

September 1, 2011

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:34 P.M.

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

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

The Director presented for adoption minutes of the Regular Meeting of July 28, 2011. He noted at that meeting two rules were amended. One created the Fire Cadet position, and the other allowed sworn members who are permanently injured off-duty to be appointed to non-sworn positions. Commissioner Morgan moved approval of the minutes as presented, seconded by Commissioner O'Hear. The motion carried unanimously.

1. UNFINISHED BUSINESS:

a) The Director called for nominations for the position of Chair and Vice-Chair. Commissioner Morgan nominated Commissioner Cox as Chair and Commissioner Stark as Vice-Chair. Commissioner O'Hear seconded the nomination. Nominations were closed. Commissioner Cox was elected Chair on a 6-0 roll call vote and Commissioner Stark was elected Vice-Chair on a 6-0 roll call vote.

2. NEW BUSINESS:

a) The Director presented a report titled An Overview of Use of Force Incidents in the Milwaukee Police Department: January 1, 2011 to June 30, 2011, written by Professor Steven Brandl of UW-Milwaukee. Dr. Brandl was present and spoke regarding the report. The interim report monitors the frequency and nature of use of force incidents in the Milwaukee Police Department (MPD). The 2011 annual report will provide detailed comparisons of use of force incidents from 2009, 2010 and 2011, and will discuss trends and patterns. The mid-year report is based on 253 use of force incidents that occurred from January 1, 2011 to June 30, 2011, in accordance with MPD General Order 2009-51. The 253 incidents do not include the 13 incidents where animals were euthanized, or two accidental incidents that did not include a subject. Of the 253 incidents, 18 involved a dog, including 17 involved a firearm, and one involving an electronic control device (ECD). Of all arrests, 1.15% involved force. The 253 incidents involved 263 different officers. The 235 incidents that did not involve a dog, involved 242 different subjects. With regard to type of force used, 37% of incidents involved bodily force only, 18% of incidents involved an ECD only, 10% of incidents involved a chemical agent only, and 10% of incidents involved a firearm. Of the 26 incidents (10%) that involved a firearm, 9 involved a person and 17 involved a dog. With regard to location of incident, 24% occurred in District 7, 20% occurred in District 3, 16% occurred in District 5, and 14% occurred in District 2. Commissioner O'Hear asked if the decrease in District 7 and the increase in District 3 had to do with the total number of arrests. Dr. Brandl responded that the changes may have to do with the misclassifications of arrests in previous years. The Chair asked if there was a refinement of district boundaries. Chief Flynn responded that District 7 got smaller and District 5 got bigger, which resulted in the misclassification of some arrests. Commissioner O'Hear asked how injury is defined. Dr. Brandl replied that he uses MPD General Order 2009-51 and is unsure if injury is defined further by MPD. Commissioner O'Hear stated that possible ambiguity of injury could result in inconsistencies in reporting. Dr. Brandl recommended elaborating injury classification and definition. The Director thanked Dr. Brandl for his work on the report. Commissioner Stark moved approval of the report, seconded by Commissioner Morgan. The motion carried unanimously.

b) The Director presented the 2010 Milwaukee Fire Department Annual Report. Chief Rohlfing spoke regarding the report. He stated the Department focused on and prioritized interdepartmental cooperation and communication with suburban departments last year. There were three fire fatalities last year, the lowest number in MFD history. That can be attributed to the community programming, education initiatives, and response time. 2010 was a time for assessment and reorganization of MFD. The Department operated within its budget and spent \$10 million less than in 2009, which included decreased special duty and sick and injury leave, and \$400,000 in grants. Response times are excellent and the national standard of less than five minutes is met 85.75% of the time. There were 45 people hired, 46 promoted, and 67 retired or left MFD. There were 26,087 Advanced Life Support calls, 27,542 Basic Life Support calls, and 12,720 transports. The save rates for gunshots is 89.5%, 99% for stabbings, 37.6% for cardiac saves of return of spontaneous circulation, and 10.9% of cardiac saves walk out of the hospital, that is twice the national average. A new emphasis was placed on training and members spent 35,523 hours on Department training. Six members became paramedics. A fully-functional tactical EMS program was created in conjunction with MPD and the Sheriff's Department. There has also been training with suburban departments and the Mutual Aid Box Alarm System. MFD has 21 community outreach programs including: Project Staying Alive, which teaches conflict resolution and anger management to students, Survive Alive House, which provides students with a hands-on experience to learn how to escape their homes safely in case of fire, and Explorer Post 875, a joint venture with the Boy Scouts of America that teaches young men and women EMS/fire techniques. MFD provided service to over 70 events, including festivals, neighborhood celebrations, and lakefront activities. Department members participated in such charitable events as the Cystic Fibrosis Stair Climb, Muscular Dystrophy Fill-the-Boot, and Special Olympics Over the Edge. Commissioner O'Hear moved approval of the report, seconded by Commissioner Morgan. The motion approved unanimously.

