

# FIRE & POLICE COMMISSION CITIZEN COMPLAINT REPORT

## 2022

Prepared by the  
Wisconsin Policy Forum



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# INTRODUCTION

As the oversight authority for the City of Milwaukee Police Department (MPD) and Fire Department (MFD), a primary function of the Fire and Police Commission (FPC) is to provide the city with a process that transparently and fairly investigates citizen complaints.<sup>1</sup> The FPC provides citizens with a system of investigation that is independent of the agency being investigated and under the oversight of a diverse board of civilian commissioners and staff. In addition to investigating complaints made directly to the FPC, the commission also audits complaint investigations made to the respective departments to help ensure citizen confidence in the process regardless of where they choose to file their complaint.

It has been a longstanding policy of the FPC to produce and make available to the public an annual report that summarizes the complaints submitted directly to the agency and those independently investigated by the respective departments. The report had previously been produced by FPC staff but in light of staffing shortages, the FPC entered into a three-year contract with the Wisconsin Policy Forum in November 2020 to prepare the annual reports on its behalf. This report covers calendar year 2022.

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<sup>1</sup> In this context and throughout this and previous reports the word “citizen” is used to denote complaints filed by members of the public. United States citizenship is not required to submit a complaint against a Milwaukee Fire or Police Department member, nor is Milwaukee residency.



# COMPLAINTS SUBMITTED TO THE FPC

## Background

Complaints submitted to the FPC are classified as either formal or informal. According to the FPC, formal complaints include cases that involve allegations of serious misconduct, such as excessive use of force, or those that require substantial investigation, including cases requiring officer and/or third-party interviews, review of voluminous records or video footage, or other significant investigation. Formal complaints also involve those in which action is ultimately ordered by the Executive Director (e.g., counseling, policy review, policy training, etc.).

Informal complaints include cases that involve allegations of what is considered minor misconduct and do not require significant investigation. While all complaints are investigated, often FPC investigators are able to address the citizen's questions or concerns and complete the investigation through interviewing the complainant and/or through the review of limited records or body-worn camera (BWC) footage.

When citizens file complaints with the FPC, their complaints are initially categorized as either formal or informal based on the allegations contained in the complaint. Cases initially categorized as informal may be converted to formal at a later time based on information learned during the course of the investigation.

All complaints, formal and informal, are recorded in the employee's record as complaints of misconduct.

Where possible, this report has been prepared according to the methods used by FPC staff in past years. Also, since the report summarizes a variety of complaint types made to different agencies, the totals in the various charts and tables will not always correspond to one another. Several other notes on the methodology employed for this report are summarized in Appendix 1.

The FPC classifies complaint allegations into five general categories:

**Unauthorized Use of Force:** An allegation that an employee used excessive physical force or more force than was needed under the circumstances.

**Discourtesy:** Unnecessary, unprofessional, rude, profane, derogatory, inappropriate or belligerent language, actions, or behavior by an employee.

**Disparate Treatment:** Language, conduct, or behavior that is inappropriate, demeaning, or derogatory concerning a person's race, religion, nationality, physical appearance, gender, or sexual orientation.

**Department Procedures:** An unauthorized or inappropriate deviation from established department policies or procedures.

**Department Services:** An inappropriate, unnecessarily slow, or insufficient response by the department employee to an incident, call for service, or request for intervention.

Upon investigation the FPC will issue a finding for each allegation. The findings are generally categorized<sup>2</sup> as:

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<sup>2</sup> In data made available to Forum researchers, other findings were listed in addition to these four. These findings have been combined to facilitate analysis. "Baseless" was combined with "unfounded," and "substantiated" was combined with "sustained."



**Not Sustained:** The investigation failed to produce a preponderance of evidence to either prove or disprove the allegation.

**Unfounded:** The allegation is false or not factual.

**Exonerated:** The allegation did occur but the actions of the employee were legal, justified, proper, and/or in conformance with the law and the agency's policies and procedures.

**Sustained:** There is sufficient evidence to prove the allegation made in the complaint.

Complaints may be dismissed and closed without a finding related to allegations. A variety of circumstances may warrant this action including, but not limited to:

**The complaint does not allege a rule violation by a department member.** The FPC often receives complaints that are not alleging rule violations by members but are instead asking questions, describing situations not involving MPD or MFD, or looking for help for a variety of matters. FPC investigators make reasonable efforts to assist community members in these instances and the community member's contact with the FPC is recorded in the complaint database.

**The complaint relates solely to the legitimacy of a criminal arrest or traffic citation.** In these cases, it is the jurisdiction of the judicial system to determine the legality or merit of the charges.

**There is excessive delay in filing.** This is especially important for matters in which physical evidence is lacking and participants' memories of the event will be the primary evidence.

**The complaint is grossly illogical, improbable, or clearly not made in good faith.**

**The complaint has already received a thorough review.** Occasionally complaints are received numerous times after an investigation has already concluded.

**The complaint is about a general department policy and not related to a specific incident or employee.** The FPC complaint process is for the investigation of specific incidents of alleged misconduct.

**The complaint is already under investigation by MPD or MFD.** If an investigation is already underway in the police or fire department, then instead of conducting a duplicative investigation the FPC will close its file and audit the department's investigation at the request of the complainant.

Cases are sometimes resolved through a process called **rapid resolution**. Rapid resolution involves complaints of a general nature filed with the FPC and then forwarded to MFD or MPD for prompt solution.

These complaints usually involve questions related to the conduct of a MFD or MPD employee that, on its face, does not appear to violate a department rule. These complaints can include, but are not limited to, inquiries related to the quality of service provided by public safety employees, their actions, or any questions that may be better answered by the department directly.

The assistant chief of MFD, the district or bureau captain of MPD, or the appropriate supervisor will directly contact the complainant in order to provide a "rapid resolution." This process gives the supervisor the opportunity to resolve any questions or concerns directly with the individual.

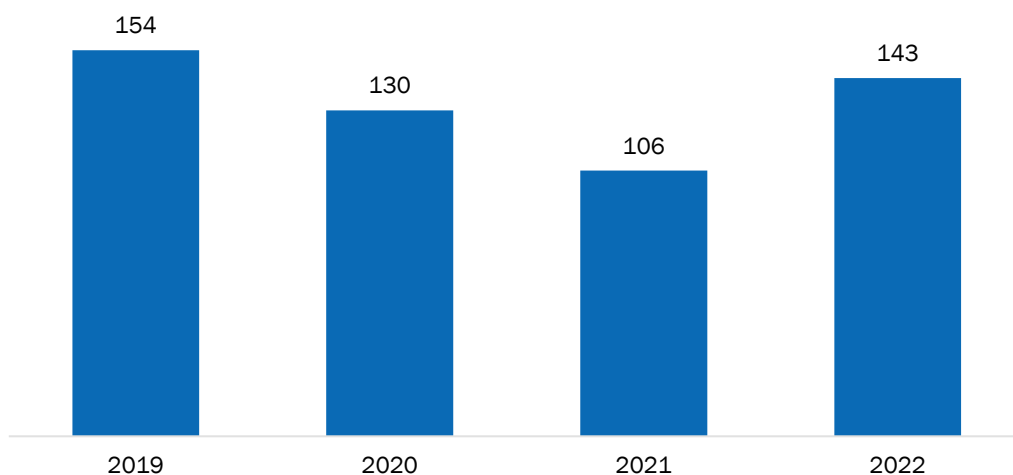
The FPC also offers mediation as an alternative to the traditional complaint process. Mediation gives complainants an opportunity to address and resolve their concerns directly with the MFD or MPD employee, while allowing both parties the opportunity to learn from the open discussion and contribute to better

community relations. If the citizen and employee agree to mediation, there will be no FPC citizen board trial and no disciplinary action will be taken against the employee. The FPC uses the Milwaukee Mediation Center as an independent mediator. The Milwaukee Mediation Center is a non-profit community organization that promotes and provides mediation and other effective processes of conflict resolution and restorative justice.

## Total FPC Complaint Volume

As shown in Figure 1, the total number of complaints investigated by the Fire and Police Commission increased to 143 in 2022 – a 35% increase from 2021. Eighty-six complaints (60.1%) were categorized as informal, 44 (30.8%) were categorized as formal, and 13 (9.1%) were left blank.

