

June 21, 2018

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 6:10 P.M.

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

ALSO PRESENT: Gerard Washington, Assistant Chief, representing the 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 3:48 p.m. to 6:00 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: Promotion of nominees to Police Lieutenant, Captain of Police, and Inspector of Police; appointment of Chief of Staff (Police Department); and amendment of the Firefighter Eligible List. Commissioners Cabrera and McKenzie did not attend the entire Executive Session.

The meeting was staffed by Executive Director La Keisha W. Butler. The Chair called for a "moment of silence" for fallen Police Officer Charles Irvine, Jr. The Chair then opened the meeting with Public Comment.

1. PUBLIC COMMENT:

Mary Watkins (Milwaukee Resident): Discussed her strong opposition to the Mayor's decision to replace current Commissioners and fill the vacant seats with retired Milwaukee fire and police personnel. Ms. Watkins went on to commend and highlight the value of having Commissioner Cabrera remain on the Board. Ms. Watkins discussed Milwaukee Police Department (MPD) retiree William Gielow (replacement for Commissioner Wilson) and that the City needs people that are in sync with current city events and who will not be biased. Ms. Watkins' rationale is that Mr. Gielow, being a former police officer, is biased. Lastly, Ms. Watkins suggested that if an audit is being done concerning the Sterling Brown case, an audit should be conducted for all "use of force" incidents for the past five years.

Joseph Walker (Milwaukee Resident): Mr. Walker stated he would like to discuss two topics: Body worn cameras and 2) Police shootings. Mr. Walker discussed his April 6, 2014, encounter with MPD officers in detail which resulted in him being shot in the back. Mr. Walker wants the matter investigated. He noted that body worn cameras were not being utilized at the time of his incident. Mr. Walker stressed the importance of using body worn cameras at all times, not only when encountering civilians. Mr. Walker expressed his disappointment with the MPD not releasing the body worn camera footage to the family members of Antwon Springer (involved in MPD officer involved shooting) in a timely manner.

LuAnn Will (Milwaukee Resident-Speaking on behalf of her son, Joseph Walker): Ms. Will gave a detailed account of the MPD and Joseph Walker April 6, 2014, incident and corroborated Mr. Walker's claim that he was not in possession of a firearm and, as such, was fired upon by MPD officers wrongfully. Ms. Will requested her son's citizen complaint be reopened and re-investigated. She went on to state her son has mental health issues, and the MPD officers handled this incident incorrectly.

Vaun Mayes (Milwaukee Resident): Read a statement entitled "What We Not Gonna Do." Following are the items in this context: We cannot: 1) Allow the Mayor to remove one of the only trusted and supportive members of the Fire and Police Commission (FPC), Commissioner Cabrera; 2) Allow the Mayor to quietly try and taint the purpose and agenda of the Commission by placing someone on it from the police union or someone affiliated with either the Police or Fire Department, because this is a community oversight board and having someone on it charged with holding their own accountable will not do; 3) Allow the "tap on the hand" reprimands to stand unchecked in the Sterling Brown case in view of the officers' use of force records; 4) Allow the tragic loss of life of fallen Officer Charles Irvine, Jr. to be a diversion from the responsibility of the Administration to hold one another accountable.

Cynthia Greenwood (Milwaukee Resident/ Coalition for Justice): Requested a "moment of silence" for Dontre Hamilton and Sylville Smith—men who passed away during incidents involving MPD officers. Ms. Greenwood questioned how people can, in the City Hall rotunda, hold up signs that read "stop gun violence" when MPD won't control their guns and tasers. Ms. Greenwood would like to know what steps will be taken to stop the perceived violence against unarmed black men. Ms. Greenwood suggested that policy changes happen in the near term.

Nicholas McVey (Milwaukee Resident): Expressed his concern with the increasing threat to the citizens' quality of life. Mr. McVey conveyed the details of violent incidents that have occurred near his home. In one instance, MPD officers responded to a call involving a citizen who had been shot and refused to render first aid. In the other instance, officers refused to contact Mr. McVey (the complainant) to discuss an occurrence.

