

July 12, 2012

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:35 P.M.

PRESENT: Commissioners: Richard C. Cox, Chair  
Kathryn A. Hein  
Paoi X. Lor  
Sarah W. Morgan  
Michael M. O'Hear

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

The Director presented for adoption minutes of the Regular Meeting of June 21, 2012. Commissioner O'Hear moved approval of the minutes as presented, seconded by Commissioner Hein. The motion carried unanimously.

1. UNFINISHED BUSINESS:

a and b) The Director returned to the Board a request from the Police Department to reclassify one Personnel Officer position and two Personnel Analyst – Senior positions and retitle the position of Police Department Personnel Administrator to Human Resources Administrator. The Director indicated these items will be addressed together along with items listed later in the agenda under VII. Police Department (G and H) regarding a Request for Reclassification of Police Personnel Coordinator and Personnel Analyst Senior. Andrea Knickerbocker, Human Resources Manager, was present to answer questions regarding the report.

In a report dated July 12, 2012, Maria Monteagudo, Director of Employee Relations, recommends that in the Salary Ordinance, under Pay Range 1CX delete the title "Personnel Officer" and under Pay Range 1DX add the title "Human Resources Specialist". Under Pay Range 1HX delete the title "Police Department Personnel Administrator" and add the title "Human Resources Administrator". In the Positions Ordinance, under Police Department, Administration Services Decision Unit, Administration Bureau, Human Resources Division, delete one position of "Police Department Personnel Administrator" and add one position of "Human Resources Administrator"; delete one position of "Personnel Officer" and add one position of "Human Resources Specialist"; and delete two positions of "Personnel Analyst – Senior" and add two positions of "Human Resources Analyst – Senior". Commissioner Morgan moved approval of the reclassifications and title change, seconded by Commissioner Lor. The motion carried unanimously.

2. NEW BUSINESS:

The Director indicated New Business would be moved to the end of the agenda.

3. EXAMINATIONS:

a) The Director presented a request from staff to revise the Police Officer eligible list, dated February 17, 2011, to reflect the inclusion of candidates from the next group of 300 who successfully completed the Police Officer selection process, including two (2) individuals who completed the testing process from the first group of 300 candidates. The revised eligible list reflects an additional eighty-one (81) names. Commissioner Morgan moved to approve the revised Police Officer eligible list, seconded by Commissioner O'Hear. The motion carried unanimously.

b) The Director presented a request from staff to extend the Police Officer eligible list from its expiration date of February 17, 2013 to July 12, 2014 due to a revision of the list (see item a) above). Commissioner Morgan

moved to approve the extension of the Police Officer eligible list, seconded by Commissioner Hein. The motion carried unanimously.

c) The Director presented for approval an examination announcement bulletin for the position of Police Lieutenant in the Police Department. Highlighting the changes from previous announcement bulletins, the Director said Police Sergeants, Police Detectives, and Police Identification Supervisors with three years of service will be eligible to apply. In addition, the examination will consist of a written exam (25%), oral exam (40%), career review (30%), and seniority (5%). Finally, the Director said there will be a candidate preparation guide available to help applicants study and more information will be available at the Testing and Review Committee meeting scheduled for July 16, 2012. Commissioner Morgan moved approval of the bulletin, seconded by Commissioner Hein. The motion carried unanimously.

#### 4. FIRE DEPARTMENT:

a) The Director presented a letter dated July 3, 2012, from Chief Rohlfing, wherein he nominates Fire Captain Frank D. Alioto to the exempt position of Battalion Chief, Fire in the Fire Department, to be effective August 5, 2012. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

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

TO FIRE LIEUTENANT, on a waiver basis, using the Fire Lieutenant Paramedic, special promotion process, effective July 22, 2012:

KYLE E. OSTMANN and THOMAS W. DAMROW.

b) The Director presented correspondence from Chief Rohlfing, dated June 14, 2012, wherein he notifies the Board that Heavy Equipment Operator Joseph C. Nadboralski was suspended without pay for three (3) days with one (1) day held in abeyance.

