September 18, 2014

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:33 p.m.

PRESENT:	Commissioners:	Sarah W. Morgan Kathryn A. Hein Michael M. O'Hear Ann Wilson Marisabel Cabrera Steven M. DeVougas
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 3:34 p.m. to 5:15 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: Reappointment to Police Dispatcher; promotion to Deputy Chief, Fire and promotion to Battalion Chief, Fire (2 positions).

The Director presented for adoption minutes of the Regular Meeting of September 4, 2014. Commissioner O'Hear moved approval of the minutes as presented, seconded by Commissioner Hein. The motion carried unanimously.

1. UNFINISHED BUSINESS:

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

TO DEPUTY CHIEF, FIRE, from Battalion Chief, effective September 28, 2014:

BRIAN L. SMITH.

TO BATTALION CHIEF, FIRE, from Fire Captain, effective September 28, 2014:

KEVIN D. HAFEMANN and STEVEN G. RIEGG.

b) The Director returned to the Board the Milwaukee Police Department's (MPD) amendment to SOP 085 – Citizen Contacts, Field Interviews, Search and Seizure which was held over from the September 4, 2014 meeting. Commissioner DeVougas moved approval, seconded by Commissioner O'Hear. The motion carried unanimously.

c) The Director presented the MPD's amendment to SOP 400 – Off-Duty, Extra Duty and Special Event Employment which was held over from the September 4, 2014 meeting waiting for the City Attorney's opinion. He stated the City Attorney opined that the amendment to this SOP should be approved with the exception of one provision, which is the provision that prohibits officers who are not residents of the City of Milwaukee from participating in the program. He further stated he recommends the Board approve the SOP with the deletion of the paragraph that pertains to officers who live outside the City not being able to participate in the program. Commissioner O'Hear moved approval, seconded by Commissioner Hein. The motion carried unanimously.

d) The Director presented the MPD's amendment to SOP 455 – Critical Incident Review Board which was held over from the September 4, 2014 meeting. Commissioner O'Hear moved approval, seconded by Commissioner DeVougas. The motion carried unanimously.

e) The Director presented the MPD's amendment to SOP 730 – Mobile Digital Video/Audio Equipment. He stated this item has been held over for two meetings, to receive comments and most of the discussion surrounded the fact that the department requests to eliminate continued recording of 4.5 minutes after the citizen contact is completed. He further stated the MPD has asked to change the 4.5 minutes to zero and not record anything after the event has ended. The Board had a lengthy discussion regarding the video retention. Commissioner Wilson moved that the video recording should be reduced to 2.5 minutes after the officer has completed citizen contact in the incident, seconded by Commissioner O'Hear. The motion carried unanimously.

f) The Director presented the MPD's Organizational Chart. He stated it was presented at the September 4, 2014 meeting and outlined by the MPD. Commissioner DeVougas moved approval, seconded by Commissioner O'Hear. The motion carried unanimously.

g) The Director presented communication regarding the implementation of wearing body cameras by MPD officers. The Board requested Chief Flynn to provide an update on the status of body cameras within the MPD. Chief Flynn stated the MPD was first interested in the technology in 2012. In late 2012 the MPD's Office of Management and Planning (OMAP) began conducting research. There are a variety of types available; a number of police departments use them; and the MPD wanted to get a sense of what has been used. In early 2013, the MPD began their official planning for a pilot program by assembling a variety of cameras for testing in the field. Beginning in July 2013, District 5 performed a 30-day field test with the cameras, which was later extended to 60 days. Five different cameras were tested to determine which makes, models and systems best suited the needs of the MPD and the rigors of police work. In October 2013 Inspector Hoerig attended a national seminar on the implementation of body cameras conducted by the Police Executive Research Forum (PERF). PERF was the leader in conducting police oriented research for current best practices. After the conference, PERF came up with some preliminary recommendations that were published within the last few weeks. The information Inspector Hoerig learned at the seminar was applied to the report that was written in November 2013 which provided the findings of their officers who tested the five different cameras, as well as their understandings from the seminar. In February 2014 the MPD authorized and developed a request for proposal (RFP) for body cameras and digital storage. In May 2014 the RFP was submitted to the Purchasing Department for review and processing. As of today, the Purchasing Department has upgraded their request to a top priority. The Purchasing Department expects the RFPs will be released for competitive bid soon. The Mayor has included $100,000 in the 2015 budget to purchase fifty cameras and storage equipment. Those fifty cameras will be the MPD's first deployment of cameras. A full deployment of 1,200 cameras for officers assigned to the City would cost about $1.4 million. Neither the MPD nor PERF believes any agency should go from zero to 1,000 cameras for a variety of reasons. One of the main reasons is technology is constantly evolving. Chief Flynn stated when he first came to the MPD, they aggressively installed video cameras into the squads and within a year, they found the system to be obsolete, the storage system did not work, it had glitches and was creating all kinds of problems for the MPD, so they had to retro-fit the fleet, as well as buy new cameras. MPD expects the technology to advance even as it is being deployed into the workforce. There will also be training issues and deployment issues. He further stated as these are rolled forward, they will be presenting policies for review to the FPC because, although there is a body of opinion out there that thinks this is going to solve all the problems of community trust, what has been under-discussed are real privacy issues. This is not a camera on a public street at a car stop. This is a camera on an officer in a citizen's home during perhaps the greatest crisis of their life, or the most vulnerable moment in their family's life. The MPD is going to have to give consideration as to when it is turned on, when it is turned off, and who makes the judgment, because the videos in the cars are ultimately available for public records. The body camera tapes of all these moments would also be available; police departments around the country are grappling with that and seeking input as to when to engage the cameras and when not to; how much discretion, what type of incidents and things of this nature. The MPD will continue to gather information on best practices and within the next couple of months will have money to start the process and proceed from there. Commissioner Wilson suggested since this is a concern of the community, let them weigh in on the privacy issue and how the MPD could best use the cameras without invading anyone's privacy. It would be helpful to have the meeting

