

September 21, 2017

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 6:05 P.M.

PRESENT: Commissioners: Marisabel Cabrera, Acting Chair
Kathryn A. Hein
Ann Wilson
Fred Crouther
Angela McKenzie
Nelson Soler

ABSENT: Commissioner: Steven M. DeVougas (Excused)

ALSO PRESENT: Mark Rohlfing, Chief, Milwaukee Fire Department; and Edward Flynn, Chief, Milwaukee Police Department.

The Chair reconvened the Board in Regular Session, having previously met in Executive Session from 4:55 p.m. to 6:02 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: promotions to Police Lieutenant and Detective, and discussion of the 2018 Fire Department budget; and pursuant to Section 19.85 (1) (d) to consider strategy for crime detection or prevention, to wit: Department of Justice Collaborative Review.

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

The Director announced that the adoption of the minutes of the Regular Meeting of September 7, 2017, had been removed from the agenda.

1. PUBLIC COMMENT:

Eight members of the public appeared before the Board to voice their opposition to the promotion of Police Officer Zachary Thoms to Detective. Highlighted reasons for this opposition included his presence when Derek Williams was taken into custody, his involvement in civil rights lawsuits, and an occasion where he and other officers compelled a suspect to defecate into a box under the suspicion that doing so would produce a bag of drugs.

Livia Rowell-Ortiz and James Carnell, Genderqueer Milwaukee, spoke on the progress made with the MPD's Standard Operating Procedure (SOP) in interacting with transgender individuals. Since the SOP's introduction last year, a number of productive meetings have occurred. In addition, the safety concerns of transgender persons placed in detainment with cisgender persons were explained through the example of pre-operative transgender males being detained with cisgender men.

Fred Royal, President of the Milwaukee Branch of the NAACP, representing the Community Coalition for Quality Policing, expressed that the implementation of policing models is not the responsibility of Attorney General Jeff Sessions as the authority lies with the Board. He expressed that the SOPs governing the use of body cameras, the handing over of incident report numbers to persons spoken to by police, and the complaint process against officers need to be addressed. He suggested the Board use its authority to implement effective changes quickly rather than waiting for the federal government to impose its policing policies.

State Senator Lena Taylor asked about the Department of Justice collaborative review. Her concerns focused on the voluntary nature of the review and asked, if the review is voluntary, does that mean the departments reviewed would have a chance to review the report before it became public? Next, she asked

how diversity in police hiring is being advanced. She then explained multiple types of policing models, calling on the MPD to implement more aspects of the community policing model. Finally, she expressed her concerns over the MPD's practice of stopping and searching African-American men. She called for officers to exercise "curbside manner" and to be courteous when they dismiss people they stop for questioning rather than merely saying, "You can go."

Rose Stietz expressed her comments in the form of questions. She asked how much background information is received by the Board for promotions, who will drive the subcommittee that Alderman Hamilton is considering, will the community or the representatives be heard at community sessions, who makes the judgment whether someone looks out of place to initiate a stop through SOP 85, and what could Milwaukee do with all the money it has paid out in lawsuits.

Milagro Jones shared his story in which he was told by the MPD that he could not report a crime of child abuse if he was not the child's parent. He was told by an officer that he could not report the crime without having the parents charged with neglect by Child Protective Services. He decided to report this to the Board rather than going to the police district office because of the resistance he experienced in his previous attempts to report the crime.

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—September 7, 2017~~-(removed from agenda)
- B. Appointments:
 1. Communications Facilities Coordinator (Police Dept.)
 2. Helpdesk Specialist II (Police Dept.)
 3. Office Assistant II (Police Dept.)

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

3. UNFINISHED BUSINESS:

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

TO POLICE LIEUTENANT, on a waiver basis, from the eligible list approved on July 16, 2015, contingent upon successful completion of a drug screening, effective September 24, 2017:

#39 – CRAIG D. SARNOW and #40 – MARLON E. DAVIS.

TO POLICE SERGEANT, on a waiver basis, from the eligible list approved on May 5, 2016, contingent upon successful completion of a drug screening, effective September 24, 2017:

#38 – LUCAS M. MCALEER; #39 – KENTON R. BURTCH; and #40 – MICHAEL A. WASHINGTON.