**Figure 1: Citizen complaints investigated by the FPC**



## Summary of FPC Allegations and Findings

The 143 citizen complaints received by the FPC in 2022 contained a total of 263 distinct allegations, which is higher than the previous year. Of these allegations, 23 were determined to be levied against non-employees (meaning FPC did not have jurisdiction to investigate), and 12 were still under investigation at the time the data were provided to the Forum. Of the remaining 228 allegations, 215 (94.3%) were filed against MPD employees (named or unnamed) and 13 (4.4%) were filed against MFD employees.

The categories and disposition of the 248 allegations are summarized in Figure 2. Note that a single allegation may be levied against multiple employees, and individual employees may have multiple allegations levied against them in a single complaint. Throughout this report each allegation is counted individually.

The largest number of cases had a disposition of “exonerated,” which applied to 86 allegations (34.7%). The finding for 33 allegations (26.3%) was “closed file,” indicating that the complaint could not receive further investigation or rapid resolution without more information. This was lower than the previous year’s 71 allegations in this category.



**Figure 2: Allegations investigated by the FPC in 2022**

Allegation Category	NOT SUSTAINED	UNFOUNDED	BASELESS	EXONERATED	SUSTAINED	DISMISSED	POLICY REVIEW	MEMBER COUNSELED	OTHER	FPC - CLOSED FILE	FPC - DISMISSED	Left Blank	FPC - COMPLAINT WITHDRAWN	NO RULE VIOLATION	POLICY TRAINING	Grand Total
Department Procedures	4	8	5	39	1	4	7	2	3	13	3				2	91
Department Services	15	9	5	24			3	1	1	4	8	1		1		72
Discourtesy	1		5	5		1	1			3	1					17
Disparate Treatment	1		7	2					4		4					18
Use of Force	4			16					1							21
No Allegation		1								13	12		1			27
Left Blank												2				2
Grand Total	25	18	22	86	1	5	11	3	9	33	28	3	1	1	2	248

Forty allegations (16.1%) were listed as baseless or unfounded. Thirty-three were categorized as “dismissed” (13.3%), while 25 allegations (10.0%) were categorized as not sustained.

Only one allegation (0.4%) was sustained – a drop from 11 in the previous year – and an additional 11 allegations (4.4%) resulted in a policy review.

Less common dispositions included members receiving counseling (three), and a category labeled as “other” (nine allegations). Three allegations did not list a finding or outcome of the investigation, despite being listed as closed.

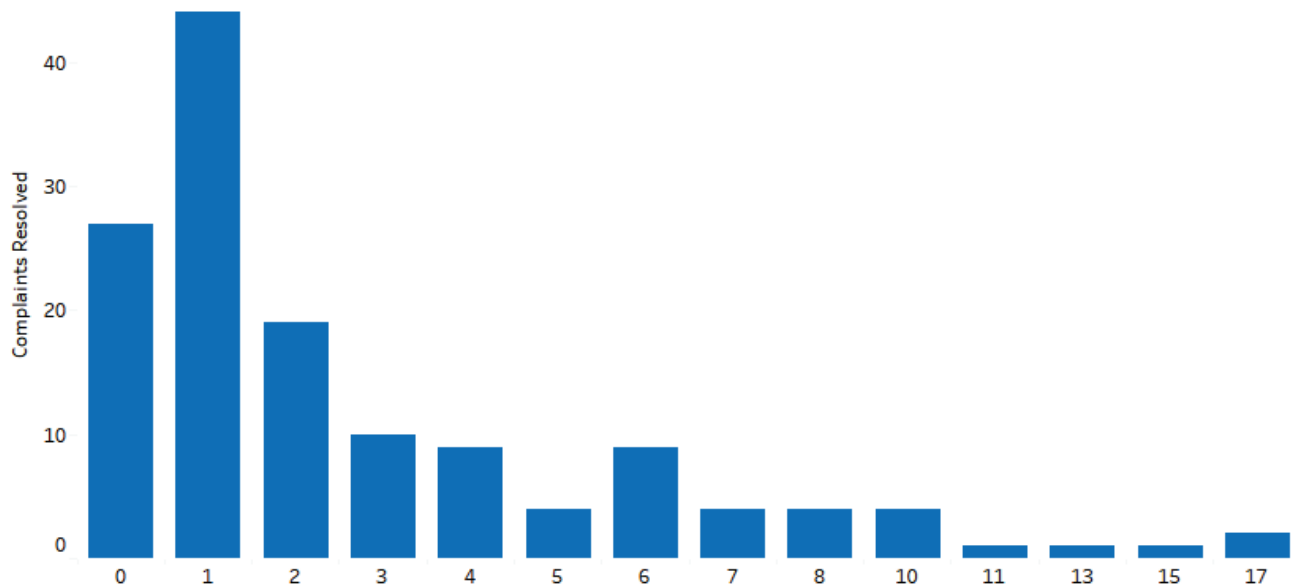
The most frequent misconduct alleged in these complaints related to department procedures (91 allegations, 36.6%). Seventy-two allegations (29.0%) concerned department services, 21 (8.5%) were related to use of force, 17 alleged discourtesy (6.8%), 18 concerned disparate treatment (7.2%), and 27 (10.9%) were determined to have no allegation. Two allegations did not include a category for the type of misconduct. This is a decrease from the previous year, when 11 allegations were left blank.

## FPC Investigation Timetable

The speed at which complaints were resolved in 2022 is summarized in Figure 3. Excluding one open case, there were 139 complaints analyzed.

Many complaints were resolved quickly. Twenty-seven complaints (19.4%) were closed on the same day they were opened, down from 26.7% in 2021. Forty-four additional complaints (31.7%) were resolved within one week of being reported, and 38 additional complaints (27.3%) were resolved between one and four weeks after being reported. The average number of days to resolve a complaint was 17.2 (down from 21.7 days in 2021), and the median number of days was seven (down from four days in 2021). Not including complaints that were resolved on the same day they were reported, the average number of days to resolve a complaint was 21.3 days (down from 29.6 days in 2021), and the median was 11 days (down from 19 days in 2021).

**Figure 3: FPC Complaints: time to close, in weeks**



## Citizen Board Trials

The FPC Executive Director, upon receipt of the results of a completed citizen complaint investigation, has the discretion to refer the complaint for resolution by citizen board trial. The citizen board trial is a quasi-judicial process in which witnesses are sworn, testimony is taken, and evidence is presented. Each party may question the other, call witnesses, present exhibits, and testify. The citizen board, composed of FPC Commissioners, reviews the evidence and ultimately renders findings and a final decision. The trial procedures are detailed in [Fire and Police Commission Rule XVI](#). All trials are open to the public.

At the determination of the Executive Director, the trial may be conducted by a hearing examiner alone or a hearing examiner may assist the board in carrying out this duty. If the trial is conducted by a hearing examiner, then the FPC Board will convene in closed session to review the record and make the final determination and may adopt or modify, in whole or in part, the proposed findings and recommendations of the hearing examiner. Upon request by the complainant, the Board or hearing examiner may allow a complainant to be represented by an advocate for any part of the proceedings. If the Board sustains a finding of one or more rule violations, evidence may then be received regarding the member's character, work record, and the impact of the misconduct on the complainant, department, and community. The Board may deliberate in closed session to determine whether the member should be permanently discharged, suspended without pay, demoted to a lower rank, or participate in policy training.

There was one Citizen Board Trial regarding citizen complaints during 2022.



# COMPLAINTS SUBMITTED TO MPD

Though the FPC as an oversight authority has an independent process for receiving and investigating citizen complaints regarding Milwaukee's fire and police departments, each department may also receive and investigate citizen complaints directly filed with them. To ensure satisfaction regardless of where a person wishes to file a complaint, FPC Rule XV, Section 6 stipulates that the FPC Executive Director shall review a complaint investigation when a citizen is dissatisfied with the outcome of an investigation that has been completed by MPD or MFD.

Complainants who wish to file a complaint directly with MPD may do so at any police district station, bureau, or division. Complainants may also call the department and ask for a supervisor to meet with them or call the MPD Internal Affairs Division directly. A complaint to MPD may be submitted by the aggrieved citizen, by an attorney representing the aggrieved citizen, by the parent or guardian of a minor child, or by a translator representing a non-English speaking complainant.

