

April 19, 2018

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:51 P.M.

PRESENT: Commissioners: Steven M. DeVougas, Chair
Kathryn A. Hein
Marisabel Cabrera
Fred Crouther

ABSENT: Commissioners: Ann Wilson (Excused)
Angela McKenzie (Excused)
Nelson Soler (Excused)

ALSO PRESENT: Mark Rohlfing, Chief, Milwaukee Fire Department; and Alfonso Morales, Chief, Milwaukee Police Department.

The Chair reconvened the Board in Regular Session, having previously met in Executive Session from 4:13 p.m. to 5:42 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: objection to Police Lieutenant promotion; promotions to Deputy Chief, Battalion Chief and Fire Lieutenant; and Fire Chief reappointment; pursuant to Section 19.85 (1)(d) Wis. Stats. to consider strategy for crime detection or prevention, to wit: Status of Police Department operations; and pursuant to Section 19.85 (1)(f) Wis. Stats. to consider financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations, to wit: Review of Police Department residency exemption requests.

The meeting was staffed by Fire and Police Commission Operations Manager Clifton Crump. The Chair opened the meeting with Public Comment.

1. PUBLIC COMMENT:

Ms. Mary Watkins (Milwaukee Resident): Ms. Watkins asserted two concerns she has with both the Milwaukee Police Department (MPD) and the Fire and Police Commission (FPC): 1) Abuse of power; and 2) Lack of transparency. She discussed the traffic stop conducted by MPD officers and the vehicle occupants identified as members of the Milwaukee Youth Council. Ms. Watkins stated there was a flagrant abuse of police powers demonstrated during this stop. Ms. Watkins noted that the traffic stop emanated from a headlight violation. She was upset that no comment has been given by Chief Morales on this topic and yet the FPC is "rushing" to make Chief Morales a permanent Chief.

Past Vice-President Darryl D. Morin (League of United Latin American Citizens "LULAC"): Mr. Morin presented to the Board a copy of his April 19, 2018 statement to the FPC and read it into the record. In summary, Mr. Morin thanked the FPC for "being the responsible, independent body, that by statute, the FPC was created to be." Mr. Morin further went on to acknowledge Chief Morales' efforts in changing the "police-community engagement and community collaboration" positively.

Mr. Vaun L. Mayes (ComFORCE-Milwaukee): Mr. Mayes immediately made it known that he is in disagreement with Mr. Morin's previous statement. He questioned why there was no transparency in the process that resulted in Chief Morales transitioning from the Interim/Acting Chief to permanent Chief of Police for a term through the year 2020. Mr. Mayes is disappointed that the Department of Justice (DOJ) concerns remain unaddressed; and if the DOJ concerns are being addressed, the public has no knowledge of it. He stated since former Chief Flynn stepped down, there have been several violent

incidents involving MPD officers, including the incident involving MPD officers and the Milwaukee Youth Council members. Mr. Mayes acknowledged the demotion of an officer noted on the agenda is a "step in the right direction." He is disturbed that through the date of the April 19th meeting there has been no public comment made by the Mayor, MPD, FPC or any Alderperson concerning the incident which occurred between the MPD officers and the Milwaukee Youth Council members.

President Alex Ayala (National Latino Peace Officers Association): Mr. Ayala thanked the FPC for such a transparent process in the selection of the Chief of Police. He asserted positive steps taken by Chief Morales as follows: 1) Chief Morales supports the collaborative reform for the DOJ; 2) Chief Morales has moved close to 100 police officers into individual districts for better police presence in the community; and 3) Many open records requests have been resolved. Mr. Ayala went on to say that the comments made by the two other speakers that the FPC "are liars" should not have been made. He acknowledged that there is a lot of behind the scene work involved in what the FPC does, and he thanked the FPC.

Ms. Cynthia Greenwood (Coalition for Justice): Ms. Greenwood discussed the traffic stop issue involving MPD officers and the vehicle occupants identified as members of the Milwaukee Youth Council. She pointed out that there was an 8 year old child in the backseat with hands up saying "don't shoot!" and was upset that the MPD detained the youths for approximately one hour due to a headlight violation. Ms. Greenwood stated she is afraid to turn on the television now and answer the telephone for fear of learning that her children or grandchildren who are biracial have been harmed. She stated that the police officers involved in the incident with the Milwaukee Youth Council members should be terminated by the Chief and compared/contrasted the need for gun control and the need for police control.

