



Fire and Police Commission

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Memorandum

To: Board of Fire and Police Commissioners

From: Jay Pucek
Deputy Director

Date: January 20, 2026

RE: Proposed Process for FPC Policy Recommendations

The purpose of this memorandum is to outline a process for the Milwaukee Board of Fire and Police Commissioners to make formal policy recommendations to the Milwaukee Police and Fire Departments, as well as the Milwaukee Common Council.

2023 Wisconsin Act 12 took effect in June of 2023. That law transferred the authority to establish policies from the FPC Board to the chiefs of the Police and Fire Departments.¹ However, given its special expertise and mission, the FPC Board is still well positioned to investigate and make formal recommendations regarding public safety policies. This includes whether those policies conform to best practices and whether they should be suspended or modified in order to achieve optimal public safety practices in Milwaukee. Indeed, Act 12 specifically provided that the FPC “may advise the common council regarding any recommended policy changes.” Wis. Stat. § 62.50(1m). The FPC Board recognizes that it is important to formalize a process for how it will approach this work so that Milwaukee’s public safety departments, Common Council, and the public understand the process and can navigate it effectively.

The FPC Board’s formal process for making policy recommendations should have four phases: (1) Identifying a Policy Issue; (2) Information Gathering; (3) Recommendation Drafting, and; (4) Issuing a Formal Policy Recommendation.

¹ Act 12 did not affect the Board’s authority to set policy for the Department of Emergency Communications. Pursuant to FPC Rules, the Emergency Communications Director is empowered to establish policies for the DEC; however, those policies remain subject to review by the FPC Board, which may suspend or modify any such policy, or prescribe new policies for DEC. *See* FPC Rule II (Scope of Authority), § 3(b)1.-2.

Phase One-Identifying a Policy Issue

In the first phase, an issue with an MPD or MFD policy will be raised to the Board's attention. This can occur when a department creates a new policy and communicates that policy to the Board, when a large segment of the community expresses concerns about a specific policy, when other City of Milwaukee governmental officials raise an issue with a policy, or when policy issues are identified by a Commissioner on the FPC Board. However an issue with a policy gets raised, the FPC Board will typically reserve its policy recommendations for those that are controversial, have a significant impact on the community or other governmental agencies, or relate to the department's use of emerging techniques or technologies. When such a policy issue is brought to the Board's attention, one or more Commissioners may request that the Board consider the issue further, pursuant to the process described below.

Phase Two-Information Gathering

Once an important policy issue has been raised, and the FPC Board decides to explore the implications of that policy, the Board should engage in a process to gather information on that topic. This will involve the Board hearing from the department that created the policy or that is making the policy change. The Board should also hear from any members of the community or other governmental officials or agencies that would be affected by the policy and wish to provide information. Comments from the general public should also be encouraged during the public comment portion of the Board's regular meetings. Finally, the Board may also hear from outside experts on the topic.

This process should be flexible so that it can conform to whatever is appropriate under the circumstances in an individual case. The listing of typical information sources does not limit the ability to hear from other sources, and the Board retains the discretion to seek information from any sources it finds relevant to the inquiry. There is no set timeline for the information gathering phase, and the Board can continue it until the Commissioners are satisfied that they have enough information to make an informed recommendation.

Phase Three-Recommendation Drafting

Once the Board has gathered enough information on a particular policy issue, the Commissioners will discuss the information that was gathered, how they view the policy issue in light of the information, and what recommendations should be made, if any. The goal of this discussion is for the Commissioners to come to a general consensus that a policy recommendation should be issued, and a substantive outline of the recommendations. If the Board decides to issue a policy recommendation, it should indicate whether it (1) is in favor of the policy as drafted by the department;

(2) is recommending that the relevant department and/or Common Council modify the policy, and how it should be modified, or; (3) is recommending that the relevant department and/or Common Council suspend the policy. In any case, the Board should provide supporting evidence and reasoning for its conclusion.

Once there is general agreement in these areas, FPC staff will prepare a draft policy recommendation based on the Board's discussion and agreement. The draft policy recommendation will be circulated to the Commissioners for review and edits. Once the review process is completed, FPC staff will create a final draft of the policy recommendation, taking into account the Commissioners' edits and comments. If the draft policy recommendation raises issues that require further discussion by the Board, that discussion should be held at a subsequent meeting.

Phase Four-Issuing a Formal Policy Recommendation

The final draft of the policy recommendation will be presented to the Board at a subsequent meeting for the Board's consideration and vote. If a majority of the Board votes to adopt the recommendation, it will become a formal policy recommendation and be forwarded to the department and Common Council for consideration.