

Best Practices Review - Fire and Police Commission
City of Milwaukee
June 22, 2005

Background: The Board of Fire and Police Commissioners is a civilian body which oversees general policy/operations of the Milwaukee Fire Department and the Milwaukee Police Department. The Board was established in 1885 by Wisconsin State Statute. The Board adopts rules to govern the selection and appointment of persons employed by the Police and Fire departments and provides for the classification of all positions. The Board has rule-making authority for the Fire and Police Departments, which it has delegated to the respective Chiefs, while requiring Board review and approval prior to implementation. The Board has statutory responsibility to conduct an annual policy review of all aspects operations and may prescribe general policies and standards for the Police and Fire Departments.

The Commission's authority and responsibility are set forth in Wisconsin Statute 62.50, and in the Milwaukee City Charter. The five Commissioners are appointed by the Mayor of Milwaukee, and approved by the Common Council. Commissioners serve overlapping five-year terms, with one appointed each year. They receive a nominal salary. The Board is supported by a seven-person staff, headed by an Executive Director, responsible for carrying out Commission functions. Staff members are employees of the City of Milwaukee.

Goals of Best Practices Review Over the recent past, the City of Milwaukee Fire and Police Commission's practices and procedures have come under increased scrutiny. Specific areas of concern have included the structure and composition of the Board and its oversight authority, the community's awareness and knowledge of the Commission's roles, responsibilities, and responsiveness, and policies and procedures associated with processing and handling of citizen complaints.

This best practices review will focus on how other comparable jurisdictions have effectively addressed similar challenges. The overriding principle behind this review will be the identification and recommendation of practices and procedures that will enhance the Commission's authority and increase the public's level of confidence in the Commission and the respective departments. The scope of the review would include an analysis of applicable Commission and Departmental rules, state statutes and other related policies and regulations guiding these decisions as well as administrative procedures that dictate how the policies are implemented and enforced. It is anticipated that members of the Commission, the Fire and Police Departments, Elected Officials, and community groups will be asked to provide information and feedback in conjunction with this review. Recommendations will be presented to the Mayor, the Fire and Police Commission, and the Common Council for review and adoption.

Scope of Services

The following issues are to be addressed in the assessment of best practices:

The Commission's organizational structure, roles and responsibilities.

FPC's Organizational Structure and History

Commissioners Appointment Terms and Conditions

Commissioner's Background, Experience and Training

Board administrative procedures and protocols relative to scheduling of regular and special meetings and procedures associated with the adoption, amendment or repeal of Board rules.

The effectiveness of the Commission's approach to governance through the work of two standing committees: the Committee on Rules and Complaints and the Policy Review Committee.

Appropriateness and effectiveness of the Board's authority over operational matters in the Fire and Police Departments, including but not limited to:

- policy review and recommendations
- standard operating procedures
- employee accountability for adhering to standards of professionalism
- training and development

Community Outreach/Public Relations Programs

The appropriateness and effectiveness of the Commission's community outreach and public relations activities. Is the Commission effectively using printed brochures, website, and appearances at community forums and public events?

The appropriateness and effectiveness of the Commission's public relations efforts to build the public's trust.

Does the community have realistic expectations of what the Fire and Police Commission can deliver? Do they understand the Commission's powers and limits under the law?

Identification and recommendation of measures/practices to be used in evaluating the performance of the agency.

Citizen Complaint Process

Is the FPC's citizen complaint process effective (user friendly, accessible, and responsive to the needs of the community)?

Does the process give complainants the impression that complaints are taken seriously, are pursued aggressively, and that employees are held accountable? Do complainants understand the potential outcome of the citizen complaint process?

Is the length of time between the filing of the complaint and the actual trial reasonable? Are complaints promptly and fairly resolved?

Assessment of complexities associated with complaint intake and investigation activities handled directly by the Police Department.

Review of the appropriateness and effectiveness of the intake process for handling complaints.

Is there an effective informal complaint resolution process in place? Do conciliation conference provide for such resolution?

Are complainants informed of the pre-trial and trial requirements associated with such procedures?

Are complainants informed of the outcome of citizen complaint trials? Is there a process to educate them on departmental regulations and procedures?

Are members of the Police and Fire Departments subject to citizen complaints required to cooperate with the Commission staff during the conciliation process? Are there work rules that specify this requirement?

Is corrective action in the form of training or enhanced monitoring pursued when disciplinary action is not appropriate?

Is there a tracking system that provides early identification of officers generating complaints within a set time period? Is there a mechanism to analyze all complaints, including those filed with MPD, to identify patterns of behavior, officers complained against, or situations which seem to give rise to complaints?

Should a formal investigation be conducted prior to a complaint be referred to pre-trial? Who should conduct that investigation?