

May 6, 2010

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  
Carolina M. Stark  
Kathryn A. Hein  
Paoi X. Lor  
Sarah W. Morgan

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 3:10 p.m. to 5:10 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 of Police Lieutenants to Captains of Police.

The Chair welcomed the new Fire Chief, Mark Rohlfing, to his first Board meeting as Chief.

The Director presented for adoption minutes of the Regular Meeting of April 15, 2010. Commissioner Hein moved approval of the minutes as presented, seconded by Commissioner Stark. The motion carried unanimously.

1. UNFINISHED BUSINESS:

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

TO CAPTAIN OF POLICE, from Police Lieutenant, contingent upon successful completion of a drug screening, effective May 16, 2010:

STEPHEN R. BASTING; MICHAEL J. BRUNSON; TERRENCE T. GORDON\*; AARON M. RAAP; and CARIANNE YERKES.

\*Promotion made on a waiver basis.

b) The Director presented staff report dated April 22, 2010, regarding Police Officer Paul A. Marchese requests an extension to his temporary exemption of the City residency requirement. Officer Marchese was present and stated the closing of his home is tomorrow. The Board previously granted Officer Marchese an exemption on November 19, 2009, set to expire May 6, 2010. Due to problems constructing his home, he would like an extension until June 1, 2010. Commissioner Stark moved to approve the exemption request until June 3, 2010, seconded by Commissioner Morgan. The motion carried unanimously.

2. NEW BUSINESS:

a) The Director presented a letter dated April 23, 2010, from Police Officer Daniel Vidmar who requests a temporary exemption of the City residency requirement. Officer Vidmar was present and stated he will be moving May 14, 2010. He purchased a lot and will be constructing a home, and he would like a five month exemption until the construction is complete. Commissioner Stark moved to approve the exemption request until November 4, 2010, seconded by Commissioner Morgan. The motion carried unanimously.

b) The Director presented a letter dated May 3, 2010, from staff, wherein it is requested that Fire and Police Commission Rule IV be amended. The Director explained that both departments are currently in the process of revising their rules and standard operating procedures. The rule change would require the departments to submit the changes to FPC staff and the Executive Director fifteen (15) days prior to the changes taking effect, in order for them to be reviewed. The Chair laid the matter over to the next meeting.

c) The Director presented a letter dated May 3, 2010, from staff, wherein it is requested that Fire and Police Commission Rule XV, Sections 4 and 5, be amended. The Director explained that the changes would allow the Executive Director to require a member to participate in policy training in lieu of conducting a board hearing in minor misconduct cases. The Chair laid the matter over to the next meeting.

3. EXAMINATIONS:

The Director moved this item to the end of the agenda.

4. POLICE DEPARTMENT:

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

TO POLICE LIEUTENANT, from Lieutenant of Detectives eligible list established January 22, 2009, contingent upon successful completion of a drug screening, effective May 16, 2010:

#6 – JEFFREY B. NORMAN; #7 – WILLIAM R. BEAUCHENE; and #8 – DERRICK L. HARRIS.

TO POLICE LIEUTENANT, from Lieutenant of Police eligible list established May 15, 2008, contingent upon successful completion of a drug screening, effective May 16, 2010:

#8 – MICHAEL T. SCHMITZ; #9 – STEVEN GABRISH; #10 – BORIS TURCINOVIC; #11 – STEVEN A. RINEBERG; and #12 – JUTIKI JACKSON\*.

\*Promotion made on a waiver basis.

TO POLICE SERGEANT, from eligible list established October 1, 2009, contingent upon successful completion of a drug screening, effective May 16, 2010:

#13 – ERWIN S. ESTACIO; #14 – ALEX LOPEX, JR.; #15 – REBECCA BABICH; #16 – DANTE NORTON; #17 – ROBERT THIEL; #18 – JEFFREY NOVACK\*.

\*Promotion made on a waiver basis.

TO IDENTIFICATION TECHNICIAN, from Police Officer, contingent upon successful completion of a drug screening, effective May 16, 2010:

BENJAMIN HURLEY and KENNETH SCHILD.

TO OFFICE ASSISTANT II, from Office Assistant I, effective May 16, 2010:

TRECIA M. COLEMAN.

TO POLICE DISTRICT OFFICE ASSISTANT, from Office Assistant I, effective May 16, 2010:

JOANNA J. MCGILL.

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

TO SCHOOL CROSSING GUARD (REGULAR), with effective dates:

JENNIFER L. EZELL (3/29/10); JESSIE L. HARTMAN (4/09/10); and CHANTA R. LEE (3/30/10).

