March 20, 2014

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:40 p.m.

PRESENT:	Commissioners:	Kathryn A. Hein, Chair Michael M. O'Hear Ann Wilson Marisabel Cabrera
ABSENT:	Commissioners:	Sarah W. Morgan (Excused) Steven M. DeVougas (Excused)
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 4:05 p.m. to 5:35 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: Performance evaluation of Police Chief.

The Director presented for adoption minutes of the Regular Meeting of March 6, 2014. Commissioner O'Hear moved approval of the minutes as presented, seconded by Commissioner Cabrera. The motion carried unanimously.

1. UNFINISHED BUSINESS:

a) The Director presented for a vote Mark Rohlfing for reappointment to a second four-year term as Fire Chief. Commissioner Cabrera moved to approve the reappointment, seconded by Commissioner O'Hear. The motion carried unanimously. Commissioner O'Hear stated he enthusiastically supported the motion and Chief Rohlfing's reappointment. He felt Chief Rohlfing is guiding the Fire Department into a new generation of firefighting and emergency services in Milwaukee. The quality of his leadership team is very dedicated and effective. He is impressed with his collaborative relationship with the union, and is very pleased with the Chief's accessibility and openness with the Board.

Chief Rohlfing thanked the Board for the opportunity to serve another four years with the Fire Department. He stated he and his staff are committed to continue to move the department forward and to do the things that have been asked of them. He introduced his wife, Maureen, and stated he loves and appreciates her as she supports him in his position and he would not be able to do it without her. He also thanked his senior staff, Assistant Chiefs Gerard Washington and Daniel Lipski, Director Michael Tobin, Mayor Tom Barrett, the Common Council and the firefighters of Local 215 who are out there every day. The department will continue to work hard on the priorities including diversity, health and wellness, response times, efficiencies and appearances in the public.

b) The Director presented correspondence dated February 28, 2014 and March 19, 2014 from Chief Flynn, wherein he requests the Board to exempt the position of Systems Analyst Senior. Commissioner O'Hear moved to approve the request, seconded by Commissioner Wilson. The motion carried unanimously.

2. EXAMINATIONS:

a) The Director presented for approval the Heavy Equipment Operator promotional examination announcement bulletin. Kristin Urban, Human Resources Representative with the Fire and Police Commission informed the Board of the job qualifications. Commissioner O'Hear moved approval of the bulletin, seconded by Commissioner Cabrera. The motion carried unanimously.

3. FIRE DEPARTMENT:

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

TO FIRE LIEUTENANT, on a waiver basis, from eligible list adopted December 19, 2013, effective March 30, 2014:

#16 – JAMES M. CASAREZ; #17 – DENNIS J. KOWALSKI*; and #18 – CHRISTOPHER J. GAUTHIER.

NOTE: *Previously appointed to Fire Lieutenant pursuant to the Fire Lieutenant Paramedic special promotion process, effective June 10, 2012.

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

TO FIRE EQUIPMENT DISPATCHER, from eligible list adopted November 1, 2012, contingent upon successful completion of a background investigation, medical, psychological and drug screening, effective April 14, 2014:

#22 – REGINIA LOVE; #21 – NICOLE HENSE; #25 – LORI SPANKOWSKI; and #12 – RACHEL BUDISH.

TO FIRE EQUIPMENT DISPATCHER, on a contingency basis, from eligible list adopted November 1, 2012, also contingent upon successful completion of a background investigation, medical, psychological, drug screening and position vacancies*, effective April 14, 2014:

#35 – JESSICA KLOS and #38 – KIMBERLY FLORES.

NOTE: *Candidates from the above list can fill open position vacancies until April 21, 2014.

c) The Director presented correspondence dated March 4, 2014 from Chief Rohlfing, wherein he notifies the Board Office Assistant II Kaylyn J. Jennik has resigned from the department, effective March 1, 2014.

4. POLICE DEPARTMENT:

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

TO DETECTIVE, from eligible list adopted December 19, 2013, contingent upon a successful drug screening, effective March 30, 2014:

#36 – CARLOS D. RUTHERFORD.

TO HUMAN RESOURCES ANALYST SENIOR AUXILIARY, in the Auxiliary Resource Program, effective March 30, 2014:

VANESSA A. ARMSTRONG.

TO OFFICE ASSISTANT IV, from Office Assistant III, effective March 30, 2014:

KATRINA Y. CEASAR.

b) The Director presented correspondence dated March 11, 2014, from Chief Flynn, requesting the Department of Employee Relations (DER) perform a study of one Office Assistant IV position in the Human Resources Division for reclassification to Human Resources Assistant. The Board referred this to DER.

c) The Director presented correspondence dated March 6, 2014, from Chief Flynn, requesting DER perform a study of one Office Assistant II position in Special Investigations, Metropolitan Investigations Division for reclassification. The Board referred this to DER.

d) The Director presented correspondence dated March 11, 2014, from Chief Flynn, wherein he notifies the Board the appointment effective date for Dominic A.W. Brown, to Office Assistant I, was changed to February 2, 2014.

e) The Director presented correspondence dated February 19, 2014, from Chief Flynn, wherein he notifies the Board he has demoted Sergeant Thomas E. Johnson to Police Officer and to receive retraining, referenced in Personnel Order No. 2014-22: Core Value 1.00 - Competence, referencing Guiding Principle 1.05, referencing Standard Operating Procedures relating to Use of Force, Sections 460.10 and 460.35(C)(1); referencing Standard Operating Procedures relating to Department Owned Vehicles, Section 640.15(A)(2); referencing State of Wisconsin Department of Justice Law Enforcement Officers Criminal Law Handbook; referencing Wisconsin Law Enforcement Standards Board Defense and Arrest Tactics Training Guide for Law Enforcement Officers; and referencing Wisconsin Law Enforcement Standards Board Professional Communications Skills Training Guide for Law Enforcement and Jail Officers: Failure to perform duties in accordance with the Core Value of Competence, effective February 19, 2014.