Norma Robles Duckworth (Milwaukee Resident/Voces De La Frontera Representative): Ms. Robles Duckworth read a statement dated June 21, 2018. A copy of the statement was provided to the Board for their review and records. The gist of the statement was to thank the FPC for its support last year regarding the changes in the MPD Standard Operating Procedure (SOP) on immigration. Ms. Robles Duckworth stated the organization wants to see a SOP that upholds constitutional protection for immigrants and made several recommendations for a revised SOP.

Desiree Brown (Milwaukee Resident): Ms. Brown offered her condolences to Officer Charles Irvine, Jr.'s family and any other community members who have experienced the loss of a loved one. Ms. Brown discussed how she was impacted when learning of Officer Irvine's demise and how a young African American boy was also impacted by the loss of Officer Irvine. Ms. Brown stated that despite her belief that her nephew was murdered by a Milwaukee police officer, she does not believe all police officers are "bad" just as all black people are not criminals. Ms. Brown went on to speak of the importance of the FPC to allow residents' public comments to be stated completely and not be "cut-off." Ms. Brown made a request to have paperwork at the FPC meetings for residents to obtain when needed (i.e. Citizen Complaints, Open Records Request forms, handouts etc.). Ms. Brown proceeded to give her thoughts regarding the police behavior depicted on the body worn camera video in the Sterling Brown incident. Ms. Brown then made a suggestion for officers to use rubber bullets as opposed to standard ammunition.

Sean Wanzo (sp?) (Milwaukee Resident): Mr. Wanzo stated he wants to go on record saying that Commissioner Cabrera should not be removed from the Board. Mr. Wanzo re-emphasized what was said by previous speakers that it is shameful that in 2018 similar issues are still the same as they were two to three generations ago as it relates to use of force by police officers. Mr. Wanzo asserted the problem between law enforcement and community members emanate from racist mindsets and suggested some form of diversity and cultural training.

The Chair turned over the agenda to Executive Director Butler. The Director responded, on behalf of the FPC Board, to several public comments made at the Fire and Police Commission meeting held on Thursday, June 7, 2018, as follows: "Several individuals raised concerns regarding incidents that are still being investigated by the Milwaukee Police Department. The Executive Director has or will reach out to those

individuals to address their particular concerns. Because the investigations have not been completed, the Commission cannot make any public comment regarding the incidents referenced.

"Concerns regarding the continued mental health of officers and firefighters were also mentioned. The Commission takes seriously its charge to vet all potential candidates for employment within the police and fire departments and, with its staff, strives to ensure that those hired are fit to do the work. The Commission is also aware that circumstances can and do change after someone is hired, and works with the police and fire departments to develop policies, procedures, and resources for employees who may be facing personal or work challenges. The Commission will continue to review those initiatives for their effect and work with the departments to make changes where necessary.

"Additionally, there were comments regarding the residency of members of the fire and police departments and whether department members should be required to live in the community they serve. In 2013, the state legislature passed § 66.0502 Wis. Stats. which prohibited cities, villages, towns, counties, and school districts from requiring their employees to reside within their jurisdictional limits. The City challenged this law in court and, in 2016, the Wisconsin Supreme Court ruled that the law indeed prohibited the City from enforcing its residency requirement. Since that time, members of the fire and police departments have been permitted to reside up to 15 miles outside the jurisdictional boundaries of the City of Milwaukee.