In most cases, when a complaint is filed, a narrative of the complaint will be written by a supervisory officer on the Citizen Complaint Form. The citizen or agent will sign the Citizen Complaint Form and a copy will be provided. However, if more convenient for the citizen, the Citizen Complaint Form can be completed at a later time and returned to MPD.

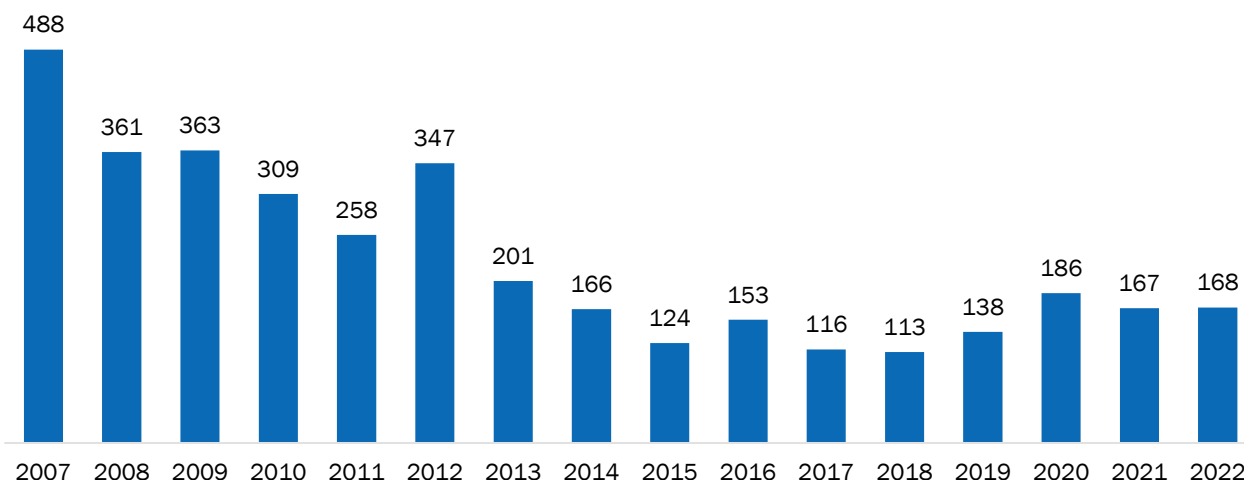
Complaints submitted directly to MPD are evaluated by the commanding officer of the Internal Affairs Division (IAD) to determine who will investigate the complaint. Serious allegations are investigated by sergeants in the IAD, while other complaints (such as civility complaints, for example) may be sent to the member's commanding officer to investigate. If the complaint involves a criminal allegation, then it is assigned to the special investigation section of the IAD. The IAD conducts an investigation and presents its findings to a Milwaukee County Assistant District Attorney (ADA), who will decide whether to issue charges.

Complaints investigated at the district level are reviewed by the work location captain and the commanding officer of the IAD to ensure nothing was missed and determine the disposition of the investigation. Any discipline imposed beyond a district level reprimand is written up as a charge and is submitted to the Chief of Police for review and determination of the appropriate discipline to impose.

## MPD Complaint Volume

Figure 4 summarizes the number of complaints submitted to MPD each year since 2007. In 2022, there were 168 citizen complaints made to MPD, one more than the previous year. As in 2021, the number of complaints made directly to MPD exceeded the number made to the FPC. While the FPC records and classifies verbal complaints as informal until written filing criteria are met, no such distinction is made by MPD; thus, all complaints shown here were formally processed by MPD staff.

Figure 4: Number of complaints filed with MPD



## Summary of MPD Allegations and Findings

Allegations investigated by MPD are classified differently from those investigated by the FPC: the FPC uses general descriptive categories to define an allegation while MPD uses specific item categories within its Code of Conduct (see Appendix 2). The 168 citizen complaints received and investigated by MPD in 2022 contained 355 distinct allegations – down 14.6% from 2021. Four allegations were categorized as requests for information only. Of the remaining 351 allegations, 330 allegations included the name of the employee or employees involved, 17 allegations were made against unknown MPD employees, and another four were left blank. Seventy-four of these allegations were still open at the end of 2022, so Figures 5, 6, and 7 summarize the final dispositions for the remaining 281 allegations investigated and closed by MPD.<sup>3</sup>

The most common Code of Conduct complaint allegation category in 2022 was Respect, 5.01 – Failure to Be Civil & Courteous with 43 allegations (15.3%). The next most common was Competence, 1.04 – Failure to Fully Investigate (39 allegations, 13.9%), followed by Respect, 5.01 – Failure to Treat the Public with Courtesy and Professionalism with 27 allegations (9.6%). Rounding out the top five in 2022 were Restraint, 6.01 – Excessive Use of Force – Bodily with 23 allegations (8.2%), and Integrity, 3.03 – Unfair Arrest with 13 allegations (4.6%).

Of the 281 allegations investigated and closed by MPD in 2022, 138 allegations (49.1%) were not sustained, much higher than the 24.3% in 2021. Thirty-one allegations (11.0%) were determined to be unfounded – down from 16.1% in 2021 – and 46 (16.4%) were found to have no Code of Conduct violation – down from 34.2% in 2021. Eighteen allegations (6.4%) resulted in a policy review<sup>4</sup> and 14 allegations (5.0%) had a finding of “Filed – Pending additional information,” despite being listed as closed.

<sup>3</sup> Although reports prior to 2019 analyzed only allegations against known employees, this year’s report again includes allegations against unknown employees as well.

<sup>4</sup> The “policy review” disposition does not convey that the allegation was proven to be either true or false, but rather that the most reasonable way to address it was determined to be a review of department policy with the member. This may also be the end result action upon a finding of “sustained” at the conclusion of an investigation. In those cases,

Just 14 allegations (5.0%) were sustained – up from 3.6% in 2021. Remaining smaller numbers of allegations were spread across several dispositions, as seen in Figures 5, 6, and 7, with an additional four allegations (1.4%) not including a finding (left blank), despite being listed as closed.

**Figure 5: Allegations investigated by MPD (relating to Competence)**

Allegation Category	FILED - INFORMATION ONLY	FILED - PENDING ADDITIONAL INF..	No COC Violation	NOT SUSTAINED	UNFOUNDED	POLICY REVIEW	MEMBER RESIGNED	MEMBER RETIRED - INVESTIGATI..	SUSTAINED	EXONERATED	Grand Total
Competence, 1.02 - FT cooperate with a citizen to ensure public safety	1			2				1			4
Competence, 1.03 - F/T TAKE ACTION			1								1
Competence, 1.03 - FT render service promptly & efficiently			7	2	2						11
Competence, 1.03 - No response / no service					1						1
Competence, 1.03 - Slow response for service		2									2
Competence, 1.04			1								1
Competence, 1.04 - FT Be Efficient		2									2
Competence, 1.04 - FT File Reports		1	3		2	1				2	9
Competence, 1.04 - FT File Reports ASAP					1	1			1		3
Competence, 1.04 - FT Fully Investigate	1	4	3	23	6	1	1				39
Competence, 1.04 - Reasonable Suspicion				2	1	1					4
Competence, 1.04 - Unfair Citation		1									1
Competence, 1.05 - F/T Know Dept Policy/Procedure				6							6
Competence, 1.05 - SOP Bodyworn Camera				1		7			1		9
Competence, 1.05 - SOP Citation Procedures						1					1
Competence, 1.05 - SOP Citizen Contact, FI's, Search & Seizure									3		3
Competence, 1.05 - SOP Crime Scene Investigations									2		2
Competence, 1.05 - SOP Forensic Evidence Collection				1							1
Competence, 1.05 - SOP Personnel Investigations				1					1		2
Competence, 1.05 - SOP Prisoner - F/T Treat/Medical					1						1
Competence, 1.05 - SOP Prisoner - Property Missing			2								2
Competence, 1.05 - SOP Prisoners						1					1
Competence, 1.05 - SOP Property				3			1				4
Competence, 1.05 - SOP Towing Procedures						2					2
Competence, 1.05 - SOP Vehicle Crashes						1					1
Competence, 1.05 -Interactions with Transgender, Intersex, and/or Gender Non..					2						2
Integrity, 3.11 - Untruthfulness			2	1							3
Grand Total	1	11	19	42	16	16	2	1	8	2	118

the IAD sustained the allegation, the member was charged, and upon review of the charge the Chief felt the appropriate action was policy review.

