City of Milwaukee

Police Department

Edward A. Flynn
Chief of Police

January 26, 2011

The Board of the
Fire and Police Commission
200 E. Wells St., Room 706A
Milwaukee, WI 53202

RE: RESCISSION OF RULE 4 AND POSITION RESPONSIBILITIES

Dear Commissioners:

In May 2010, I outlined my plan to the Commission for implementation of a values-based Code of Conduct for the Milwaukee Police Department. The adoption of the Code of Conduct was approved and on August 1, 2010, the Code was promulgated by General Order 2010 – 20 to replace Rules, Regulations, and Position Responsibilities. Rules 2, 3 and 5 through 9 had previously been rescinded and their contents codified in Standard Operating Procedures. Rule 4, however, remains in effect until February 1, 2011, to allow for a transition period whereby members could familiarize themselves with the Code of Conduct while still abiding by Rule 4 and applicable Position Responsibilities. During this transition period, substantiated violations of Rule 4, Position Responsibilities, and Standard Operating Procedures were addressed as they had in the past. However, in cases of misconduct occurring during the transition period, each charge of misconduct also referenced the applicable section(s) of the Code of Conduct. To date, the transition has gone smoothly.

I, therefore, respectfully request that this matter be placed on the February 3, 2011, Fire and Police Commission calendar. If my request for rescission of Rule 4 and Position Responsibilities is approved, I will direct that Rule 4 and Position Responsibilities be rescinded by General Order effective immediately.

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FIRE AND POLICE COMMISSION

Sincerely,

EDWARD A. FLYNN
CHIEF OF POLICE

Enclosures: May 21, 2010 letter

CC: Troy Hamblin, Labor Negotiator
Grant Langley, City Attorney
James Harpole, Assistant Chief - Criminal Investigation Bureau
Edward Liebrecht, Assistant Chief - Neighborhood Policing Bureau
Monica Ray, Assistant Chief - Administration Bureau
Denita Ball, Acting Assistant Chief - Prof. Standards Bureau
Patrick Mitchell, Captain – Professional Performance Division
Valarie Williams, Human Resources Division
Terrence Gordon, Captain - OMAP
Michael Crivello - Milwaukee Police Association
Michael Edwards - Milwaukee Police Supervisor's Organization
Susan McGovern - ALEASP
James Fields - DC – 48

City of Milwaukee

Police Department

Edward A. Flynn
Chief of Police

May 21, 2010

The Board of the
Fire and Police Commission
200 E. Wells St., Room 706A
Milwaukee, WI 53202

RE: REQUEST FOR ADOPTION OF CODE OF CONDUCT

Dear Commissioners:

As you are aware, the Milwaukee Police Department is in the final stages of implementing a values-based Code of Conduct to replace current Rules, Regulations, and Position Responsibilities. Since this process began in May 2008, over a third of the department voluntarily participated in a values survey to assist me in identifying the core values most important to them and which values the department should adopt. I analyzed the results of the survey, defined our core values, and developed the preamble and guiding principles that comprise a significant part of the Code of Conduct. Drafts of the Code have been shared with department members during recruit training, in-service training, and Leadership in Police Organizations training, including the executive session attended by union leadership. I received positive feedback and some suggestions for refining the Code. I believe we are now ready for department wide implementation.

Several steps have been taken to prepare for the adoption of the Code of Conduct. Rules 3 and 5 through 9 have been rescinded and their contents incorporated into Standard Operating Procedures; only Rules 1 (Administration – Chief of Police) and 4 (General Rules and Regulations) remain. It is my intent that Rule 4 and Position Responsibilities remain in effect for an indefinite period of time after the adoption of the Code of Conduct. It is important to allow for a transition period where members can familiarize themselves with the Code of Conduct while still abiding by Rule 4 and applicable Position Responsibilities. During this transition period, substantiated violations of Rule 4, Positions Responsibilities, and Standard Operating Procedures will continue to be addressed as normal. However, each charge of misconduct will also reference the applicable section(s) of the Code of Conduct. This reference is meant to assist the Professional Performance Division, Fire and Police Commission, labor unions, individual members and the command staff in identifying how misconduct under the current system can and will be applied to the Code of Conduct in the future. It should be emphasized that any reference to the Code of Conduct within a charge specification during this transition period will not have any impact on disciplinary decisions. Members will not receive any more or any less discipline as a result of the Code of Conduct reference. Their disciplinary history will reflect only the violation of department Rules, Position Responsibilities or Standard Operating Procedures applicable to their case. After six months have passed, the transition period will conclude. I will then request that the Board rescind Rule 4 and Position Responsibilities in their entirety.

This is an exciting time for the Milwaukee Police Department; our Code of Conduct will establish a best practice in law enforcement that will be emulated throughout the country. I appreciate your support in this latest innovation in policing.

Sincerely,

EDWARD A. FLYNN
CHIEF OF POLICE

Enclosures: Code of Conduct

CC: Troy Hamblin, Labor Negotiator
Grant Langley, City Attorney
Gregory Habeck, Assistant Chief - Neighborhood Policing Bureau
James Harpole, Assistant Chief - Criminal Investigation Bureau
Edward Liebrecht, Assistant Chief - Prof. Standards Bureau
Monica Ray, Assistant Chief - Administration Bureau
Patrick Mitchell, Captain – Professional Performance Division
Valarie Williams, Human Resources Division
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