



REPORT

LEGISLATIVE REFERENCE BUREAU

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31. Fire & Police Commission, 2014

Proposed Plan and Executive Budget Review

31. Fire & Police Commission

I. EXECUTIVE SUMMARY.

Table 31.1. Statement of Changes in Operating Budget, 2013 to 2014.

2012 Actual Expenditures	\$1,379,117
2013 Adopted Budget	\$1,392,584
Personnel Costs	
Salaries & Wages	(\$34,382)
Fringe Benefits	(\$24,036)
Total Changes	(\$58,418)
Operating Expenses	\$118,453
Equipment Purchases	\$0
Special Funds	\$82,400
Total Changes	\$142,435
2014 Proposed Budget	\$1,535,019

1. Overall budget increasing 10%. The department's Proposed Budget is \$1,535,019, an increase of \$142,435 (10.2%) from the 2013 Adopted Budget amount of \$1,392,584.

2. Personnel funding down, Grant Monitor eliminated. The Fire and Police Commission's personnel costs under the 2014 Proposed Budget are \$1,107,251, a decrease of \$58,418 (-5.0%) from 2013. One vacant, formerly grant-funded position of Grant Monitor-Homeland Security is eliminated.

3. Operating expenditures to increase.

The Proposed Budget provides \$269,868 for the department's operating expenditures, 78.2% more than 2013. The increased funding is primarily for the Professional Services and Other Operating Services line items, and reflects increased costs for developing and updating promotional exams (the former) and higher reimbursement expenses for outside (non-City) raters of candidates for promotional fire and police positions (the latter).

4. Increased funding for Pre-Employment Screening Special Fund.

The 2014 Proposed Budget provides \$155,000 for this special fund, an increase of \$82,400 (113.5%) from 2013. The higher level of funding stems from an anticipated increase in testing activity by the department 2014, which will result in a greater number of candidates undergoing medical exams, drug tests and psychological exams.

5. Funding provided for office remodeling/relocation.

The Proposed Budget includes \$150,000 in capital funding for the remodeling of office space on the 10th floor of the Municipal Building (currently occupied by City Attorney's staff). The Fire and Police Commission would relocate to this space upon the City Attorney moving from its temporary location on the 7th and 10th floors of the Municipal Building back to a permanent location on the 8th floor of City Hall.

II. INITIATIVES AND PROGRAMS.

1. Citizen Complaints.

In 2012, the Fire and Police Commission received 289 complaints regarding conduct of members of the Police and Fire Departments. This was an increase of 16% from 2011 and 14.5% from 2009, but in line with the 4-year average of 278 complaints. Of the 289 complaints filed in 2011, 168 (58%) were classified as “informal” – complaints submitted for informational purposes only or without use of the official complaint form, and which are not recorded in officer records as misconduct complaints. For the 121 “formal” complaints, the average time needed to resolve the complaint was 73 days, down from 83 days in 2011.

At mid-year 2013, the number of complaints was 120 (46 formal, 74 informal), down 14.3% from the 140 received in the same period last year. So far in 2013, the average time needed to close a formal complaint has been 32 days.

2. Discipline.

MPD members who are discharged, demoted, or suspended for more than 5 working days by the Chief of Police, and MFD members who are discharged, demoted, or suspended for more than 5 eight-hour working days or 2 twenty-four shifts may appeal these disciplinary actions to the Commission, which has the power to sustain, overturn or modify a chief’s action. In 2012, 12 appeals of MFD and MPD disciplinary actions were filed with the FPC; 4 were withdrawn before going to trial and 8 went to trial. In addition, one outstanding complaint from 2010 went to trial. For comparison, 8 appeals were filed with the Commission in 2011.

3. Research and Reports.

The FPC’s research staff completed and presented 6 reports in 2012: the Commission’s 2011 annual report and 2012 mid-year report, a report on use of force in 2011, a mid-year 2012 use-of-force report, an analysis of vehicle pursuits in 2011 and a firearms discharge report for 2011. So far in 2013, the department has completed, or is in the process of preparing, all of these same reports. The Commission has also published the Independent Audit of Milwaukee Police Crime Statistics and Reporting Procedure prepared by an independent consultant, PRI Management Group. The audit report confirmed that there have been past inaccuracies in crime statistics, but these errors were not intentional.