TO DETECTIVE, on a waiver basis, from the eligible list approved on December 17, 2015, contingent upon successful completion of a drug screening, effective September 24, 2017:

#48 – JOSHUA R. NEMETH and #50 – MICHAEL G. GRETENHARDT.

b) The Director presented a letter dated August 25, 2017, from Chief Flynn, wherein he nominates Police Officer Zachary E. Thoms, #49 on the Detective Eligible List established on December 17, 2015, for promotion to the position of Detective. Commissioner McKenzie moved to deny the promotion and to remove his name from the eligible list, seconded by Commissioner Wilson. The Chair noted that the Board

had reviewed Officer Thoms' record in closed session and called for a roll call vote. The motion was approved on a vote of 6-0.

c) The Director announced that the announcement regarding committee assignments was being held over until the next meeting.

d) The Chair made a statement regarding the Department of Justice collaborative review. In her statement, she recalled that on September 14, 2017, Chairman DeVougas announced that an inclusive review will be put into effect so that the community can voice its concerns, facilitated by the Fire and Police Commission and the Common Council. The Chair noted that the review will be structured in respect to the principles of community policing, procedural justice, dignity-based practices, and problem-oriented policing. Two items were introduced to the record. First, a letter from Alderman Perez, dated September 21, 2017, which was read aloud by the Chair and contained his support for the Commission's stated intention of addressing the issues that prompted the request for collaborative review. Second, a letter from Acting Director Russell Washington of the U.S. Department of Justice (DOJ) Office of Community Oriented Policing Services (COPS), dated September 19, 2017. Mr. Washington outlined the resources available to the Milwaukee Police Department now in light of the changes to the Collaborative Reform Initiative made by the Attorney General, and confirmed that the draft copy of the report given to the press recently was never adopted or finalized by the DOJ.

4. EXAMINATIONS:

a) Nola Nelson, Human Resources Analyst-Sr. in the Department of Employee Relations, presented for adoption an eligible list for the position of Forensic Ballistics Specialist in the Police Department, consisting of 18 names. She gave a short presentation on the duties and requirements of the position and the application process that was followed. Commissioner Crouther moved approval of the list, seconded by Commissioner McKenzie. The motion carried unanimously.

b) Ms. Nelson presented for approval a transfer promotional job announcement bulletin for the position of Program Assistant III in the Fire Department. She gave a short presentation on the duties and requirements of the position and noted that applications will be accepted between the dates of September 22 and October 6, 2017. Commissioner Hein asked for clarification about who may apply. Ms. Nelson responded that, as a transfer promotional opportunity, only current city employees who have passed a background check are eligible to apply. Commissioner Hein moved approval of the bulletin, seconded by Commissioner Crouther. The motion carried unanimously.

c) Jeff Harvey, Staffing Services Manager of the Fire and Police Commission, presented for approval a job announcement bulletin for the position of Firefighter in the Fire Department. He gave a short presentation on the duties and requirements of the position and noted that applications will be accepted between the dates of September 22 and October 13. Commissioner Wilson asked if a plan was in place to spread the word about this job opportunity. Mr. Harvey answered that the FPC's recruiter is working on an extensive recruitment plan and community outreach. Commissioner Hein asked Chief Rohlifing if he remembered how many applicants applied last time the position came up for applications. Chief Rohlifing answered that it was over 6,000 and that the Fire Department will be assisting with recruitment. Commissioner Wilson moved approval of the bulletin, seconded by Commissioner Hein. The motion carried unanimously.

5. POLICE DEPARTMENT:

a) The following appointments, as presented by Chief Flynn, were approved by the Board under the Consent Agenda, Items B1-3:

(Police Department:)

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TO COMMUNICATIONS FACILITIES COORDINATOR, contingent upon successful completion of a medical examination and drug screen, effective October 9, 2017:

JAMES M. JOB.

TO HELPDESK SPECIALIST II, contingent upon successful completion of a medical examination and drug screen, effective September 25, 2017:

CASSANDRA G. CHESTER.

TO OFFICE ASSISTANT II, contingent upon successful completion of a medical examination and drug screen, effective October 9, 2017:

AARON M. MEILICKE.

6. ADJOURNMENT:

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

The meeting concluded at 6:49 P.M.

Respectfully submitted,



MaryNell Regan
Executive Director

MNR:REK:rc