"Finally, the Commission would like to make a statement regarding the audit of the Sterling Brown incident. The Commission's request for the audit was to give the Commission, the Common Council, and the public an opportunity to review actions taken by the Milwaukee Police Department in investigating the stop and arrest of Sterling Brown. Since the audit was announced, new information was released regarding actions taken by other officers present at the scene of Mr. Brown's arrest. Chief Morales has indicated that those actions are being investigated. Those investigations could lead to additional discipline of officers. Because the Chief may decide to discipline other officers as a result of this new information and because the Commission may have to review any discipline decision made by the Chief in a disciplinary appeal, the Commission, in consultation with the City Attorney's Office, has determined it is necessary to postpone the police department's presentation of the audit results. It is a core function of the Commission to review discipline decisions that are appealed by members of the department. The Commission cannot objectively and fairly review disciplinary appeals if it has considered the evidence prior to any disciplinary appeal hearing. We want to assure the public that this decision is not an attempt to cover up or avoid discussing what happened in the incident involving Sterling Brown. This decision was made to ensure that the Commission is able to carry out its functions which are mandated by state statute. We look forward to revisiting the audit once all disciplinary decisions have been made and any appeals have been resolved."

## 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 – June 7, 2018
- B. Promotion: Emergency Communications Operator II
- C. Appointments:
  - 1. Police District Office Assistant (4 positions)
  - 2. Office Assistant II
- D. Correspondence regarding Suspension of Detective
- E. Correspondence regarding Suspension of Fire Paramedic

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

## 3. UNFINISHED BUSINESS:

- a) The following promotions, as presented by Chief Alfonso Morales, were approved by the Board:

TO INSPECTOR OF POLICE, from Captain of Police, contingent upon successful completion of a drug screening, effective June 24, 2018:

TIMOTHY S. HEIER.

Note: Commissioner Cabrera abstained from voting as she was not present during the Executive Session discussion on this item.

TO CAPTAIN OF POLICE, from Police Lieutenant, contingent upon successful completion of a drug screening, effective June 24, 2018:

PAUL R. KAVANAGH, PAUL D. LOUGH, JOSEPH C. MCLIN, DANIEL P. THOMPSON and WILLIE O. MURPHY.

Note: Commissioner McKenzie abstained from voting regarding Lieutenants Kavanagh, Mclin and Thompson as she was not present during the Executive Session discussion on these items.

TO POLICE LIEUTENANT, from eligible list established July 16, 2015 contingent upon successful completion of a drug screening, effective June 24, 2018:

#45 - GENA A. MALANCHE; #46 - PATRICK T. PAJOT; #47 - JAMES A. HENNER; #48 - THOMAS M. LIESKE; #49 - JEFFREY L. NOVACK and #50 - SHELONDIA R. TARVER.

TO POLICE SERGEANT, from eligible list established November 3, 2016, contingent upon successful completion of a drug screening, effective June 24, 2018:

#57 - MATTHEW P. MENGEL; #58 - KEVIN M. PANFIL and #59 - JONATHAN M. WITKOWSKI.

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

TO CHIEF OF STAFF, an exempt position, contingent upon successful completion of a background investigation, medical examination and drug screening, effective July 2, 2018:

NICHOLAS DESIATO.

c) The Phase I report regarding the Sterling Brown Incident Audit Request was removed from the agenda (see Public Comment statement of Executive Director).

#### 4. NEW BUSINESS:

a) The Director introduced Jeffrey Harvey, FPC Staffing Services Manager, who spoke about the Common Council Resolution removing salary history from employment applications. The Common Council has resolved that the Department of Employee Relations (DER) develop an employment application that does not require applicants to include salary history for the purpose of reducing pay disparities between women and men. Since the FPC currently uses the same online application system (JobAps) as DER, this will affect the applications filed for jobs with the Police and Fire Departments. The change should take effect by July 11, 2018.