c) The Director presented the 2010 Milwaukee Police Department Annual Report. Anne Schwartz, Public Relations Manager, spoke regarding the report. The Code of Conduct was created which emphasizes the mission and vision of the Department, and facilitated a perceptible cultural shift in the Department. The core values and guiding principles shape officers' conduct on and off duty. The Department added new technology including the OpenSky radio system, Shot Spotter, and in squad video. Violent crime is down 7%, gun-related crime is down 9.5%, and total crime is down 10%. The MPD website will be updated and a new website created in conjunction with Cramer-Krasselt will be a news source for the community. A newsletter will be created and published on the Department's intranet. The Department has worked on information sharing with the public and emphasizing the brand. Roll calls in communities will continue with an emphasis on community involvement to fight crime. Commissioner Stark moved approval of the report, seconded by Commissioner Hein. The motion carried unanimously. The Director noted that all reports will be available online on the FPC website and the Departments' websites.

d) The Director presented the Homicide Review Commission 2011 Mid-Year Report. He noted that the number of homicides and non-fatal shootings from the first six months of 2010 and 2011 has remained consistent. The number of homicides and non-fatal shootings by police district has also remained consistent. There are no significant changes between 2010 and 2011. From July 1, 2011 to August 26, 2011 there were 115 non-fatal shootings, which is the equivalent of 50% of all non-fatal shootings that occurred last year. The majority of the increase occurred in District 5, but Districts 3 and 4 also had increases. He noted that the Homicide Review Commission is located in the Police Administration Building and works closely with the Department.

e) The Director presented a request from staff to amend FPC Rule XVI, Section 2 (d). He explained the amendment would allow non-sworn personnel of either department to appeal a discipline of discharge, demotion, or suspension of more than five days to the Board, in accordance with State Budget Act 10. He added at the next meeting the departments would present their policies and procedures for grievances in accordance with Act 10. The Chair laid the request over to the next meeting.

3. EXAMINATIONS:

a) The Director presented a request from staff to amend the eligible list for the position of Police Telecommunicator in the Police Department. Toni Vanderboom, Human Resources Analyst Senior explained that the original list consisting of 12 names was the highest scoring candidates, and the amended list adds the remaining 23 candidates who have completed the testing process. The amended list consists of 35 names. Commissioner O'Hear moved approval of the request, seconded by Commissioner Morgan. The motion carried unanimously.

4. FIRE DEPARTMENT:

a) The Director presented a letter dated August 23, 2011, from Chief Rohlfing, wherein he requests that one position of Fire Paramedic Field Lieutenant be reclassified to Fire Lieutenant due to a retirement, in accordance with the Salary Ordinance. The Chair referred the request to the Department of Employee Relations.

b) The Director presented a letter dated August 8, 2011, from Chief Rohlfing, wherein he notifies the Board that Fire Lieutenant Bradley S. Behling has been suspended for five 24-hour shifts for violation of Department Rules and Regulations.

c) The Director presented a letter dated August 9, 2011, from Chief Rohlfing, wherein he notifies the Board that Heavy Equipment Operator Michael P. Ryan has been suspended for three 24-hour shifts for violation of Department Rules and Regulations.

The Director presented a letter dated July 29, 2011, from Chief Rohlfing, wherein he notifies the Board that Heavy Equipment Operator Steven W. Koch has been suspended for three 24-hour shifts for violation of Department Rules and Regulations.

d) The Director presented a letter dated July 29, 2011, from Chief Rohlfing, wherein he notifies the Board that Firefighter Gregory R. Ewert has been suspended for five 24-hour shifts for violation of Department Rules and Regulations.