4. Fire Cadet Program.

The 2012 Adopted Budget created a Fire Cadet pilot program intended to increase the diversity of the Fire Department. Fire Cadets participate in a 2-year, apprentice-style program that prepares them for careers as Firefighters. Upon successful completion of the program and meeting other eligibility requirements (including earning 24 college credits, receiving a favorable recommendation from the fire chief and passing physical ability and drug tests), a Fire Cadet will be eligible for appointment to the Firefighter position.

The 2012 Budget provided funding for 13 Fire Cadet positions, while the 2013 Budget provided partial-year funding for 39 Fire Cadets. The 2014 Proposed Budget provides full-year funding for 39 Fire Cadet positions.

The Fire and Police Commission has played a key role in assisting MFD with implementation of the Fire Cadet program. This role is similar to the department's function with respect to the longstanding Police Aide program. Recruitment for both positions begins annually around Labor Day and ends near Thanksgiving. Written and oral examinations are administered starting in January, followed by physical ability testing in April. This leads to creation of an eligible list by the end of April. The FPC then conducts or coordinates background investigations, medical exams and psychological exams from May through August. Drug screening is performed right before the class starts in September, completing the one-year cycle from recruitment to hiring.

The FPC used this selection process to narrow down the 735 2012 applicants for the 26 2013 Fire Cadet positions. The 2013 Fire Cadet of 26 class began on September 16, joining the 13 Fire Cadets hired in 2012. Recruitment for the 2014 class is now underway and will end November 25.

5. Testing, Appointments, Promotions.

In 2013, the FPC has administered entry-level or promotional exams for the following Police and Fire Department positions and made the number of appointments (hires) indicated:

Fire Cadet	735 applicants processed; 26 appointments
Police Aide	599 applicants processed; 27 appointments
Telecommunicator	12 regular appointments, 1 seasonal appointment
Dispatcher	1,657 applicants being processed, expect to appoint 6
Firefighter	5,743 initial applicants, 35 appointments
Police Officer	3,691 initial applicants, processing for 100 hires in 2014 20 appointments in 2013
Sergeant	431 initial applicants being processed
Detective	207 initial applicants being processed
Fire Captain	87 initial applicants being processed
Fire Lieutenant	100 initial applicants being processed

6. Office Remodeling.

The 2014 Proposed Budget provides \$150,000 in capital funding (borrowing authority) for remodeling of the Fire and Police Commission's office. Actually, this money will be used to remodel office space on the 10th floor of the Zeidler Municipal Building currently occupied by staff of the City Attorney's Office. It is anticipated that the FPC will move to this office space upon the relocation of the City Attorney's Office to the 8th floor of City Hall.

This project will provide the Fire and Police Commission with more spacious facilities that are both more useful and efficient for the department and more user-friendly for the general public. The Commission office will have a public lobby, waiting area, file storage, document copying/assembly area, interview room, meeting/conference room, supply room and employee break room/kitchen – all features the current FPC office lacks. In addition, the configuration of the new office will permit the entrance door to remain unlocked, thereby making the FPC more accessible to the public.

See also ISSUES TO CONSIDER, Section VIII.

III. EXPENDITURES.**Table 31.2. Changes in Expenditure Amounts by Account.**

Expenditure Account	2012 Actual	2013 Adopted Budget	% Chng.	2014 Proposed Budget	% Chng.
Salaries and Wages	\$702,953	\$787,614	12.0%	\$753,232	-4.4%
Fringe Benefits	\$336,395	\$378,055	12.4%	\$354,019	-6.4%
Operating Expenditures	\$252,695	\$151,415	-40.1%	\$269,868	78.2%
Equipment Purchases	\$3,661	\$2,900	-20.8%	\$2,900	0%
Special Funds	\$83,413	\$72,600	-13.0%	\$155,000	113.5%
Total Operating Budget	\$1,379,117	\$1,392,584	6.7%	\$1,535,019	10.2%

1. Budget Summary.

The total 2014 Proposed Budget is \$1,535,019, an increase of \$142,435 (10.2%) from the 2013 Adopted Budget amount of \$1,392,584.