#### 5. EXAMINATIONS:

a) The Director presented for adoption an eligible list for the position of Police Aide in the Police Department, consisting of 49 names. Jeffrey Harvey, FPC Staffing Services Manager, gave an explanation

of the selection process. 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 Fire Cadet in the Fire Department, consisting of 120 names. Rachel Stein, FPC Human Resources Analyst, gave an explanation of the selection process. Commissioner Crouther moved approval of the list, seconded by Commissioner Wilson. The motion carried unanimously.

c) The Director presented for adoption an eligible list for the position of Data Communications Specialist (Application Support Analyst) in the Police Department, consisting of nine names. Emily Keeley, DER Human Resources Analyst-Sr., gave a description and the requirements of the position and explained the selection process. Commissioner Crouther moved approval of the list, seconded by Commissioner McKenzie. The motion carried unanimously.

d) The Director presented for adoption an eligible list for the position of Health and Safety Specialist-MPD in the Police Department, consisting of six names. Ms. Keeley gave a description and the requirements of the position and explained the selection process. Commissioner Crouther moved approval of the list, seconded by Commissioner Hein. The motion carried unanimously.

e) The Director presented a request from Jeffrey Harvey, FPC Staffing Services Manager, to amend the current Police Officer Eligible List by adding an additional five candidates who have successfully completed the selection process. Mr. Harvey advised the Board of the reasoning for the amendment. Commissioner Soler requested assurance that the FPC testing and hiring team has set checks and balances in place to reduce the number of amendments to already established and approved eligible lists. Mr. Harvey then discussed another amendment to a previous Police Officer Eligible List, adopted November 19, 2015, which will place a candidate who has returned from military leave in his respective rank number of 163a. Approval of this amendment will allow him to be considered for the July recruit class. Commissioner Crouther moved approval of the amendments to the two Police Officer Eligible Lists, seconded by Commissioner Hein. The motion carried unanimously.

f) The Director presented a request from Mr. Harvey to amend the Firefighter Eligible List by adding an additional four candidates who have now received residency preference points. The candidates were originally not given these preference points because the documentation received from the candidates did not meet the required criteria. Commissioner McKenzie questioned why the checks and balances system did not catch the preference points that were missed, and what changes will be made in the future. Commissioner Cabrera questioned what documents were provided that did not meet the required criteria for residency points. Mr. Harvey gave responses to each concern and specifically disclosed what the FPC requests as acceptable documentation to receive residency preference points. The Director advised Commissioner Cabrera that a complete review of the processes for applicants will take place to minimize occurrences of amending eligible lists. Commissioner McKenzie moved approval of the amendment, seconded by Commissioner Cabrera. The motion carried unanimously.

g) The Director presented correspondence from Acting Chief Brian Smith wherein he notifies the Board that #41 – Dustin E. Herring requests to have his name removed from the Fire Lieutenant Eligible List. Commissioner McKenzie moved approval of the request to remove, seconded by Commissioner Crouther. The motion carried unanimously.

h) The Director presented for approval a job announcement bulletin for the position of Fire Health and Safety Manager in the Milwaukee Fire Department. Emily Keeley, DER Human Resources Analyst-Sr., discussed the duties and responsibilities, the qualifications and selection process for this position. Commissioner McKenzie moved approval of the job announcement bulletin, seconded by Commissioner Crouther. The motion carried unanimously.

i) The Director presented for approval a job announcement bulletin combining the positions of Emergency Communications Operator in the Police Department and Fire Dispatcher in the Fire Department for recruitment purposes under the general title of 911 Operator. This will result in a more efficient use of time and resources. DER will take steps to equalize the starting pay of the two positions for the first six months of employment and to increase the annual pay after the training period is over. DER and FPC will adjust the probation period for both positions to 18 months. After these steps have been given approval by the Finance and Personnel Commission and the Common Council, the bulletin will be posted. Jeffrey Harvey, FPC Staffing Services Manager, discussed the duties and responsibilities, the qualifications and selection process for this combined recruitment effort. Commissioner McKenzie moved approval of the job announcement bulletin, seconded by Commissioner Crouther. The motion carried unanimously.

6. FIRE DEPARTMENT:

a) The following promotion, as presented by Acting Chief Brian Smith, was approved by the Board:

TO FIRE LIEUTENANT, on a waiver basis, from eligible list established February 18, 2016, contingent upon successful completion of a drug screening, effective July 1, 2018:

#42 – DAVID P. MORGAN and #43 - JOHN J. SURGES.