c) The Director presented correspondence from Chief Rohlfing, dated July 3, 2012, wherein he notifies the Board that Captain Timothy J. Reynolds was granted an unpaid military leave of absence until further notice, effective July 4, 2012.

d) The Director presented a promotional announcement bulletin for Assistant Fire Chief from Chief Rohlfing, dated July 3, 2012. Chief Rohlfing indicated this job announcement was necessitated because two Assistant Chiefs retired recently. Commissioner Morgan moved to approve the announcement bulletin, seconded by Commissioner Hein. The motion carried unanimously.

e) The Director presented a promotional announcement bulletin for Deputy Chief, Fire from Chief Rohlfing, dated July 3, 2012. Commissioner Hein moved to approve the announcement bulletin, seconded by Commissioner Lor. The motion carried unanimously.

f) The Director presented the Milwaukee Fire Department's 2011 Annual Report for approval. Chief Rohlfing will give a presentation regarding the report at the July 26, 2012 regular meeting of the Fire and Police Commission to be held at the Fire Historical Society, 1615 W. Oklahoma Avenue. The Director indicated the report did need to be approved at this time in order for the Chief to distribute the report. Commissioner Morgan moved to approve the report, seconded by Commissioner Hein. The motion carried unanimously.

5. POLICE DEPARTMENT:

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

TO OFFICE ASSISTANT IV, from Office Assistant III, effective July 22, 2012:

SUSAN M. WROBLEWSKI.

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

TO POLICE AIDE, from eligible list established June 7, 2012, effective July 23, 2012:

#1 – ALEXANDER REED, #2 – BENJAMIN SPITZER, #3 – JORDAN HEMMINGS, #5 – LEON BURNS, #6 – JOCELYN KLESCEWSKI, #7 – CHRISTOPHER SCHLEI, #8 – TYLER HEANEY, #9 – RYAN REAGAN, #10 – RAKEYIA HART, #11 – EVAN DOMINE, #12 – BRANDON KOSS, #13 – RICHARDO AVILA, #14 – VANG LOR, #16 – DAVID CABRAL, #17 – JOSHUA GRAMS, #19 – TYLER SEELOW, #20 – DYLAN BANKS, #21 – DANTWONETTE CROSS, and #23 – TAYLOR BAAS.

TO POLICE AIDE, from eligible list established June 7, 2012, contingent upon successful completion of a medical examination, psychological evaluation, updated background investigation, and number of vacancies, effective July 23, 2012:

#24 – KONGPHENG VANG, #25 – LANAYA ROBERSON, #26 – ZACHARY GINSTER, #34 – DAVID JIMENEZ, #36 – JUSTINO RODRIGUEZ, #37 – NDIRA MALAFA, #39 – TYLER O'BRIEN, #40 – KOURTNEY HARTL, #41 – TONY MALONE, #42 – DEREK ROMP, #45 – NICHOLAS SCHLEI, and #46 – JULISSA MOORE.

TO HELP DESK SPECIALIST II, from eligible list established May 3, 2012, contingent upon successful completion of a medical examination and drug screening, effective July 23, 2012:

#5 – PETER KENDL.

TO HEALTH AND SAFETY SPECIALIST, from Department of Employee Relations eligible list, contingent upon successful completion of a medical examination and drug screening, effective July 16, 2012:

VANESSA ARMSTRONG.

TO ELECTRONIC TECHNICIAN, from Electronic Technician (Two-Way Radio Communications Technician) eligible list established October 21, 2011, contingent upon successful completion of a medical examination and a drug screening, effective July 23, 2012:

#3 – DARYL MATERNOWSKI.