Mr. Samuel Alford (NAACP): Mr. Alford asserted that the community wants to know what happened regarding the following incidents: 1) The Milwaukee Bucks rookie that was arrested at night, handcuffed, pepper sprayed and tased at approximately 2:00 a.m. for double parking in a Walgreens' empty parking lot; 2) The Milwaukee Youth Council members' interaction with the MPD officers emanating from a traffic stop due to a headlight violation; and 3) Police union headed by Michael Crivello, who Alford labels as lobbyists working to take away powers of the FPC. Mr. Alford said that before Chief Morales is appointed as permanent Chief, he should first make permanent changes favorable to the citizens of Milwaukee and then be revisited for being made permanent Chief. Further, Mr. Alford said Milwaukee is "the worst place for black people educationally" and gave data on a study conducted in Madison where he asserts it was said that Milwaukee's neighborhoods are like jails. Mr. Alford made a plea to what he considers good police to stand up and tell what the bad police are doing so they can be held accountable.

2. CONSENT AGENDA:

Mr. Crump 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. Correspondence regarding Police Officer Appointments
- B. Request to Rescind Police Officer Appointments (7 positions)
- C. Promotions: 1. Designer Graphic II – Police Department
2. Office Assistant III (2 positions) – Police Department
- D. Appointments: School Crossing Guard (4 positions) – Police Department
- E. Correspondence regarding Termination of Probationary Recruit Officer – Police Department
- F. Request for Examination for the position of Police Identification Supervisor – Police Department
- G. Correspondence regarding change of date of promotion (2 positions) – Police Department
- H. Regular Meeting Minutes – April 5, 2018

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

3. UNFINISHED BUSINESS:

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

TO DEPUTY CHIEF, FIRE, from Battalion Chief, contingent upon successful completion of a drug screening, effective April 22, 2018:

CHRISTOPHER J. SNYDER and MICHAEL M. BLACKWOOD.

TO BATTALION CHIEF, FIRE, from Fire Captain, contingent upon successful completion of a drug screening, effective April 22, 2018:

JOSHUA E. PARISH and MICHAEL CIECIWA.

b) Mr. Crump returned to the Board a letter dated February 28, 2018, from Chief Morales, wherein he objects to the promotion of #20 – Joseph T. Hall to the position of Police Lieutenant. The Chair announced this item would be laid over to the next meeting.

c) Mr. Crump returned to the Board a letter dated March 27, 2018, from Chief Rohlfing, wherein he objects to the promotion of Heavy Equipment Operator Michael Peden to the position of Fire Lieutenant. The Chair stated the item will be held over until the resolution of pending department matters.

d) The following appointments, as presented by Chief Rohlfing, were approved by the Board:

TO CRIME ANALYST, contingent upon successful completion of a medical examination and drug screen, effective April 23, 2018:

NATHAN C. FRITSCHLER and ALEXANDER Y. MCMURTRY.

e) Mr. Crump returned to the Board a letter dated March 27, 2018, from Chief Morales wherein he requests the extension of the probationary period for Police Officer Jordan L. Karr-Hardie for a period of three consecutive months until July 5, 2018. Commissioner Crouther moved approval of the request, seconded by Commissioner Hein. The motion carried unanimously.

f) The Chair read the following statement into the record regarding the confirmation of the appointment of Alfonso Morales to Chief of Police with the term of April 6, 2018, to January 7, 2020: "As was noticed on the April 5 agenda, Chief Morales was up for consideration for a term of Chief. I think what confused a few people is that there really is no such thing as an interim or a permanent chief--a chief either is in an acting role by underfilling from a lower rank or serves a term of office. The Board noticed this on its agenda and voted to appoint the Chief to a term of office. Chief Morales was sworn in April 6th for the remainder of his predecessor's term consistent with statute. He is currently the Chief of Police and that is not in question. The City Attorney's office has confirmed this. As a courtesy to a request from the City Attorney, however, to clarify the Board's intention on April 5th, we will at a special meeting or at our next meeting clearly notice the appointment of Chief Morales to the remainder of his predecessor's term consistent with statute. As always, we comply with state law in noticing our meetings 24 hours before; and we have been consistent in posting 48 hours before. Thank you."

4. NEW BUSINESS:

a) Mr. Crump presented a residency exemption request received from Detective Thomas Guthrie to reside outside of the 15-mile jurisdictional boundary based upon his newly leased apartment that he would take possession of during the week of May 13, 2018. Mr. Crump recommended granting a temporary extension. Commissioner Cabrera moved approval of the extension only being granted until May 13, 2018, the week Detective Guthrie asserts he will relocate his family, seconded by Commissioner Hein. The motion carried unanimously.