f) The Director presented correspondence dated March 13, 2014, from Chief Flynn, wherein he notifies the Board he has discharged Police Officer Deborah A. Strzelecki, referenced in Personnel Order No. 2014-28: Core Value 1.00 – Competence, referencing Guiding Principle 1.05, referencing Standard Operating Procedures Section 010.45(D)(3): Failure to make daily notifications to a supervisor while on sick leave, effective March 13, 2014.

g) The Director presented correspondence dated March 11, 2014, from Chief Flynn, wherein he notifies the Board he has suspended Police Officer Alexis D. Acosta for thirty days, referenced in Personnel Order No. 2014-26: Core Value 3.00 – Integrity, referencing Guiding Principle 3.05: Failure to abide by the ordinances of the City of Milwaukee, effective March 11, 2014.

h) The Director presented correspondence dated March 11, 2014, from Chief Flynn, wherein he notifies the Board he has suspended Police Officer Joseph R. Carlson for thirty days, referenced in Personnel Order No. 2014-27: Core Value 3.00 – Integrity, referencing Guiding Principle 3.05: Failure to abide by the ordinances of another jurisdiction, effective March 11, 2014.

i) The Director presented correspondence dated March 12, 2014, from Chief Flynn, wherein he notifies the Board Susan M. Bodden-Eichsteadt was granted a one-year extension of her leave of absence to continue to fill the exempt position of Investigator/Auditor for the Fire and Police Commission until April 18, 2015.

j) The Director presented Chief Flynn who spoke regarding domestic violence in the City of Milwaukee. He presented a Power Point entitled *Evidence-Based Policing of Domestic Abuse, 1981-2014*, prepared by Professor Lawrence W. Sherman of Cambridge University and Chief Flynn. The presentation is based on a 23-year evaluation of the data in the Milwaukee Police Department (MPD) where they tracked what happened to the victims during this period. The national data shows that in the United States one in four women and one in seven men experience some form of serious physical violence by an intimate partner in their lives. Moving into the 21st century, they want to go where evidence-based practices take them. In Milwaukee during 2013 seventy-two percent of simple assaults involved domestic violence (DV). Overall, simple assaults declined by three percent in 2013 from 2012. DV related simple assaults increased by two percent. In 2013 there has been an increase in homicides by fifteen percent over 2012. Family violence, including DV and child abuse, contributed to the increase in 2013 from 2012. There were more than twice as many DV homicides as in 2012. Twelve percent of all homicides were DV related. Sixty-two DV homicide victims were African-American, twenty-three percent were Hispanic, and fifteen percent were Caucasian. Of

the DV homicide victims, six were male and seven were female. Nearly seventy percent of the victims had no prior victimization reporting to the MPD and this is consistent with national trends. Reviewing the past eight years, there were eighty-one DV homicide victims, of which seventy-five percent were African-American, fourteen percent were Caucasian, nine percent were Hispanic and two percent were Asian. Nearly sixty percent had no victimization listed with the MPD. Sixty percent of the victims had prior arrests by the MPD. Fifty-three percent were male, while forty-seven percent were female. Commissioner O'Hear asked Chief Flynn if he knew what the gender breakdown was in the male victim cases as to who the suspect was. Chief Flynn responded that he did not have that information. He stated one of the variables, in theory, is desperation. Sometimes, this may be the first call the MPD has received, but there is an unreported history that the MPD was unaware of, and someone takes steps to protect themselves. Looking at the suspects, the MPD could have broken them down by gender, but they did not. Seventy-seven percent were African-American, eleven percent were Caucasian, ten percent were Hispanic and two percent were Asian. Seventy-four percent had at least one prior arrest by the MPD. The demographics of victim to suspect match almost exactly. The MPD works closely with the Milwaukee County District Attorney's Office, the Community Domestic Abuse Advocacy Program, Homicide Review Commission, and Sojourner Family Peace Center to address the issue. During the past five years, there has been a dramatic increase in referrals and engagements to program service providers by the MPD. In 2008 there were fewer than 2,000, while in 2013, there were over 5,000. Misdemeanor battery DV arrests are the biggest percentage of the domestic abuse arrests made by the MPD and are consistent over time. Over the last six years, there have been more than 3,000 DV arrests in Milwaukee. DV is a complex problem which includes substance abuse, mental health issues, and underreporting to law enforcement. Law enforcement, prosecution and community groups play an important role in DV. Issues were raised in Dr. Sherman's research which included there were different outcomes for the victims depending on the employment status of the offender. His study also followed the health results of the victims over twenty-three years and there is a significant higher natural death rate for those whose significant others were arrested as the result of a complaint compared to those who were not arrested. There is no way of knowing why.

5. PUBLIC COMMENT:

Retired Fire Captain Jeff Venus spoke regarding the reappointment of Chief Rohlfing. He stated some of the department members are intimidated. There have been conflicting statements regarding the Engine 32 incident. High ranking chiefs on his staff are questionable. There is a CAD system that did not work and put the firefighters and the citizens in danger. Morale is low. He asked the Board not to reappoint Chief Rohlfing to his position, nor allow his command staff to apply for the position.

6. ADJOURNMENT:

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

The meeting concluded at 6:12 p.m.

Respectfully submitted,

Michael G. Tobin
Executive Director

MGT:cj