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

A letter dated May 29, 2018, from Chief Rohlfing, wherein he notifies the Board that Fire Paramedic Dillon P. Keenan has been suspended for five days for violation of Department Rules and Code of Conduct under an order dated May 29, 2018.

7. POLICE DEPARTMENT:

a) The following promotion, as presented by Chief Morales, was 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 24, 2018:

#51 – JAMES A. CAMPBELL.

b) The following promotion, as presented by Chief Morales, was approved by the Board under the Consent Agenda, Item B:

TO EMERGENCY COMMUNICATIONS OPERATOR II, from Emergency Communications Operator I, effective retroactive to April 8, 2018:

HANNALORE M. RODRIGUEZ.

c) The Director presented correspondence dated June 13, 2018, received from Chief Morales, requesting an exception to FPC Rule XI, Appointments, Section 2(a) regarding Police Aide appointments to Police Officer. The request is being made as six Police Aides will not have had quite two full years of service in the program and would otherwise be ineligible to join the July Police Officer recruit class. Commissioner Crouther moved approval of the request, seconded by Commissioner McKenzie. The motion carried unanimously.

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

TO POLICE OFFICER, from Police Aide, contingent upon successful completion of a pre-employment medical examination, drug screening, psychological evaluation, background update and vacancy approval of the Finance and Personnel Committee, effective July 15, 2018:

MOHAMMAD ABDULGHANI, KAYLA BEIERLE, TAYLOR CARLONI, GREGORY CARSON, AARION DIXON, TRAVES MARTIN, NATHANIEL PETERSEN, ANA ROMERO-PEREZ, JASON WALLICH, RAHFEE WASHINGTON and ANDREW WROBLEWSKI.

Police Aide Gregory Carson, a representative from the Police Aide Class of 2018, gave a statement on behalf of his classmates.

TO POLICE OFFICER, from Community Service Officer, from eligible list established May 3, 2018, contingent upon successful completion of a pre-employment medical examination, drug screening, psychological evaluation, background update and vacancy approval of the Finance and Personnel Committee, effective July 15, 2018:

#307 – LAFAYETTE TURMAN and #313 – JIMMY MORALES COLON.

TO POLICE OFFICER, from eligible list established March 5, 2015, as amended on June 21, 2018, contingent upon successful completion of a pre-employment medical examination, drug screening, psychological evaluation, background update and vacancy approval of the Finance and Personnel Committee, effective July 16, 2018:

#163A – NICKOLAS GALLERT.

TO POLICE OFFICER, from eligible list established May 3, 2018, contingent upon successful completion of a pre-employment medical examination, drug screening, psychological evaluation, background update and vacancy approval of the Finance and Personnel Committee, effective July 16, 2018:

#19 – CARLOS RODRIGUEZ; #137 – QUIANNA MCBRIDE; #146 – ANNA QUINTERO; #203 – PATRICK TIVNAN; #280 – JUSTIN MURPHY; #281 – KYLE LABENSKY; #283 – MEGAN BROADNAX; #284 – DONALD ARNDT; #285 – KEVIN OCHOA; #287 – ABRAHAM RAMIREZ; #288 – JORDAN TIAN; #290 – NORA BURLO; #291 – MATTHEW MATYAS; #292 – O'NEAL STAMPS, III; #295 – JAMES TERRELL; #296 – KEVIN VAZQUEZ-DIAZ; #298 – RACHEL BRUMAGE; #300 – DEANGELO WARD; #303 – CHRISTOPHER DENO; #305 – GABRIEL CATANZARO; #306 – JUSTIN SILKEY; #308 – TONYA BRICE; #309 – ORDLYN SANDERS; #311 – BRADLEY ORLANDO; #314 – ROBERT LAWRENCE; #315 – EVAN BILLER; #316 – BRADLEY BRUNETTE; #317 – ALAN INGRAM; #319A – KELTON MCCOWAN; #320 – STEPHANIE HILL; #321 – JAQUAYO SPEARS; #323 – PETER JERVING; #326 – TYRIKA BARNES; #328 – LAMAR DENTON; #329 – CIAN CANTWELL; #331 – STEPHEN ARNOLD; #332 – LEE ROBINSON; #336 – DEAN BLACKWELL; #339 – DANIEL PARKS; #340 – ETHAN OSMAK; #344 – ELIZABETH MCDARIS; #345 – KIMBERLY PETERSEN; #348 – CASEY JOHNSTON; #350 – AARON ARMSTRONG; #354 – ROMAN BAILEY; #357 – DUSTIN CORRIGAN; #359 – JARITZA DELEON-LOPEZ; #360 – AHNOKI DOXTATOR; #361 – DARRYL DRYDEN; #362 – BENJAMAN BENDER and #365 – RICKY LOZANO.