before too much money is spent. Commissioner Hein asked Chief Flynn if cities of a similar size to Milwaukee are at the same place, behind, or in front of Milwaukee on this issue. Chief Flynn stated Milwaukee is squarely in the middle. Some smaller departments are able to buy the cameras for their entire staff. The larger cities are doing it incrementally. Minneapolis just announced they started a pilot project; Philadelphia recently started a pilot project; Washington, DC has started a pilot project. The industry is moving in this direction and the reason is because they are all members of PERF. This discussion is so important to all of the departments because they are balancing the accountability issue with the privacy issue and they want to come up with a set of best practices. Chief Flynn stated there has recently been a publication that he can get copies for the Board to review while the MPD is in the process of doing an RFP and obtaining the funding from the city. The MPD will continue to monitor developments and forward information to the Board, piece meal, from other departments as they continue the evolution on body cameras. Commissioner Morgan stated the Board is not taking a vote on this topic at this time. It is a presentation by the MPD on their plan because it has been an issue of public concern. This is to let the public know that this process is underway and the MPD is preparing to introduce body cameras. There will be an opportunity at the public forum following this meeting for the community to speak.

2. EXAMINATIONS:

a) The Director presented for approval an amended eligible list for the position of Police Officer in the MPD. Toni Vanderboom, FPC Human Resources Representative informed the Board the eligible list needs to be amended to include candidates from the next group who successfully completed the selection process. Commissioner O'Hear moved approval of the amended eligible list, seconded by Commissioner DeVougas. The motion carried unanimously.

b) The Director presented for approval the Police Officer Job Announcement Bulletin. Ms. Vanderboom informed the Board of the job requirements, where the applicants can find information on the position and how to apply online. Applications will be accepted from September 19, 2014 until October 17, 2014. The Director stated we are requesting the community to help recruit the next Milwaukee police officer class. Commissioner O'Hear moved approval of the job announcement bulletin, seconded by Commissioner DeVougas. The motion carried unanimously.

c) The Director presented for approval the Police Aide Job Announcement Bulletin. Ms. Vanderboom informed the Board of the job requirements, where the applicants can find information on the position and how to apply online. Applications will be accepted from September 19, 2014 until December 5, 2014. Commissioner O'Hear moved approval of the job announcement bulletin, seconded by Commissioner Hein. The motion carried unanimously.

d) The Director presented for approval the Fire Cadet Job Announcement Bulletin. Ms. Vanderboom informed the Board of the job requirements, where the applicants can find information on the position and how to apply online. Applications will be accepted from September 19, 2014 until December 5, 2014. Commissioner DeVougas moved approval of the job announcement bulletin, seconded by Commissioner O'Hear. The motion carried unanimously.

3. FIRE DEPARTMENT:

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

TO FIRE CAPTAIN, on a waiver basis, from eligible list established December 19, 2013, effective September 28, 2014:

#13 – WILLIAM T. KOWALSKI; #14 – BRIAN T. MOORE; and #15 – ANDREW P. TIMM.

