests, seconded by Commissioner Hein. The motion carried unanimously.

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

TO POLICE LIEUTENANT, on a waiver basis, from eligible list established July 16, 2015, contingent upon successful completion of a drug screening, effective June 18, 2017:

#36 – DONALD C. DINKELMAN; #37 – KEVIN L. EYRE; and #38 – DAVID G. LARSON.

TO POLICE SERGEANT, on a waiver basis, from eligible list established May 5, 2016, contingent upon successful completion of a drug screening, effective June 18, 2017:

#29 – JAIME S. ROSADO; #30 – JOEL P. SUSLER; #31 – JOSEPH W. SEDLACEK; #32 – GUADALUPE VELASQUEZ; #33 – TIMOTHY W. PTASZEK; and #34 – JASON J. KOTARAK.

TO DETECTIVE, on a waiver basis, from eligible list established December 17, 2015, contingent upon successful completion of a drug screening, effective June 18, 2017:

#39 – MARTIN SAAVEDRA; #41 – DENNIS G. RYAN, JR.; #42 – JOHN T. MAJERLE; #43 – KIMBERLY N. ANDERSON; #45 – KEYELLIA M. MORRIES; and #46 – TEHRANGE N. CHAPMAN.

Note: The persons in positions 37, 38 and 40 are being held in abeyance, and the person in position 44 was previously promoted to Police Sergeant.

c) The Director presented a letter dated May 23, 2017, from Chief Flynn, wherein he nominates Mr. Jason M. Ruff to the exempt position of Crime Analyst in the Police Department, to be effective June 20, 2017. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

d) The Director presented a letter dated May 25, 2017, from Chief Flynn, wherein he requests that the appointment of Ms. Kaoutar Maghfour to the position of IT Support Specialist - Senior, approved at the May 4, 2017 Regular Meeting, be rescinded as Ms. Maghfour is no longer interested in the position. Commissioner Wilson moved to rescind the appointment, seconded by Commissioner Hein. The motion carried unanimously.

e) The following communication was previously received by the Board under the Consent Agenda, Item C:

A letter dated May 24, 2017, from Chief Flynn, wherein he notifies the Board that Police Officer Michael W. Anderson has been discharged for violation of Department Core Values under Personnel Order 2017-55 dated May 24, 2017.

f) The Director presented a letter dated May 20, 2017, from Chief Flynn, wherein he requests that the probationary period of Community Service Officer Monica Nash be extended for a period of 108 consecutive days, until December 14, 2017, due to an approved leave of absence. Commissioner McKenzie moved approval of the request, seconded by Commissioner Hein. The motion carried unanimously.

g) The Director presented a letter dated May 23, 2017, from Chief Flynn, wherein he requests that an examination be conducted for the position of Police Lieutenant and an eligible list established to coincide with the current list's July 16, 2017 expiration date. The Director stated that the Board's request to fund a Police Lieutenant examination in 2017 was cut from the budget. The request has been renewed for the 2018 budget. The Board may either let the list expire, entertain a request from the MPD to extend it, or administratively extend it. If the budget request is granted, a new list could be ready by June or July 2018. The current list is 50% used up. Commissioner Wilson moved to extend the list to July 16, 2018. The motion was seconded by Commissioner Soler and carried unanimously.

h) The following communication was previously received by the Board under the Consent Agenda, Item D:

The Director presented a letter dated May 22, 2017, from Chief Flynn, wherein he requests that an examination be conducted for the position of Information Systems Manager (Pay Range 2LX) as soon as possible as the sole incumbent plans to retire in July 2017. The request was referred to the Department of Employee Relations for implementation.

Note: The correct title of this position is Information Services Manager – Milwaukee Police Department in Pay Range 1IX.

i) Assistant Chief Harpole gave a presentation on the Data Driven Approaches to Crime and Traffic Safety (DDACTS) Initiative 2017.

In response to the high number of concerns brought to the MPD regarding the excessive speed and reckless driving taking place within the city and the increase of pedestrian deaths this year from 2016, Chief Flynn has directed an increased effort in data-driven enforcement. The MPD's Traffic Safety Plan has three types of traffic deployments: (1) Directed Traffic Enforcement, where complaints from the community and Aldermanic offices direct deployment; (2) Hot Spot Traffic Enforcement, where areas in city with the most violent crime receive additional deployment because research shows that enforcement of traffic laws in these areas increases police visibility which reduces street crime numbers; (3) DDACTS, deployment is decided by looking to data showing where violent crime and automobile crashes combine geographically. Recently, MPD has decided to make DDACTS its primary deployment method. The preferred outcome of a DDACTS traffic stop will be citations, unlike Hot Spot and directed enforcement, in an effort to change driving habits. The goals of the DDACTS system, its operational guidelines, the logistics of its execution through the existing traffic safety plan (developed in 2016) by district commanders and the Neighborhood Task Force, the assistance of the Department of Public Works, Infrastructure Division's data and a grant from the Department of Transportation, and the means by which the traffic enforcement efforts would be evaluated were detailed in the attached PowerPoint presentation.