2. Personnel Costs.

Personnel costs in the 2014 Proposed Budget are \$1,107,251, a decrease of \$58,418 (-5.0%). Salaries and wages decrease \$34,382 (-4.4%). Fringe benefits decrease \$24,036 (-6.4%).

3. Operating Expenditures.

Operating expenditures in the 2014 Proposed Budget are \$269,868, an increase of \$118,453 (78.2%) from the 2013 Adopted Budget amount of \$151,415. The increase can be largely attributed to changes in the following line items:

- Professional Services** – Funding is being increased from \$99,997 to \$169,473 (69.5%). This account funds court reporters and a community agency that conducts citizen complaint mediations. In addition, the Professional Services account also pays for the services of outside consultants to assist the Fire and Police Commission in conducting job analyses and updating examinations for fire and police positions. The increased funding for 2014 is attributed to greater numbers of applicants for various positions, and the costs of developing and updating promotional exams to be conducted in 2014, including exams for Police Lieutenant and Heavy Equipment Operator, and continued costs for anticipated entry-level positions of Police Aide, Fire Cadet, Police Officer and Firefighter. In 2013, the Commission began a pilot-program cost-saving measure of eliminating a contractual hearing examiner for appeals hearings (formerly funded by the Professional Services account) by increasing the use of attorneys that serve as commissioners during the hearing, with the executive director handling pre- and post-trial litigation matters. Depending on the volume of disciplinary appeals in 2014, this pilot program is expected to continue next year.

- **Other Operating Services** – Under the 2014 Proposed Budget, funding would increase from \$17,000 in 2013 to \$50,440 next year (196.7%). The increase reflects the anticipated use of outside (non-City) raters of candidates for promotional fire and police positions after the job analysis and test development process is complete and exams are administered. Raters are not paid for their services, but they are reimbursed for their travel expenses, lodging and meals. The higher level of funding for 2014 reflects an increased number of exam raters requiring travel reimbursement next year.
- **Information Technology Services** – The 2014 Proposed Budget calls for increasing funding for the department's Information Technology Services account from \$10,200 in 2013 to \$22,736 for 2014 (122.9%). This increase is based on an additional software maintenance fee to be incurred by the department next year, as well as a new agreement with the Department of Employee Relations to share the maintenance fee for job-testing software.

4. Equipment Purchases.

Equipment purchases in the 2014 Proposed Budget are \$2,900, the same level of funding provided in the 2013 Adopted Budget. The department's equipment purchases for 2014 are as follows:

- Office chairs and cabinets: \$1,200
- Computer workstations: \$1,200
- Computer software: \$500

5. Special Funds.

The Fire and Police Commission administers one special fund, the Pre-Employment Screening Special Fund. This account funds the department's expenses relating to obtaining medical exams, drug urinalysis and psychological testing for new hires. The 2014 Proposed Budget provides \$155,000 for this special fund, an increase of \$82,400 (113.5%) from the 2013 Adopted Budget. The higher level of funding for 2014 stems from anticipated increase in testing activity by the department next year, which will result in a higher number of candidates undergoing medical exams, drug tests and psychological exams.

IV. PERSONNEL.**Table 31.3. Changes in Full-Time Equivalent (FTE) and Authorized Positions.**

Position Category	2012 Actual	2013 Adopted Budget	Change	2014 Proposed Budget	Change
O&M FTEs	11.6	12.6	1.0	12.6	0
Non-O&M FTEs	1.8	1.8	0	0.8	-1.0
Total Authorized Positions*	21	22	1	21	-1

*including 7 Fire and Police Commissioners.

1. Personnel Changes.

The 2014 Proposed Budget eliminates the department's Grant Monitor-Homeland Security position. This position was funded by the federal Urban Areas Security Initiatives (UASI) grant, which expired June 30, 2013. The position has actually been vacant since February, 2012. Since the UASI grant program has now been phased out, other positions in the Fire and Police Commission absorbed the decreased duties of the Grant Monitor-Homeland Security, and the department was able to use the savings from not filling the position to extend the service of the Homeland Security Director beyond the June 30, 2013, grant expiration date.