**Figure 6: Allegations investigated by MPD (relating to Integrity)**

Allegation Category	No COC Violation	NOT SUSTAINED	UNFOUNDED	MEMBER RESIGNED	RESIGNED - INVESTIGATION PENDING	Grand Total
Integrity, 3.01 - Behavior that could discredit the Dept.	1	1				2
Integrity, 3.03			2			2
Integrity, 3.03 - Improper Search & Seizure		4	2			6
Integrity, 3.03 - Improper Stop/Detention of a Citizen			2			2
Integrity, 3.03 - Unfair Arrest	4	9				13
Integrity, 3.05 - FT CITY - DAMAGE TO PROPERTY			1			1
Integrity, 3.05 - FT CITY - ORDINANCE		5				5
Integrity, 3.05 - FT CITY - THEFT		3				3
Integrity, 3.05 - FT STATE 4TH DEG SEXUAL ASSAULT		1				1
Integrity, 3.05 - FT STATE ILLEGAL STRIP SEARCH				1		1
Integrity, 3.05 - FT STATE POSSESSION OF CHILD PORNOGRAPHY				1		1
Integrity, 3.06 - Interfering in business of another			1		1	2
Integrity, 3.11 - FT be honest & accurate in a report	1					1
Grand Total	6	23	8	2	1	40

**Figure 7: Allegations investigated by MPD (relating to Courage, Respect, and Restraint)**

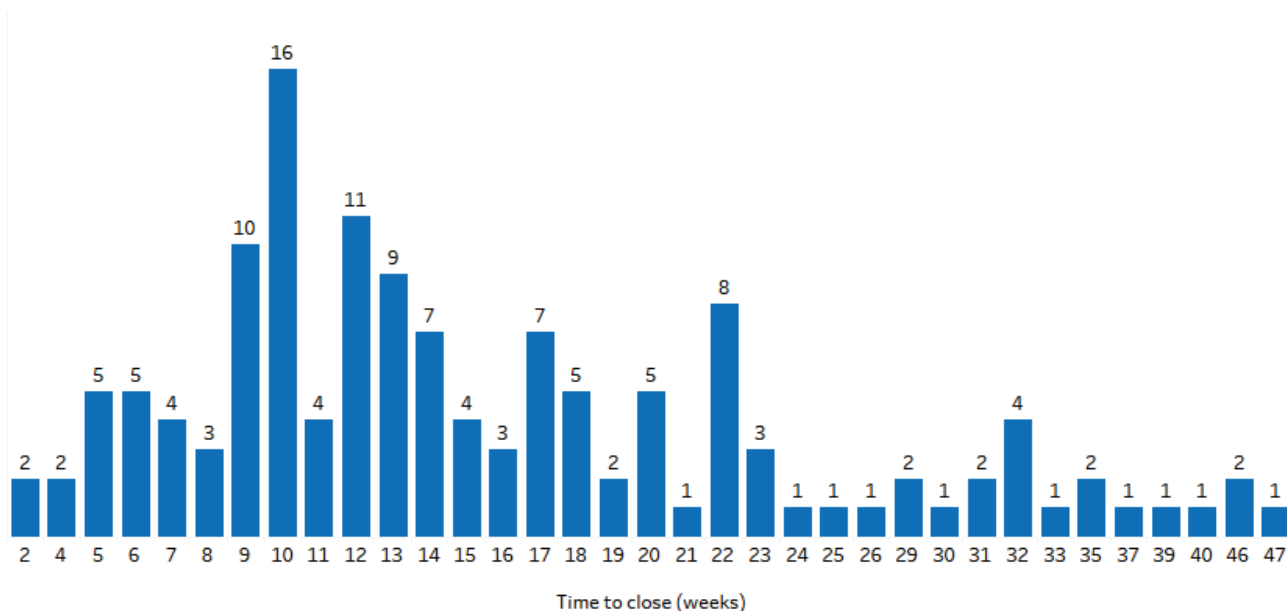
Allegation Category	FILED - INFORMATION ONLY	FILED - PENDING ADDITIONAL INFORMATION	MEMBER COUNSELED	No COC Violation	NOT SUSTAINED	UNFOUNDED	POLICY REVIEW	MEMBER RESIGNED	SUSTAINED	REMEDIAL TRAINING	Left Blank	Grand Total
Leadership, 4.04 - FT ensure subordinates carry out duties					1							1
Leadership, 4.05 - FT to maintain professional standards through the pr..					1		1					2
Respect, 5.01 - FT be civil & courteous	3			8	26	4			1	1		43
Respect, 5.01 - FT treat the public with courtesy & professionalism			1	3	17	1		1	4			27
Respect, 5.02 - FT Act W/Fairness, self control, tolerance, or impartiality				4	4	1	1		1			11
Restraint, 6.01 - Excessive use of force - Bodily	1			4	17			1				23
Restraint, 6.01 - Excessive use of force - Handcuffs					2	1						3
Restraint, 6.01 - Excessive use of force - ECD					5							5
NO ALLEGATION, INFORMATION ONLY	2			2								4
Left Blank											4	4
Grand Total	3	3	1	21	73	7	2	2	6	1	4	123

# MPD Investigation Timetable

The number of weeks between submittal and resolution of complaints submitted to MPD in 2022 is summarized in Figure 8. Of the 168 citizen complaints received by the department in 2022, 29 remained open at the end of the year. Of the 139 remaining complaints, four (2.3%) were resolved by the end of four weeks.

The average number of days it took for MPD to resolve a complaint was 111.2, up from 94.0 in 2021, while the median number of days was 91, up from 76 in 2021.

Figure 8: MPD Complaints: time to close in weeks



It is important to note that MPD’s investigations of complaints have a number of restrictions based on processes and timelines related to department policy, union contracts, and state statutes. For instance, any investigation requiring the IAD to interview an involved member (the vast majority of investigations) requires that the interview be scheduled a minimum of seven days from the original request date. This requirement makes it rare to conclude an investigation in less than seven days. Another factor that impacts the timeline are complaints in which allegations are sustained or deemed criminal in nature; in those situations, the complaint is not closed until the discipline has been served on the member. This often leads the complaint to remain open for weeks or months after the actual investigation is complete.



# COMPLAINTS SUBMITTED TO MFD

The Milwaukee Fire Department (MFD), like MPD, can accept and investigate citizen complaints independent of the FPC. Citizens may contact MFD by telephone or in person, at which point staff will record the complaint and direct it to the Assistant Chief of Support for investigation. See Appendix 3 for information on MFD's Code of Conduct.

MFD independently received and investigated 45 complaints in 2022, a 21.6% increase over the previous year. Because of the way the MFD records complaints, we were unable to analyze these complaints in the same way as the FPC and MPD citizen complaints. The only information we are able to provide is that a) in 32 (71.1%) of the cases, MFD notes indicate the complainant was satisfied with the investigative response to the complaint; and b) in 26 cases (57.7%), further action from the complainant was not expected.