TO POLICE OFFICER, on a contingency basis, from eligible list established May 3, 2018, also contingent upon successful completion of a pre-employment medical examination, drug screening, psychological evaluation, background update and number of vacancies, effective July 16, 2018:

#373 – STEPHANIE VOEKS; #375 – ZACHARY SZALACINSKI; #377 – DOMINICK PRITZLAFF; #379 – BRITTANY GALLOWAY; #380 – CARISSA SANCHEZ; #381 – ALEX BARTOSHEVICH; #82 – MICHAEL DIAZ; #383 – AARON ROTH; #384 – JOSEPH LACROIX, II; #385 – JOEL SWIECIAK; #386 – ANDREW SZOPINSKI; #387 – ROBERT PARKS; #391 – NICHOLAS STELLA; #393 – BRENT SLUKA; #395 – MATTHEW MAZUR; #396 – CHARLES FRANK; #397 – THOMAS KLAHORST; #400 – AUSTIN FORD and #403 – BRIAN SCHMIDT.

e) The following appointments, as presented by Chief Morales, were approved by the Board under the Consent Agenda, Items C1-2:

TO POLICE DISTRICT OFFICE ASSISTANT, from DER eligible list, contingent upon successful completion of a background investigation, medical examination and drug screen, effective July 2, 2018:

D'LANA WOJCIECHOWSKI, THOMAS BURMEISTER, RENITA OGLESBY and PEGGY PETERSON.  
TO OFFICE ASSISTANT II, from DER eligible list, contingent upon successful completion of a background investigation, medical examination and drug screen, effective July 2, 2018:

NICOLE EDWARDS.

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

A letter dated June 5, 2018, from Chief Morales, wherein he notifies the Board that Detective Geri Lin E. Gahagan has been suspended for ten days for violation of Department Core Values under Personnel Order 2018-67 dated June 5, 2018.

g) The Director presented a letter dated June 13, 2018, received from Chief Morales, wherein he requests that the position of Media Producer be classified as an exempt position. Commissioner Cabrera moved approval of the request, seconded by Commissioner Hein. The motion carried unanimously.

h) The Director presented General Order 2018-05 which would create MPD Standard Operating Procedure (SOP) 785 – Sponsorship of Non-Department Members. The purpose of the SOP is to establish a policy regarding the obligations and requirements for MPD members sponsoring individuals from outside of MPD to have unescorted access to department facilities, resources, and network systems. Commissioner Wilson moved approval to create the SOP, seconded by Commissioner Hein. The motion carried unanimously.

#### 8. ADJOURNMENT:

The Chair announced that this is the last meeting for Commissioner Kathryn A. Hein. The Chair thanked Commissioner Hein for her ten years of service on the Board and advised that she is the longest serving commissioner on the current Board. On behalf of the entire Board, the Chair wished Commissioner Hein all the best in her future endeavors.

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

The meeting concluded at 7:31 P.M.

Respectfully submitted,



Lakeisha W. Butler  
Executive Director

LWB/nmt