- b) Mr. Crump presented a temporary residency extension request from Forensic Investigator Jennifer L. Kujawa to reside outside of the 15-mile jurisdictional boundary until September 27, 2018, her retirement and 25th anniversary date with the Police Department. Mr. Crump recommended granting a temporary extension until the retirement/anniversary date. Commissioner Cabrera moved approval of the recommendation, seconded by Commissioner Hein. The motion carried unanimously.
- c) Mr. Crump presented the agenda item regarding the Milwaukee Fire Department Chief Reappointment of Mark Rohlfing. The Chair announced this item would be laid over to the next meeting.
- d) Mr. Crump introduced FPC Research & Policy Analyst David Gelting to present the "2017 Vehicle Pursuit Report" (see attachment). Following Mr. Gelting's PowerPoint presentation, MPD Assistant Chief Michael Brunson provided additional information relative to the report's findings regarding when the policy allows police officers to continue with or terminate vehicle pursuits. The report can also be found on the Fire and Police Commission website at: <http://city.milwaukee.gov/fpc#.Wt9dd02Wx9A>.

The Chair read into the record written testimony dated April 19, 2018, received from Alderman Jose G. Perez: "Please accept this letter as my testimony with respect to the Board of Fire and Police Commissioners' deliberation this evening of the Milwaukee Police Department's Pursuit Policy. First I want to commend both the Board and the Department for providing a public update on current policy and its effect on crime and disorder within the community. This sort of transparency has been lacking for some time, and it is an encouraging sign to see it provided about a matter of this significance. As to the report itself, I believe it shows clearly that the decision to change the pursuit policy was a prudent one and is bearing good fruit throughout the community. The direction taken was not easily arrived at, but the City has benefited by it. I would encourage you to stay the current course."

5. EXAMINATIONS:

- a) Mr. Crump presented for approval an examination announcement bulletin for the position of Chief of Staff - Police in the Police Department. Jeffrey Harvey, FPC Staffing Services Manager, spoke about the selection process, responsibilities and qualifications for this position. Commissioner Cabrera moved approval of the bulletin, seconded by Commissioner Hein. The motion carried unanimously.
- b) Mr. Crump presented for approval an examination announcement bulletin for the position of Heavy Equipment Operator in the Fire Department. Mr. Harvey spoke about the selection process, responsibilities and qualifications for this position. Commissioner Crouther moved approval of the bulletin, seconded by Commissioner Hein. The motion carried unanimously.
- c) Mr. Crump presented a request from Marti Cargile, Department of Employee Relations (DER) Human Resources Representative, for approval of the Data Communication Specialist (working title of Application Support Analyst) job announcement bulletin for the Police Department. Ms. Cargile spoke about the selection process, responsibilities and qualifications for this position. Commissioner Crouther moved approval of the bulletin, seconded by Commissioner Hein. The motion carried unanimously.
- d) Mr. Crump presented a request from Ms. Cargile for approval of the Fire Dispatch Assistant Manager Eligible List in the Fire Department. Ms. Cargile spoke about the selection process, responsibilities and qualifications for this position. Commissioner Crouther moved approval of the eligible list, seconded by Commissioner Cabrera. The motion carried unanimously.
- e) Mr. Crump presented a request from Deidre Steward, DER Human Resources Analyst - Senior, for approval of the Garage Attendant Eligible List in the Police Department. Ms. Steward spoke about the selection process, responsibilities and qualifications for this position. Commissioner Crouther moved approval of the eligible list, seconded by Commissioner Cabrera. The motion carried unanimously.

f) Mr. Crump presented for adoption an eligible list for the position of Firefighter in the Fire Department, consisting of 1537 names. Rachel Stein, FPC Human Resources Analyst - Senior, spoke about the selection process, responsibilities and qualifications for this position. Commissioner Cabrera moved approval of the eligible list, seconded by Commissioner Hein. The motion carried unanimously.

6. FIRE DEPARTMENT:

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

TO FIRE CAPTAIN, on a waiver basis, from eligible established March 3, 2016, contingent upon successful completion of a drug screening, effective April 22, 2018:

#15 – CRAIG S. RYDELL and #16 – LAMON PIPPIN.

TO FIRE LIEUTENANT, on a waiver basis, from eligible list established May 4, 2017, contingent upon successful completion of a drug screening, effective April 22, 2018:

#37 – LEONARD R. BRANDT, JR. and #38 – LLOYD D. ELLIS.

b) Mr. Crump presented a letter dated April 12, 2018, from Chief Rohlfing, wherein he requests that the probationary period of Fire Dispatcher LaFredrick Burns be extended until no sick leave has been used for six months. Commissioner Crouther moved approval of the request, seconded by Commissioner Hein. The motion carried unanimously.

7. POLICE DEPARTMENT:

a) Mr. Crump presented a letter dated April 11, 2018, from Chief Morales, wherein he nominates retired Police Lieutenant William La Fleur to the exempt position of Assistant Chief of Police in the Police Department, to be effective May 7, 2018. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

b) The following promotion, as presented by Chief Morales, was approved by the Board:

TO POLICE SERGEANT, from eligible list established May 5, 2016, contingent upon successful completion of a drug screening, effective April 22, 2018:

#54 – PAUL L. GEITTMANN.

c) The following promotions, as presented by Chief Morales, were previously approved by the Board under the Consent Agenda, Items C 1-2:

TO GRAPHIC DESIGNER II, from Emergency Communications Operator I, effective May 6, 2018:

SHANA T. DORSEY.