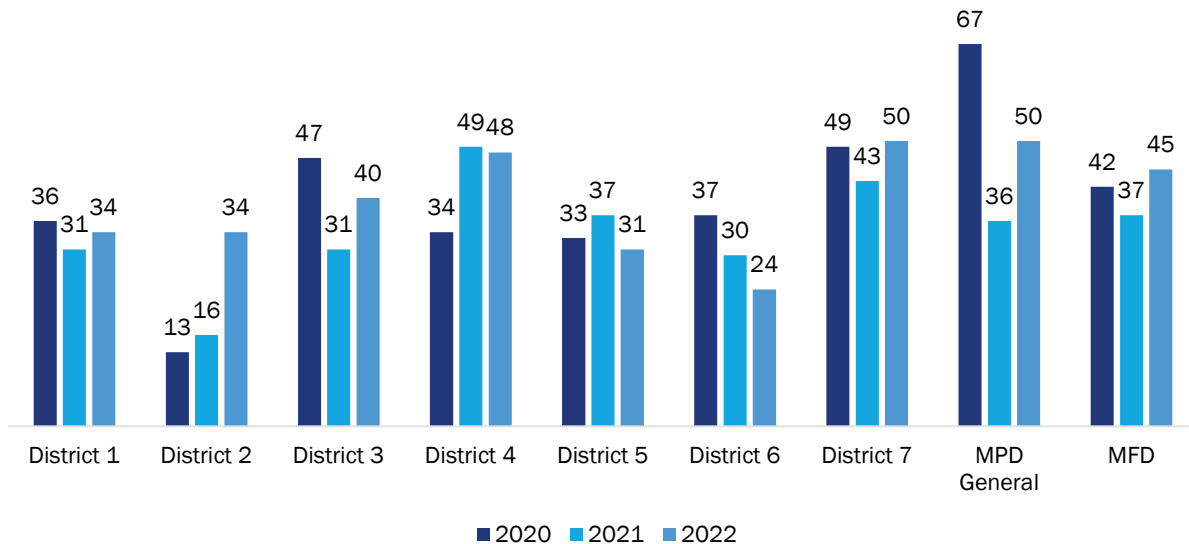


# COMBINED COMPLAINTS TO DEPARTMENTS AND FPC

The total number of complaints for both agencies – broken down by each police district<sup>5</sup> for MPD and total for MFD – are outlined in Figure 9. The MPD General category refers to complaints not related to a specific district. These totals combine all complaints received and investigated by the FPC with those received and investigated by each department. In 2022, District 7 had the highest number of complaints, with 50 (16.2% of all combined complaints). With 48 complaints, District 4 was the next highest. District 6 had the lowest number of complaints with 24.

Since 2019, Districts 6 and 3 have seen a decrease in the number of complaints and Districts 2 and 4 have logged an increase in complaints.

Figure 9: Total combined complaints<sup>6</sup>



<sup>5</sup> Boundary maps for each MPD district can be found here: <https://city.milwaukee.gov/police/Police-Districts/maps>

<sup>6</sup> Reports prior to 2019 included only formal complaints made to FPC, so comparisons to those years cannot be made.





# RATE OF POLICE COMPLAINTS PER CITIZEN CONTACT

Complaint volume in the context of the number of police-citizen contacts in 2021 is outlined in Figure 10. Police-citizen contacts are categorized as either field interviews or traffic stops. The total number of FPC formal complaints in this measure is four fewer than the overall total; this is because only MPD-related complaints are included here.

The 2022 rate of 9.61 complaints per 1,000 police-citizen contacts is a significant increase over the 2021 rate of 4.91, and higher than the 2020 overall rate of 7.43. The increase was primarily driven by a 41.0% decrease in the number of police-citizen contacts, as opposed to an increase in the number of complaints. The rate of complaints made against MPD employees in unknown districts was 27.65 in 2022. Of complaints where the district was known, District 1 again had the highest rate at 48.5 complaints per 1,000 contacts. With a rate of 4.06, District 6 had the lowest rate per 1,000 contacts.

**Figure 10: Rate of complaints per police-citizen contact<sup>7</sup>**

	Field Interview	Traffic Stop	Total Police-Citizen Contacts	FPC Citizen Complaints - MPD Only	MPD Citizen Complaints	Total Police Complaints	Complaints per 1,000 MPD Contacts
District 1	38	663	701	19	15	34	48.50
District 2	180	5,901	6081	20	14	34	5.59
District 3	132	3,466	3598	22	17	39	10.84
District 4	116	4,157	4273	22	26	48	11.23
District 5	140	4,076	4216	15	16	31	7.35
District 6	100	5,808	5908	7	17	24	4.06
District 7	98	5,470	5568	16	33	49	8.80
Unknown	15	1,793	1808	20	30	50	27.65
<b>TOTAL</b>	<b>819</b>	<b>31,334</b>	<b>32,153</b>	<b>141</b>	<b>168</b>	<b>309</b>	<b>9.61</b>

Six districts, as well as complaints not associated with a district, showed an increase in their rate of complaints per 1,000 contacts, while District 5 saw a decrease, as shown in Figure 11. With the exception of District 5, traffic stops were down in all districts from 2021, including large decreases of 75% in District 1 and 49% in District 4. Field interviews were down in all seven districts, but up 15% in complaints not associated with a district. Figure 12 shows the increase or decrease in each type of contact from the previous year by district.

<sup>7</sup> The numbers in this table are not comparable to years prior to 2019, as previous years used only formal complaints made to FPC combined with all complaints made to MPD. Analysis since 2019 includes all MPD complaints made to FPC, both formal and informal.



Figure 11: Complaints per 1,000 MPD Contacts

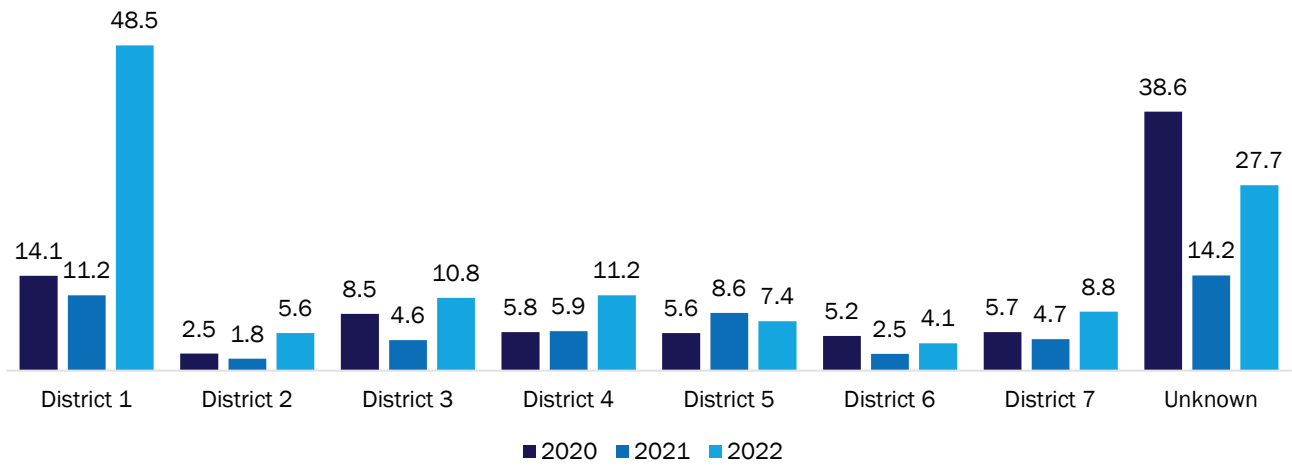
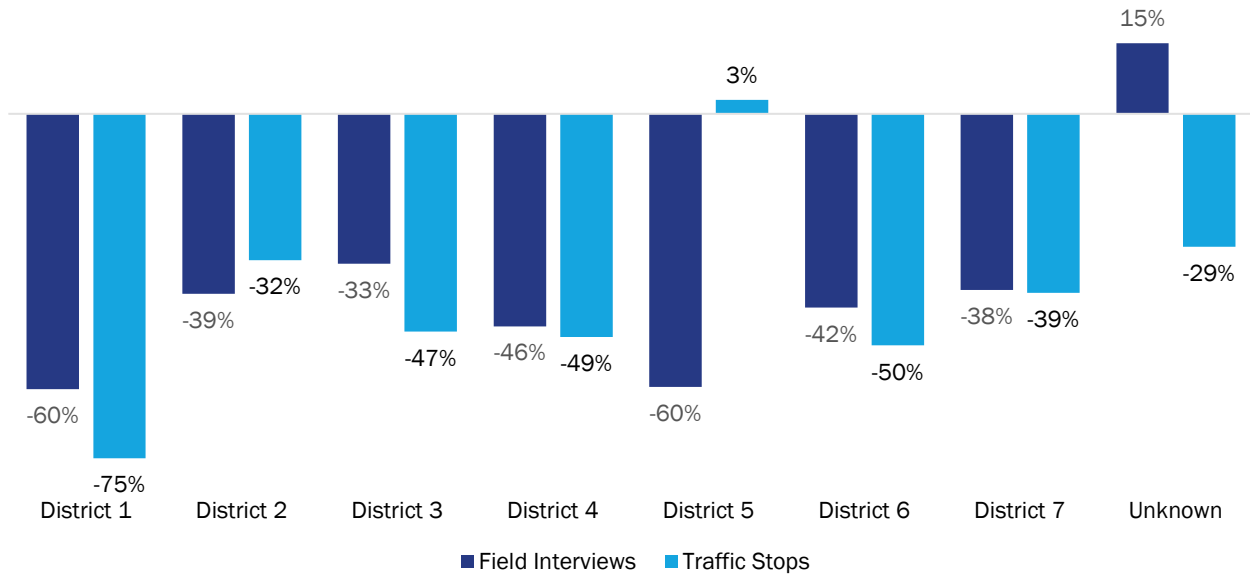


Figure 12: Percent change in field interviews and traffic stops by district, 2021-2022



# COMPLAINANT AND MPD EMPLOYEE DEMOGRAPHICS

Individuals making complaints are not required to report their race or gender. Additionally, analysis of trends in complainant demographics is complicated by the complex interplay of factors regarding the decision to file a complaint. These can include changes in the qualities of police-resident interactions and changes in the public's confidence in, awareness of, and access to the complaint process.