TO SCHOOL CROSSING GUARD (SUBSTITUTE), effective March 29, 2010:

KENNETH W. BROWN.

c) The Director presented a letter dated April 6, 2010, from Chief Flynn, wherein he notifies the Board that Police Officer Matthew J. Truman has been suspended for thirty-five (35) working days for violation of Department Rules and Regulations under Personnel Order 2010-49 dated April 6, 2010.

The Director presented a letter dated April 6, 2010, from Chief Flynn, wherein he notifies the Board that Police Officer Jose M. Luna has been suspended for forty (40) working days for violation of Department Rules and Regulations under Personnel Order 2010-61 dated April 6, 2010.

d) The Director presented a letter dated April 19, 2010, from Chief Flynn, wherein he requests that the probationary period of Police Dispatcher Marquis N. Leflore be extended for a period of three months, until September 22, 2010, for the purpose of further evaluating her progress. Commissioner Morgan moved approval of the request, seconded by Commissioner Stark. The motion carried unanimously.

The Director presented a letter dated April 19, 2010, from Chief Flynn, wherein he requests that the probationary period of Police Dispatcher Pamela A. Koleas be extended for a period of three months, until September 22, 2010, for the purpose of further evaluating her progress. Commissioner Hein moved approval of the request, seconded by Commissioner Morgan. The motion carried unanimously.

e) The Director presented a letter dated April 16, 2010, from Assistant Chief Monica Ray, wherein she requests that an examination be conducted for the position of Crime Analyst. The Chair referred the request to the Department of Employee Relations for implementation.

##### 5. EXAMINATIONS:

a) Returning to Examinations, the Director presented for approval an examination announcement bulletin for the position of Crime Analyst in the Police Department. He stated that last year the same examination was given with an eligible list approved by the Board; everyone on the list was offered employment, but only one accepted. There are very few changes on this bulletin compared to the previous one. Commissioner Stark moved approval of the bulletin, seconded by Commissioner Hein. The motion carried unanimously.

##### 6. PUBLIC COMMENT:

Michael Crivello, President of the Milwaukee Police Association (MPA), spoke regarding the issue of the Detective rank. He stated the issues are: the future of how the City employs Detectives and how the Detectives on the current Lieutenant of Detectives eligible list are treated. He suggested the City enjoys a high crime clearance rate because of its Detectives. The Police Department's promotional process is a recognized, tested, and competitive process. It demands the most qualified individuals are selected and promoted. The success is founded in training, education, continual education, and specialty experience.

The future leaders have vast experience emanating from a two-pronged foundation: uniform patrol and the Detectives Bureau; both are grown, sent to unique classes, to build a foundation for future leaders. As recruits enter the Academy, they are indoctrinated into the culture of the Department, advised of the structure of the Department, and taught the two ways to progress through the ranks of the Department. Both paths are unique, are of equal merit, are a necessity to the Department, and offer equal opportunity toward achievement. Currently the Department is 35 Detectives under authorized staffing levels. With no expectation of a future Detectives testing process, the experience gap may take years to fill. He stressed his concern about the future of the ability to effectively investigate crimes. There is a push to have the uniformed officer conduct more investigations. Since quality investigations take time, this would remove the uniformed officer and his highly visible squad from the street. He gave an example of an officer who investigated a battery/sexual assault incident. The report was filed incorrectly, rescinded, and then reissued as an injured person report. This resulted in a non-reportable crime, which leads Mr. Crivello to conclude that less crime is being reported and makes him question if crime is really going down. He feels the Detectives are being devalued and if a Sergeant can be sent to a class to learn what a Detective does, then a similar class could be created for Detectives. Because the rank of Lieutenant is a tested position, it provides equal opportunity to promote only the most prepared. Currently there is a Lieutenant of Detectives eligible list set to expire January of 2011, and the MPA requests that the list not be rescinded. He recognized the Chief's vision of one Lieutenant position, but it will only hold merit if the position is filled with the best and brightest. He requests that the Board thoroughly examine both situations as to not end the promotional path of Detectives.

The Director asked if the MPA was still willing to work with the Department, the FPC, and the Department of Employee Relations. Mr. Crivello stated he is interested in preserving the rights of Detectives.

7. ADJOURNMENT:

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

The meeting concluded at 5:59 P.M.

Respectfully submitted,

Michael G. Tobin  
Executive Director

MGT:mk