2. Vacancies.

Besides the Grant Monitor-Homeland Security position, which is slated for elimination, the Fire and Police Commission currently has one other vacant position, an Office Assistant II. The department is currently conducting interviews to fill this position.

3. Office of Emergency Management and Homeland Security.

Following elimination of the Grant Monitor-Homeland Security position, the City's Office of Emergency Management and Homeland Security (which is within the Fire and Police Commission) will have just one position, the Homeland Security Director. In the past, this position was funded primarily (80%) by the UASI grant, with the remainder being tax-levy funding. This grant expired June 30, 2013; since that time, the position has been funded by the department's operating funds. The department's application for a Wisconsin Emergency Management Grant has been approved. This grant will provide \$80,000 of the funding for the Homeland Security Director from November 1, 2013, through December 31, 2013. However, this grant can only be used to reimburse a maximum of 50% of salary and benefit costs.

V. SPECIAL PURPOSE ACCOUNTS (SPA).

None.

VI. REVENUES.

None.

VII. CAPITAL PROJECTS.

The 2014 Proposed Budget provides \$150,000 in capital funding (borrowing authority) for a Fire and Police Commission office remodeling project. Specifically, this project would involve remodeling the space on the 10th floor of the Zeidler Municipal Building currently occupied by City Attorney's staff to meet the needs of the Fire and Police Commission.

This project assumes that the City Attorney's Office will relocate from its current temporary location on the 7th and 10th floors of the Municipal Building to its former quarters on the 8th floor of City Hall (the 2014 Proposed Budget provides \$2.01 million for the City Attorney office renovation project). The Fire and Police Commission has obtained approval for a temporary relocation to the vacant 8th floor of City Hall until the City Attorney secures its funding and begins its remodeling project; however, due to the uncertainty of the 8th floor remodeling project, this relocation has not been implemented.

The Commission's current office on the 7th floor of City Hall is just 1,066 square feet and lacks all of the following: lobby, waiting area, file storage space, document copying/assembly area, interview room, meeting/conference room, supply room and employee break room/kitchen. In addition, the current office arrangement requires 5 Commission employees to be housed in another department and necessitates the locking of the Commission's main door. The relocation to larger offices would correct all of these deficiencies, giving the Commission an adequately-sized office that better serves the needs of both Commission staff and the public.

This project was previously funded in the 2009 Budget. Because of delays in renovation of the 8th floor of City Hall, the 2009 capital funding for this project has lapsed.

VIII. ISSUES TO CONSIDER.

1. Given its limited staff resources and need to update job descriptions for all sworn fire and police positions, the department has become more reliant on an outside consultant to perform job analyses and to revise examinations. What are the advantages and disadvantages to creating an additional FPC position to do this work in-house?
2. The department is confident that its application for State grant funding to support the Homeland Security Director position in 2014 will be approved. However, future grant funding for this position is not assured, and the City must be vigilant in seeking other funding sources for the Homeland Security Director.
3. Should the Commission extend the Firefighter and Police Officer eligible-candidate lists or conduct new exams and create new lists of eligible candidates for these positions? (Firefighter: 598 candidates remaining, list expires April, 2014; Police Officer: 717 candidates remaining, expires July, 2014)
4. The Fire and Police Commission office remodeling project in the 2014 Proposed Budget assumes that the City Attorney's Office will vacate office space on the 10th Floor of the Municipal Building and return to City Hall. If the City Attorney's Office does not return to City Hall, or if that return is delayed, what steps can be taken to provide the Fire and Police Commission with office space that is more usable and efficient for the department and more user-friendly and accessible for the public?

5. A number of City departments, including the Fire and Police Commission, have made requests to have offices remodeled, reconfigured or relocated. However, at this time, there is no authoritative body that monitors departmental needs and no comprehensive plan to allocate space in City buildings. The Capital Improvements Committee has suggested that it would be beneficial to have a plan which would allow individual requests and proposals to be evaluated within a framework of the overall needs of the City.

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