Combining all complaints received and investigated by the FPC and MPD complaints<sup>8</sup> during 2022 results in a set of 311 complaints. With regard to gender, there were 113 (36.3%) female and 113 (36.3%) male complainants, while 84 (27.0%) did not include this information, and one was listed as unknown. The data did not include other options for gender.

With regard to race and ethnicity, as shown in Figure 13, 68 complaints (21.9%) did not include that information, about the same amount of complaints missing this information in 2021. This limits the usefulness of the data.

Among the complaints with available data, the largest share (157, or 50.4%) was made by individuals who identify as Black. This is higher than the 39% of Milwaukee residents who are Black or African American according to U.S. Census data.<sup>9</sup> In other words, Black people are overrepresented in this set of complaints as they were in prior years.

**Figure 13: Race/Ethnicity of Complainants**

Race	Complaints
Asian	4
Black	157
Hispanic	14
Native American	1
Other Races	1
Unknown	1
White	65
Left Blank	68
<b>TOTAL</b>	<b>311</b>

The next largest group was individuals identifying as white, with 65 complaints (20.9%), up from 45 complaints in 2021. According to U.S. Census data, 35% of Milwaukeeans identify as white, so this group is underrepresented in this set of complaints. Individuals identifying as Hispanic made 14 complaints (4.5%). Twenty percent of Milwaukeeans identify as Hispanic or Latino, according to census data, so Hispanic complainants are underrepresented as well.

In Figure 14, we break down the race and ethnicity of MPD employees who were the subject of complaints. The highest number of complaints were made against white employees (151, or 48.5%), who make up 68.0% of MPD employees overall, as shown in Figure 15. There were 59 complaints (19.0%) made against

<sup>8</sup> Complaints against MFD employees are excluded from this analysis because more complete demographic information is accessible in this context for MPD employees and the large majority of complaints are levied against MPD employees.

<sup>9</sup> Milwaukee demographic makeup was taken from 2021 1-year ACS estimates.



Black employees (who comprise 23.8% of MPD employees), and 25 complaints (8.0%) made against Hispanic employees (14.6% of MPD employees). Seventy-one complaints (22.8%) did not list the race or ethnicity of the employee.

**Figure 14: Race/Ethnicity of MPD employees cited in complaints**

Race	Complaints
American Indian/Alaska Native	2
Asian	3
Black	59
Hispanic	25
White	151
Left Blank	71
<b>TOTAL</b>	<b>311</b>

With regard to gender, 56 complaints (18.0%) were made against female employees, who are 27.4% of MPD employees, while 184 complaints (59.2%) were made against male employees (72.6% of MPD employees). Seventy-one complaints (22.8%) did not provide the sex of the employee. As with complainant sex, no other options for gender were included.

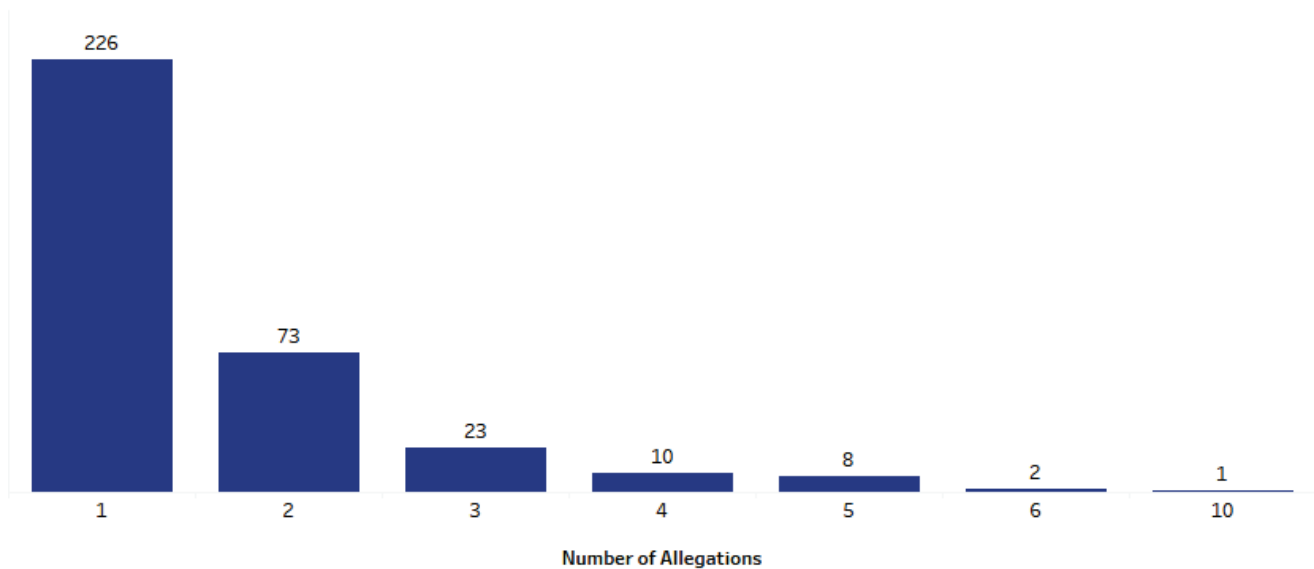
**Figure 15: Race/Ethnicity of MPD employees in Q4 2022**

Race	Male	Female	Total
American Indian	17	8	25
Asian	39	10	49
Black	275	221	496
Hispanic	218	86	304
Two or More Race	0	0	0
Native Hawaiian/Pacific Islander	1	0	1
White	962	245	1,207
<b>TOTAL</b>	<b>1,512</b>	<b>570</b>	<b>2,082</b>

# ALLEGATION FREQUENCY PER MPD EMPLOYEE

Another important consideration when reviewing citizen complaint data is the extent to which multiple allegations were made against individual MPD employees. In Figure 16, we show the breakdown of allegation frequency for 2022 complaints and find that the vast majority of MPD employees (226) listed in complaints were the subject of a single allegation that year. On the opposite side of the spectrum, one employee was the subject of 10 allegations and two were the subject of six allegations. In the case of the employee with 10 allegations, the allegations related to five separate complaints.

**Figure 16: Complaints per MPD employee 2022**



Note: Allegations with no positively identified employee are excluded from this analysis.

# KEY FINDINGS

The purpose of this report was to collect, synthesize, and share with the public – on behalf of the Milwaukee Fire and Police Commission – several sources of data that collectively convey the breadth and scope of complaints filed by citizens against employees of the Milwaukee fire and police departments and to shed light on how those complaints were resolved. Below, we summarize some of the key findings that emerge from the 2022 data.

## Complaints made directly to FPC:

- The number of complaints made to FPC in 2022 increased by 35% from the 2021 total.
- The most frequent misconduct alleged in complaints made to the FPC was again related to department procedures (36.6%), followed by department services (29.0%) and use of force (8.5%).
- Larger shares of allegations in 2022 than in 2021 ended in determinations that either the allegation was unfounded (28.5%) or that the employee was exonerated (11.1%).
- Only one allegation (0.4%) was sustained – a drop from 11 in the previous year.
- The average number of days to resolve a complaint decreased – from 21.7 days in 2021 to 17.2 days in 2022, but the median number of days increased from four to seven.