TO OFFICE ASSISTANT III, from Office Assistant II, an underfill for Office Assistant IV, effective May 6, 2018:

ROSALYN D. WOZNY.

TO OFFICE ASSISTANT III, from Office Assistant II, effective April 22, 2018:

CHRISTY C. IRVINE-BACHMANN.

d) The following communications were previously received by the Board under the Consent Agenda, Item G:

Correspondence dated April 12, 2018, from Chief Morales, wherein he informs the Board that the effective date of the promotion of Police Sergeant Robert S. Thiel to Police Lieutenant will be effective retroactive to April 8, 2018 instead of April 22, 2018.

Correspondence dated April 12, 2018, from Chief Morales, wherein he informs the Board that the effective date of the promotion of Police Officer Kenneth J. Justus to Detective will be effective retroactive to April 8, 2018 instead of April 22, 2018.

e) The following appointments, as presented by Chief Morales, were previously approved by the Board under the Consent Agenda, Item D:

TO SCHOOL CROSSING GUARD, with effective dates:

AUDREY L. SANDERS (4/9/18), CHEROKEE J. SMITH (3/19/18), ROBIN K. WINSTEAD (4/2/18) and MARLO T. WYATT (4/9/18).

f) The following requests were previously approved by the Board under the Consent Agenda, Item B:

Correspondence dated April 9, 2018, from Chief Morales, requesting the Board rescind the appointment of Police Aide Logan P. Robbins to Police Officer, approved at the March 1, 2018 meeting, due to his resignation.

Correspondence dated April 9, 2018, from Chief Morales, requesting the Board rescind the following appointments to Police Officer, approved at the March 1, 2018 meeting, due to withdrawals, holds or disqualification:

#137 - QUIANNA R. MCBRIDE; #143 – ANDREW J. JACOBSEN; #146 – ANNA L. QUINTERO; #147 – PATRICK A. DONALDSON; #212 – RANDY C. JILES and #220 – JOSEPH T. MACK.

g) The following communication was previously approved by the Board under the Consent Agenda, Item A:

Correspondence dated April 9, 2018, from Chief Morales, wherein he informs the Board that the contingency appointments to Police Officer of the following candidates, approved at the March 1, 2018 meeting, were utilized due to non-acceptance of appointment by regular candidates, effective retroactive to March 26, 2018:

#269 – LUIZ R. SAAVEDRA; #270 – NICHOLAS R. FERRANTE; #273 – KURT A. KEMNITZ; #274 – MATTHEW J. WIERZCHOWSKI; #278 – CAMARA D. ALEXANDER and #279 – NICHOLAS J. COCA*.

*Appointment retroactive to April 3, 2018.

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

Correspondence dated April 12, 2018, from Chief Morales, wherein he informs the Board that Probationary Recruit Officer Bradley M. Richardson has been terminated effective April 11, 2018.

i) Mr. Crump presented a letter dated April 12, 2018, from Chief Morales, wherein he requests that the position of Crime and Intelligence Manager be exempt from competitive examination. Commissioner Crouther moved approval of the request, seconded by Commissioner Hein. The motion carried unanimously.

j) Mr. Crump presented a letter dated April 12, 2018, from Chief Morales, wherein he requests that a recruitment be conducted by DER for the Crime and Intelligence Manager position. Commissioner Crouther moved approval of the request, seconded by Commissioner Hein. The motion carried unanimously.

k) The following request was previously approved by the Board under the Consent Agenda, Item F:

Correspondence dated April 12, 2018, from Chief Morales, requesting FPC staff conduct an examination for the position of Police Identification Supervisor. The matter was referred to staff for implementation.

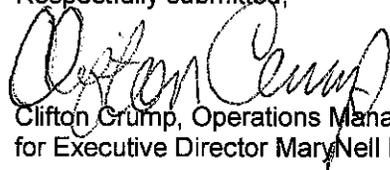
l) Mr. Crump presented a letter dated April 12, 2018, from Chief Morales, wherein he requests that the position of Crime Analyst be re-exempted from competitive examination. Commissioner Crouther moved approval of the request, seconded by Commissioner Cabrera. The motion carried unanimously.

8. ADJOURNMENT:

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

The meeting concluded at 6:50 P.M.

Respectfully submitted,



Clifton Crump, Operations Manager
for Executive Director Mary Nell Regan

CC/nmt

Att.