Commissioner McKenzie asked when the traffic enforcement policy first started its development. Assistant Chief Harpole answered that Chief Flynn issued a Traffic Enforcement Plan focused on Traffic Enforcement in hot spots in 2009, based on the research that this would reduce street crime with the preferred outcome of issuing warnings. Chief Flynn had noted that citations would not be the preferred outcome so as to avoid creating a "poor people's tax" because most of the hot spots were located in disenfranchised areas. In 2016, Assistant Chief Harpole wrote a Traffic Safety Plan with the three elements mentioned earlier (Directed, Hot Spot, and DDACTS). Based on the continuing high number of complaints about traffic safety, the new plan seeks to impose sanctions for bad driving. Commissioner McKenzie asked if the 2016 Traffic Safety Plan was discussed with the Commission. Assistant Chief Harpole answered that Chief Flynn introduced the TSP in 2016. DDACTS is not a new model but it is only now being elevated to the primary enforcement model. Commissioner McKenzie wanted to know why this plan was released to the media before being presented to the Commission. Assistant Chief Harpole stated he could not speak for the Chief but assumed the frequent community concerns about traffic safety being brought to the MPD motivated the Chief to let the public know that action is being taken to address those concerns.

Commissioner Soler asked why this plan was not brought up when an Alderman issued a memo on traffic safety stating that a plan was already in place. Assistant Chief Harpole answered that the 2016 plan was and still is in place. Nothing new is being done; the 2016 plan is still being enforced but the method of enforcement is being modified by DDACTS. Commissioner Soler asked how many officers have been trained in DDACTS. Assistant Chief Harpole did not have the exact number but stated he would provide it when he found it. Commissioner Soler asked who the community organizations and council members were involved in the process of developing this. Assistant Chief Harpole answered that the district commanders attending monthly crime and safety and neighborhood meetings brought back the community concerns voiced at those meetings to be considered in writing the enforcement plans.

Commissioner Wilson noted that she believes the community should be engaged more in finding ways to make traffic safer. Assistant Chief Harpole responded that the district commanders are constantly given the priority of discussing traffic safety at their meetings with the community.

Commissioner Crouther asked who identifies the Hot Spots. Assistant Chief Harpole answered that district commanders and OMAP (Office of Management and Planning) identify hot spots jointly. OMAP looks into data of where crimes are occurring and the district commanders add areas that they know are worthy of additional attention but do not appear on the numbers-generated maps. Commissioner Crouther asked what information from the speed boards is being used in DDACTS. Assistant Chief Harpole answered that the speed boards provide the average speed of an area as well as the fastest and slowest speeds recorded. The psychological effect of speed boards is slowing traffic so they are placed in traffic enforcement targeted areas.

The Chair asked if there is any additional cost or resource commitment related to the shift from Hot Spot enforcement to DDACTS. Assistant Chief Harpole answered that there are none and reemphasized that the community is primarily concerned with traffic safety compared to violent crime. The Chair asked when and if the Commission or the public would receive a report of the effectiveness of DDACTS. Assistant Chief Harpole answered that this would take a good deal of time, over 6 months, to measure the effect of DDACTS but noted that the Commission may receive any report it wants at any time upon request and the district commanders should be giving informal updates to the public at their community meetings.

Commissioner Wilson asked if there is any correlation between reckless driving and stolen vehicles. Assistant Chief Harpole answered that stolen vehicles are more likely to not stop for police conducting a traffic stop on average.

Commissioner Crouther asked how this will not increase costs if there will be more officers deployed to areas than they would have been otherwise. Assistant Chief Harpole answered that the officers would have been working anyway; they will not be pulling overtime but would be doing this during normal duty hours. The officers assigned to motorcycles are permanently assigned to motorcycles and would be out doing something else if they were not specially deployed under DDACTS.

Commissioner Hein asked about the compensation policy of deployment to Brewers and Bucks games. Assistant Chief Harpole noted that when the officers are on Brewers property, they are being reimbursed by the Brewers but when the officers are deployed to Bucks games they are compensated for internal presence but not for traffic enforcement because they are on city streets so the compensation is coming from the normal budget.

The Chair asked if there is a percentage breakdown available as to how much deployment is based on DDACTS compared to Hot Spots and Directed. Assistant Chief Harpole answered that the motorcycle unit is engaged in the DDACTS model 100% of the time when they are not doing anything else. The districts themselves have a good deal of discretion for determining their own deployment procedures.

7. ADJOURNMENT:

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

The meeting concluded at 6:40 P.M.

Respectfully submitted,



MaryNell Regan
Executive Director