## Complaints made directly to MPD:

- The number of citizen complaints received by MPD increased slightly in 2022 – from 167 the previous year to 168.
- The 168 citizen complaints received and investigated by MPD in 2022 contained 355 distinct allegations, which was down 14.6% from 2021.
- The top three categories of allegations in 2022 were Failure to Be Civil & Courteous with 43 allegations (15.3%), Failure to Fully Investigate (39 allegations, 13.9%), and Failure to Treat the Public with Courtesy and Professionalism (27 allegations, 9.6%).
- Of the 281 allegations investigated and closed by MPD in 2022, 138 allegations (49.1%) were not sustained, much higher than the 24.3% in 2021.
- The average number of days it took for MPD to resolve a complaint was 84.9, down from 94.0 in 2021, while the median number of days was 91, up from 76 in 2021.

## Combined complaints:

- The 2022 rate of 9.61 complaints per 1,000 police-citizen contacts is a significant increase over the 2021 rate of 4.91, and higher than the 2020 rate of 7.43. The increase was primarily driven by a 41.0% decrease in the number of police-citizen contacts.
- Six of the seven districts, as well as complaints not associated with a district, showed an increase in their rate of complaints per 1,000 contacts, while District 5 saw a decrease. With the exception of District 5, traffic stops were down in all districts from 2021, including large increases of 75% in District 1 and 49% in District 4.



# APPENDIX 1

## Methodology Notes

- The Fire and Police Commission provided the data on all entities, including the FPC, Milwaukee Police Department, and Milwaukee Fire Department. WPF researchers have made every effort to identify and correct any errors, but the accuracy of the data provided is ultimately the responsibility of the FPC.
- Any numbers prior to 2019 were pulled from previously published FPC reports, and although reasonable attempts were made to match previous reports' methodology, there may be some differences and comparisons of data from 2019 onward should be made with caution.
- In data made available to WPF researchers, some cases had findings outside of the usual four categories. Consequently, these findings have been combined to facilitate analysis. "Baseless" was combined with "unfounded" and "substantiated" was combined with "sustained."





## APPENDIX 2

Milwaukee Police Department Code of Conduct Core Values (available online at <http://city.milwaukee.gov/Directory/police/About-MPD/Code-of-Conduct.htm>)

### 1.00 – Competence

*We are prudent stewards of the public's grant of authority and resources. We are accountable for the quality of our performance*

*and the standards of our conduct. We are exemplary leaders and exemplary followers.*

#### 1.01

All members within their probationary period shall be evaluated on their conduct and fitness for the performance of their duties. If a member's conduct or performance of duties is

not satisfactory for continued service to the department, the member shall be discharged, with no right of appeal to the Board of Fire and Police Commissioners.

#### 1.02

We cooperate with our colleagues, other agencies and citizens to ensure public safety, improve the quality of urban life, protect those who cannot protect themselves and enforce the law.

#### 1.03

All department members shall render service to the community promptly and efficiently. When not answering a call for service, members shall use their time to accomplish the mission of the department.

#### 1.04

Police investigations shall at a minimum be based upon reasonable suspicion or an actual or possible offense or crime. Investigations shall be conducted and reports shall be prepared in a prompt,

thorough, impartial and careful manner so as to ensure accountability and responsibility in accordance with the law.

#### 1.05

All department members shall be familiar with department policy, procedures and training and shall conduct themselves accordingly.

#### 1.06

All department members shall report for duty at the time designated by their supervisors.

#### 1.07

All department members shall report to court at the time designated by their subpoena.

#### 1.08

All department members shall report fit for duty, and not be impaired as a result of drinking alcohol, using a drug for non-medical purposes, intentionally misusing a prescription drug or substance abuse.

#### 1.09

No department member shall consume, purchase or possess any intoxicating liquor and/or fermented malt beverage while on duty or in uniform except with the approval of the Chief of Police or designee.

#### 1.10

All department members are responsible for the condition and safeguarding of their personal and department issued equipment. Department members shall not deface, damage, destroy, modify, or carelessly or inappropriately use any department property without permission to do so.



## 2.00 – Courage

*We place the safety of others before our own and accept our moral responsibility to take action against injustice and wrongdoing. Police members are expected to take prudent risks on behalf of the public.*

### 2.01

Police members are required to discharge their duties with composure and determination and in time of danger or adversity shall act together and assist each other in the restoration of peace and order.

### 2.02

Members shall oppose and, if possible, prevent any violation of the Code of Conduct and report violations if they occur. Members will not be punished, but will be protected and supported, for reporting a violation of the Code of Conduct, unless the report is shown to be malicious or ill founded.

### 2.03

Failure to intervene when a violation of the Code of Conduct occurs, or is about to occur, shall be treated the same as if the member committed the violation.

## 3.00 – Integrity

*We recognize the complexity of police work and exercise discretion in ways that are beyond reproach and worthy of public trust. Honesty and truthfulness are fundamental elements of integrity. It is our duty to earn public trust through consistent words and actions. We are honest in word and deed.*

### 3.01

Our behavior shall inspire and sustain the confidence of our community.

Whether on or off duty, department members shall not behave in such a way that a reasonable person would expect that discredit could be brought upon

the department, or that it would create the appearance of impropriety or corruptive behavior.

### 3.02

Members shall avoid regular or continuous associations with persons or groups they reasonably believe, know or should know are planning to, or are engaged in, criminal behavior, or who advocate the overthrow of government, such that the association would undermine the public trust or affect the member's credibility or integrity. The exceptions are associations that are necessary in the performance of duty or familial relationships of which the Chief of Police or designee is cognizant.

### 3.03

Police members shall exercise powers of arrest, search, seizure and surveillance only when it is lawful, necessary and proportionate to do so.

### 3.04

Department members shall treat the official business of the department as confidential, not imparting it to anyone, either orally, electronically or in writing, except those for whom it is intended or under due process of law.

### 3.05

Department members shall obey local ordinances and state and federal laws, whether on or off-duty.

Any violation of ordinances or laws in any jurisdiction shall be reported to the member's supervisor as soon as practical.

### 3.06

Department members shall not use their official position or membership in the Milwaukee Police Department to unnecessarily interfere with the personal affairs or professional responsibilities of any person or agency.

### 3.07

Members shall not suggest or recommend a specific attorney to anyone who has been arrested or to



someone on their behalf nor become involved in the employment of an attorney for any victim of a crime or accident.

### 3.08

Department members shall not accept nor solicit, either directly or indirectly, anything of value, including a gratuity, money, reward, gift, fee, loan or special consideration as a consequence of their office. Members are not precluded from receiving very minor courtesies and gratuities (i.e., small amounts of food or non-alcoholic drink) provided that it is not sought nor in exchange or expectation of official favor.

### 3.09

All sworn members, and civilian members designated as emergency personnel, are bound by City of Milwaukee Charter Ordinance provisions regarding residency and are required to establish and maintain their actual and bona fide residence within 15 miles of the jurisdictional boundaries of the City of Milwaukee throughout their period of employment with the department. The Fire and Police Commission (FPC) has listed the civilian positions that are classified as emergency personnel pursuant to Wis. Stat. § 66.0502(4)(b) in FPC Rule V.

### 3.10

All department members shall be forthright and candid, orally or in writing, in connection with any administrative inquiry or report.

### 3.11

Department members are required to be complete, honest and accurate with respect to all relevant facts and information pertaining to any criminal or civil investigation, report or inquiry. No department member shall knowingly or with reckless disregard for the truth sign or make any false official statement.

*Note: The provisions of this guiding principle do not apply to a member's questioning or interrogation of a person involved in a criminal*

*investigation or where the member is engaged in an approved undercover role where such representation is not inconsistent with law or is accepted professional practice.*

## 4.00 – Leadership

*We seek to influence human behavior to achieve organizational goals that serve the public while developing individuals, teams and the organization for future service. We accept our responsibility to be leaders, both within the community and among our peers, and for*

*the actions of our colleagues and ourselves. We are all responsible for the performance, reputation and morale of the department.*

### 4.01

We will work together and set an example that embodies respect, compassion, integrity and efficiency.

### 4.02

Leadership is not solely positional and no rank has unique privileges. The only privilege of rank is increased responsibility.

### 4.03

Personal failure to intervene to prevent or stop misconduct, when there is an opportunity to do so, demonstrates not only a lack of courage, but also a failure of leadership.