TO FIRE LIEUTENANT, on a waiver basis, from eligible list established December 19, 2013, effective September 28, 2014:

#32 – KURT J. HARTHUN; #33 – JOSEPH V. HILLE; #34 – GREGORY J. MILLER*; #35 – THOMAS A. PECORARO, JR.; #36 – CHRISTOPHER M. VOGT; and #37 – CONRAD I. FOTH.

NOTE: *Previously appointed to Fire Lieutenant pursuant to the Fire Lieutenant Paramedic special promotion process, effective August 5, 2012.

TO HEAVY EQUIPMENT OPERATOR on a waiver basis, from eligible list established July 27, 2014, effective September 28, 2014:

#4 – JEREMY J. WHYTE; #5 – JONATHAN M. BELOTT; #6 – MATTHEW C. GORDON; and #7 – STEVEN P. RADOMSKI.

b) The Director presented correspondence dated September 3, 2014 from Chief Rohlfing, wherein he notifies the Board he terminated Fire Cadet Caprice Mitchell, effective September 3, 2014.

4. POLICE DEPARTMENT:

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

TO BUILDING MAINTENANCE MECHANIC I, from Custodial Worker II, underfilling the position of Building Maintenance Mechanic II for a minimum of six months, effective September 28, 2014:

THOMAS A. SCHMIRLER; MANUEL RAMOS; and TODD G. WEHAUSEN.

b) The Director presented correspondence dated September 8, 2014 from Chief Flynn, wherein he notifies the Board former Police Dispatcher Denise Y. Gray requests to be reappointed as a Police Dispatcher. The Board met earlier in Executive Session with Ms. Gray and representatives of the MPD. Commissioner DeVougas moved approval of the reappointment with the contingency that Ms. Gray completes a course provided by the MPD within the first six months of her reappointment, seconded by Commissioner Cabrera. By a vote of four to two, Commissioners Hein and Morgan voting in the negative, the motion carried.

c) The Director presented correspondence dated September 3, 2014 from Chief Flynn, wherein he notifies the Board he discharged Police Telecommunicator Linda L. Reinke, effective September 3, 2014.

d) The Director presented correspondence dated September 3, 2014 from Chief Flynn, wherein he notifies the Board he terminated probationary Police Telecommunicator David M. Pawlak, effective September 3, 2014.

5. ADJOURNMENT:

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

The meeting concluded at 6:08 p.m.

Respectfully submitted,

Michael G. Tobin
Executive Director

MGT:cj

September 18, 2014

A Special Town Hall Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 6:30 p.m.

PRESENT: Commissioners: Sarah W. Morgan
Kathryn A. Hein
Michael M. O'Hear
Ann Wilson
Marisabel Cabrera
Steven M. DeVougas

ALSO PRESENT: Edward Flynn, Chief, Milwaukee Police Department

The Chair reconvened the Board for the Special Town Hall Meeting and explained to the public present if they want to speak at the meeting, they need to fill out a form. When their name is called, they should step up to the podium and will have two minutes to speak. Since this is a listening session, no one from the Fire and Police Commission or the Milwaukee Police Department will be responding to any of the comments. The meeting is being recorded, notes are being taken and the Board will take the comments into consideration.

1. PUBLIC FORUM:

The following persons spoke regarding the topics of the Special Town Hall Meeting--Red Arrow Critical Incident and/or the Implementation of Body Cameras:

Tracey Dent, Mary Watkins, James Hall, Van Mayes, Peter Adamczak, Debra Jenkins, Babette Grunow, Jeanette Arellano, Russell Stamper, Sr., Jesse Franklin, Jacob Gatlin, Cindy Greenwood, Alex Flynn, Pat Gowens, Curtis Sails, III, Nathaniel Hamilton, Jr., Shawn Moore, Khalil Coleman, Caleb Andersen, Jenna Knapp, Rejina Harmon, Maria Hamilton.

The Coalition for Justice asked if they could meet with the Fire and Police Commission outside the presence of the Milwaukee Police Department (MPD). The Chair stated the Board will discuss that. Commissioner Cabrera stated she would move to meet with the family outside the MPD's presence, seconded by Commissioner Wilson. The Director informed everyone that the only thing noticed is the listening session. We have not noticed the rest of the public that the Board is going to take a vote on whether you will have an additional meeting on an additional subject with different people. You cannot take a vote on an item that is not on the agenda tonight. Commissioner Wilson asked if it can be noticed. The Director stated it can be noticed for a future date, and is something that should be considered.

2. ADJOURNMENT:

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

The meeting concluded at 7:39 p.m.

Respectfully submitted,

Michael G. Tobin
Executive Director

MGT:cj