The Director presented a letter dated August 8, 2011, from Chief Rohlfing, wherein he notifies the Board that Firefighter Thomas J. Wellinghoff has been suspended for five 24-hour shifts for violation of Department Rules and Regulations.

5. POLICE DEPARTMENT:

a) The Director presented a letter dated August 23, 2011, from Chief Flynn, wherein he nominates Captain of Police Edith L. Hudson to the exempt position of Inspector of Police in the Police Department, to be effective September 18, 2011. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

The Director presented a letter dated August 23, 2011, from Chief Flynn, wherein he nominates Captain of Police William R. Jessup to the exempt position of Deputy Inspector of Police in the Police Department, to be effective September 18, 2011. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

The Director presented a letter dated August 23, 2011, from Chief Flynn, wherein he nominates Captain of Police Carianne Yerkes to the exempt position of Deputy Inspector of Police in the Police Department, to be effective September 18, 2011. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

The Director presented a letter dated August 23, 2011, from Chief Flynn, wherein he nominates Police Lieutenant Victor E. Beecher to the exempt position of Captain of Police in the Police Department, to be effective September 18, 2011. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

The Director presented a letter dated August 23, 2011, from Chief Flynn, wherein he nominates Police Lieutenant Regina M. Howard to the exempt position of Captain of Police in the Police Department, to be effective September 18, 2011. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

The Director presented a letter dated August 23, 2011, from Chief Flynn, wherein he nominates Police Lieutenant Peter D. Pierce to the exempt position of Captain of Police in the Police Department, to be effective September 18, 2011. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

The Director presented a letter dated August 23, 2011, from Chief Flynn, wherein he nominates Police Lieutenant Rebecca L. Pixley to the exempt position of Captain of Police in the Police Department, to be effective September 18, 2011. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

The Director presented a letter dated August 23, 2011, from Chief Flynn, wherein he nominates Police Lieutenant Jason A. Smith to the exempt position of Captain of Police in the Police Department, to be effective September 18, 2011. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

The Director presented a letter dated August 23, 2011, from Chief Flynn, wherein he nominates Police Lieutenant Leslie M. Thiele to the exempt position of Captain of Police in the Police Department, to be effective September 18, 2011. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

The Director presented a letter dated August 23, 2011, from Chief Flynn, wherein he nominates Police Lieutenant Chad M. Wagner to the exempt position of Captain of Police in the Police Department, to be effective September 18, 2011. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

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

TO POLICE SERGEANT, on a waiver basis, from eligible list established October 1, 2009, contingent upon successful completion of a drug screening, retroactive to August 7, 2011:

#32 – MISTY TORRES.

TO OFFICE ASSISTANT III, from Office Assistant II, without competitive examination, effective September 4, 2011:

REBECCA S. PUTZE.

TO OFFICE ASSISTANT II, from Office Assistant I, effective September 4, 2011:

DANIEL S. POLANS.

TO POLICE DISTRICT OFFICE ASSISTANT, from Office Assistant I, effective September 4, 2011:

HEATHER J. BERENS and SALLY A. KALLAS.

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

TO POLICE SERVICES SPECIALST INVESTIGATOR, effective October 3, 2011:

GREGORY JACKSON (FULL-TIME) and BRIAN OTZELBERGER (HALF-TIME).

d) The Director presented a letter dated August 11, 2011, from Chief Flynn, wherein he notifies the Board that Police Aide Turmell J. McBride has been discharged for violation of Department Rules and Regulations under Personnel Order 2011-120 dated August 11, 2011.

e) The Director presented a letter dated August 17, 2011, from Chief Flynn, wherein he requests that an examination be conducted for the position of Police Sergeant as soon as possible as the eligible list will expire October 1, 2011 and vacancies are anticipated. The Chair referred the request to staff for implementation.

f) The Director presented a letter dated August 29, 2011, from Chief Flynn, wherein he requests that the employment period of the 2011 Seasonal Police Telecommunicators be extended through November 11, 2011, until regular appointments can be made. Commissioner Morgan moved approval of the request, seconded by Commissioner O'Hear. The motion carried unanimously.

6. PUBLIC COMMENT:

There was no comment made from the public present.

7. ADJOURNMENT:

Commissioner Morgan moved to adjourn the meeting, seconded by Commissioner O'Hear. The motion carried unanimously.

The meeting concluded at 6:21 P.M.

Respectfully submitted,

Michael G. Tobin
Executive Director

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