TO POLICE TELECOMMUNICATOR (SEASONAL), from eligible list established April 19, 2012, contingent upon successful completion of a background investigation, medical examination, psychological test and drug screening, effective July 23, 2012:

#1 – BEATRIZ FERREIRA, #3 – SHEMECA ADKISSON, #13 – ROBIN GARRETT, and #16 – JASMINE WORDS.

c) The Director presented correspondence dated June 27, 2012, from Chief Flynn, wherein he requests that the probationary period of Police Sergeant Misty M. Torres be extended for a period of 113 days, until

November 29, 2012, due to an on-duty injury. Commissioner O'Hear moved approval of the request, seconded by Commissioner Hein. The motion carried unanimously.

d) The Director presented correspondence dated May 22, 2012, from Chief Flynn, wherein he notifies the Board that Detective Randall Chicks has been suspended for forty-five (45) days without pay for violation of Department Rules and Procedures under Personnel Order 2012-84, dated May 22, 2012.

e) The Director presented correspondence dated June 12, 2012, from Chief Flynn, wherein he notifies the Board that Police Officer Dwight Copeland has been suspended for ten (10) days without pay for violation of Department Rules and Procedures under Personnel Order 2012-95, dated June 12, 2012.

f) The Director presented correspondence dated July 2, 2012, from Chief Flynn, wherein he notifies the Board that Police Officer Mark Kruschke returned from an unpaid medical leave of absence which commenced May 14, 2011, effective June 14, 2012; Police Officer Christopher Bowers was granted an unpaid military leave of absence until September 30, 2012, effective May 3, 2012; and Police Officer Jill Glidewell was granted an extension to an unpaid medical leave of absence which commenced March 28, 2012, until October 1, 2012.

g and h) These items were addressed under Unfinished Business.

i) The Director presented correspondence dated July 2, 2012, from Chief Flynn, wherein he requests that recruitment and an examination be conducted for the position of Fleet Service Supervisor as soon as possible as this is a new position and an eligible list needs to be established. The Chair referred the request to the Department of Employee Relations for implementation.

j) The Director presented correspondence dated July 2, 2012, from Chief Flynn, wherein he requests that an examination be conducted for the position of Building Maintenance Mechanic II as soon as possible as there are two vacancies and an eligible list needs to be established. The Chair referred the request to the Department of Employee Relations for implementation.

k) The Director presented correspondence dated July 2, 2012, from Chief Flynn, wherein he requests that an examination be conducted for the position of Electronic Technician (Two-Way Radio Communication Technician) as soon as possible as the eligible list has been exhausted. The Chair referred the request to the Department of Employee Relations for implementation.

l) This item was moved to the end of the agenda.

## 2. NEW BUSINESS:

a) The Director presented a Public Statement of the Executive Director Regarding the In-Custody Death of Derek Williams on July 6, 2011. The Director indicated this public statement is in response to a Milwaukee Common Council Resolution directing the Fire and Police Commission to report to the Common Council on incidents of officer-involved shootings and deaths of citizens in police custody. According to the Director, during the Fire and Police Commission review of this case no evidence was identified that would substantially support a conclusion that the involved officers failed to act in accordance with the law, department policies or procedures, or their training. The Director indicated several conclusions can be drawn from tragic incidents such as these. According to the Director, the timeliness of the review process requires improvement to reach an initial goal of completing the police department review process within 90 days of the completion of the District Attorney's criminal charging decision. Also, the Director said the Milwaukee Police Department should examine whether changes in officer training could be implemented to specifically recognize the potential for a life-threatening Sickle Cell Crisis to occur in persons while in custody.

b) The Director presented the Milwaukee Fire and Police Commission 2011 Annual Report for approval. The Director highlighted the fact that the Fire and Police Commission (FPC) took over the recruitment and selection process for fire and police sworn personnel from the Department of Employee Relations, presented reports on Officer Involved Shootings, Vehicle Pursuits, Canine Related Use of Force Incidents, and annual mid-year and full-year reports, and the Milwaukee Police Department's (MPD) use of force was analyzed by Dr. Steven Brandl from the University of Wisconsin -- Milwaukee. The Director stated that FPC received 249 citizen complaints (170 informal; 79 formal) in 2011, which was a 1.6% decrease from 2010. The FPC has made it easier for citizens to file complaints, including 17 community locations where residents can file complaints. According to the Director, discourtesy was the most common formal complaint and there was a significant decrease in informal and formal 'use of force' allegations. In addition, the rate of citizen complaints per 1,000 Police-Citizen Contacts has remained steady. Appointments and promotions, according to the Director, are made through the Fire and Police Commission with the assistance of Val Williams and the Human Resources Division in the Police Department and Juliet Battle, Fire Personnel Officer, in the Fire Department. With regard to public safety, the Director indicated the Milwaukee Fire Department (MFD) reported ten (10) civilian fire fatalities in 2011 and seven of those deaths occurred in structures without working smoke detectors. Finally, the violent crime rate decreased in 2011 while robberies increased, homicides decreased, aggravated assaults decreased, and rape remained level. Commissioner Morgan moved to approve the report, seconded by Commissioner O'Hear. The motion carried unanimously.