### 4.04

Supervisors shall be role models for delivering truly professional, impartial and effective police service. Supervisors shall ensure that the individuals for whom they are responsible carry out their professional duties correctly. Supervisors must put the department's mission first, in both word and action, and do nothing to interfere with its accomplishment.



#### 4.05

Supervisors shall ensure the individuals for whom they are responsible are supported, guided on the professional performance of their duties and encouraged to further their professional development. Supervisors have a particular responsibility to secure, promote, improve and maintain professional standards and integrity through the provision of advice and guidance. Supervisors have an obligation to commend exemplary behavior, a responsibility to correct substandard behavior and a requirement to discipline when needed.

#### 5.00 – Respect

*We hold life in the highest regard. We treat all citizens and colleagues with dignity and respect, and are fair and impartial as we perform our duties.*

#### 5.01

Department members shall treat the public and each other with courtesy and professionalism. Civility and patience are valued attributes, while profane or insolent language or actions undermine the public's confidence.

#### 5.02

Members shall act with fairness, self-control, tolerance and impartiality when carrying out their duties.

#### 5.03

Members shall promptly obey any proper or lawful order emanating from any officer of higher rank. Any improper or unlawful order should be reported to a supervisor of higher rank.

#### 5.04

A conflicting order shall be brought to the attention of the member giving the order. If this member does not change the order, the order shall stand and this member shall bear full responsibility.

#### 6.00 – Restraint

*We use the minimum force and authority necessary to accomplish a proper police purpose. We demonstrate self-discipline, even when no one is listening or watching.*

#### 6.01

Police members shall exercise restraint in the use of force and act in proportion to the seriousness of the offense and the legitimate law enforcement objective to be achieved.

#### 6.02

Members shall not subject any person to torture or cruel, inhumane or degrading treatment or punishment. No circumstances whatsoever may be invoked as a justification for torture or other cruel, inhumane or degrading treatment or punishment.



## APPENDIX 3

Milwaukee Fire Department Code of Conduct Core Values and Guiding Principles:

### Core Values

**Courage: "Mental or moral strength to venture, persevere, and withstand danger, fear or difficulty."**

1. Members accept their moral responsibility to take action to protect and remove from harm those who are trapped, injured, in need of medical assistance, or in any other situation in which fire department intervention is needed. Members are expected to take prudent risks on behalf of the public.
2. Members will discharge their duties with composure and determination and in time of danger or adversity, will act together to mitigate and resolve the situation.
3. Members will actively oppose, and if possible prevent, any violation of the Code of Conduct, reporting violations to their immediate supervisor. Unless the report is shown to be malicious or ill-founded, members will not be punished, but will be protected and supported for reporting a violation of the Code of Conduct

**Integrity: "Firm adherence to a code of especially moral values; incorruptibility."**

1. Members understand that honesty is a fundamental element of integrity.
2. Members are duty-bound to earn public trust through consistently appropriate words and actions.
3. Members' behavior will inspire and sustain the confidence of our community. Whether on- or off-duty, members will not behave in such a way that a reasonable person would deem discredits the department or would create the appearance of impropriety or corruptive behavior.
4. Members will avoid regular or continuous associations with persons or groups they reasonably believe, know, or should know, are planning to, or are engaged in, criminal behavior, or who advocate the overthrow of government.
5. Members will treat the official business of the department as confidential, not imparting it to anyone, either orally, electronically, or in writing, except those for whom it is intended or under due process of law.
6. Members will obey department rules, local ordinances, and state and federal laws, whether on- or off-duty. Members in violation of same in any jurisdiction are to report the violation to their supervisor as soon as practicable.
7. Members will not use their official position or membership in the Milwaukee Fire Department to unnecessarily interfere with the personal affairs or professional responsibilities of any person or agency.
8. Members will not accept nor solicit, either directly or indirectly, anything of value, including a gratuity, money, reward, gift, fee, loan, or special consideration as consequence of their position. Solicitations for benevolent purposes with prior approval from the Fire Chief are the only exceptions.



Members are not precluded from receiving very minor courtesies and gratuities (i.e., small amounts of food or non-alcoholic drink, or discounts on same) provided that it is not sought, or in exchange for, expectation of official favor.

9. Members will be forthright and candid, orally and in writing, in connection with any administrative inquiry or report.
10. Members will be complete, honest, and accurate with respect to all relevant facts and information pertaining to any investigation, report, or inquiry. Members will not knowingly, or with reckless disregard for the truth, sign or make any false statement, whether by act of omission or act of commission. Failure to report full and complete details that any reasonable person would find vital to the overall situation is considered an act (lie) of omission.

**Honor: "Good quality or character as judged by other people; high moral standards or behavior; merited respect."**

1. Members will hold life in the highest regard, treating all citizens and colleagues with respect, dignity, and tolerance, while performing duties in a fair, impartial manner.
2. Members will treat the public and each other with courtesy and professionalism; maintaining a professional workplace at all times. Civility, patience, and self-control are valued attributes, while profane or insolent language or actions undermine the public's and fellow members' confidence.

**Guiding Principles**

**Competence: "Having the necessary ability or skills to perform well enough to meet a standard."**

1. Members are prudent stewards of the public's grant of authority and resources. Members are accountable for the quality of their performance and the standards of their conduct. Members are exemplary leaders and exemplary followers.
2. Members cooperate with colleagues, agencies, and citizens to ensure fire safety and appropriate medical care. Members work to improve the quality of urban life.
3. Members will render service to the community promptly and efficiently. When not answering calls for service, members will use their time to accomplish the mission of the department.
4. Members will be familiar with department policies/procedures and conduct themselves accordingly.
5. Members will report for duty on time, as designated by their work schedule.
6. Members will report fit-for-duty, and not be impaired as a result of drinking alcohol, using a drug for non-medical purposes, or intentionally misusing a prescription drug.
7. Members will not consume, purchase, or possess any liquor or fermented beverage while on duty or in uniform, except with the approval of the Chief or designee.
8. Members are responsible for the condition and safeguarding of their personal and department-issued equipment. Members will not deface, damage, destroy, modify, or carelessly or inappropriately use any department property.

**Accountability: "Willingness to accept responsibility (or to account) for one's actions."**

1. Members will be accountable in the acknowledgement and assumption of responsibility for actions, decisions, and policies including administration, governance, and implementation within the scope of their positions, and encompassing the obligation to report, explain, and be answerable for resulting consequences.
2. Members will accomplish work and assignments given to them from verbal or any form of written orders, in a complete, timely, and professional manner.
3. Members will be masterful in the proper implementation of any facet relating to their position, such as Fire Response and EMS Standard Operating Guidelines, the Incident Command System, strategy and tactics, building construction knowledge, various training including but not limited to battalion, company, department-wide, paramedic refresher, including that which is electronically distributed, meeting turnout and response times, logging in to various programs as required each shift, reviewing temporary and numbered notices, and accurately and promptly completing all reporting requirements for fire and medical responses and member "leave" requests.

**Leadership: "The power or ability to guide/direct others on a course to advance."**

1. Members seek to influence human behavior to achieve organizational goals that serve the public while developing individuals, teams, and the organization for future service. Members accept responsibility to be leaders, both within the community and among peers, and for the actions of colleagues and themselves. All members are responsible for the performance, reputation, and morale of the department.
2. Members will work together and set an example that embodies respect, compassion, integrity, and efficiency.
3. Members understand that leadership is not solely positional and no rank has unique privileges. The only privilege of rank is increased responsibility.
4. Members understand that personal failure to intervene to prevent or stop misconduct, when there is an opportunity to do so, demonstrates not only a lack of courage, but also a failure of leadership.
5. Members will be role models for delivering truly professional, impartial, and effective service. Members must put the department's mission first, in both word and action, and do nothing to interfere with its accomplishment.
6. Officers will ensure that members for whom they are responsible carry out their professional duties correctly. Officers will ensure the individuals for whom they are responsible are supported, guided on the professional performance of their duties, and encouraged to further their professional development. Officers have a particular responsibility to secure, promote, improve, and maintain professional standards and integrity through the provision of advice and guidance. Officers have an obligation to commend exemplary behavior, a responsibility to correct substandard behavior, and a requirement to discipline when needed.