c) The Director presented an Analysis of 2011 Vehicle Pursuits in the Milwaukee Police Department. The Director indicated in 2011 MPD officers initiated a total of 70 vehicle pursuits, which represents the fewest number of pursuits in the past ten years and a decrease of 23.1% over 2010. The Director said no officers were injured in high speed chases in 2011 and there has only been a small reduction in the number of arrests resulting from this no pursuit policy. Commissioner O'Hear moved to approve the report, seconded by Commissioner Hein. The motion carried unanimously.

#### 5. POLICE DEPARTMENT (continued):

l) The Director returned to this item and introduced Anne E. Schwartz, Public Relations Manager of the Milwaukee Police Department, who presented the 2011 Milwaukee Police Department Annual Report. Ms. Schwartz indicated that over the past four years the City of Milwaukee has experienced a significant reduction in overall crime with reductions in both violent and property crime. In addition, Ms. Schwartz highlighted achievements by Districts and Divisions within the department; i.e., District 1 received the 2011 Hope Award from Community Advocates for creating the Homeless Outreach Team, District 3 collaborated with Marquette University and Master Lock in clean-up/beautification efforts in the Metcalfe Park area, District 5's S.T.O.P. (Students Talking it Over with Police) program received an honorable mention for the Excellence in Research Award by the International Association of Chiefs of Police, and the Technical Communications Division took over 750,000 telephone calls in 2011, an increase of 7.6% compared to 2010. Finally, Ms. Schwartz said the Criminal Investigations Bureau (CIB) was reorganized into geographic areas of responsibility; the Professional Performance Division (PPD) received 248 internally generated complaints in 2011, a 21% reduction from 2010 and PPD also investigated 302 externally generated complaints in 2011, a 19% reduction from 2010; PPD instituted mediation as an option for citizens in resolving complaints and also provided alcohol-awareness training throughout the department; and the Leadership in Police Organizations program completed its 17<sup>th</sup> session in 2011, training more than 175 additional MPD members. Commissioner O'Hear moved to approve the report, seconded by Commissioner Morgan. The motion carried unanimously.

#### 6. PUBLIC COMMENT:

Chris Ahmuty, Executive Director of the American Civil Liberties Union (ACLU) of Wisconsin, spoke regarding his ongoing open records requests for documents from the Milwaukee Police Department relating to body cavity search authorization forms and his support for future reports regarding different types of force

(Public Comment:)

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used by officers. In addition Mr. Ahmuty spoke regarding the Public Statement regarding Derek Williams and indicated that timeliness does need to be improved and he concurred with the conclusions stated in the report. Finally, Mr. Ahmuty spoke regarding citizen complaints and questioned how the number of citizen complaints could have decreased when the number of traffic stops has increased significantly.

Debra Ann Jenkins asked whether the citizen complaint form has changed since 2000. The Director responded that the form had been changed since 2000. Ms. Jenkins asked whether the same questions were on the revised form. The Director said that while the form had been revised, there is still an opportunity for citizens to indicate what they would like to have happen as a result of filing this complaint.

7. ADJOURNMENT:

Commissioner Morgan moved to adjourn the meeting, seconded by Commissioner Hein. The motion carried unanimously.

The meeting concluded at 6:17 P.M.

Respectfully submitted,



Michael G. Tobin  
Executive Director

MGT:kj