



Fire and Police Commission

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Commissioners

Memorandum

To: Steven M. DeVougas, Chair
Nelson Soler, Vice-Chair
Griselda Aldrete, Executive Director

From: Dave Gelting, Research and Policy Analyst

Date: 9/6/2019

RE: File FPC19335

[File FPC19335](#) is a communication dated August 29, 2019 from Chief Morales requesting particular minimum requirements for the next Police Lieutenant, Police Sergeant, and Detective exams.

The last administration of the promotional exam for **Detective** had an application period ending on July 6, 2015 ([link to job announcement](#)). The last administration of the promotional exam for **Police Sergeant** had an application period ending on January 20, 2016 ([link to job announcement](#)). The last administration of the promotional exam for **Police Lieutenant** had an application period ending on December 31, 2014 ([link to job announcement](#)).

Continuous Service

All three previous promotional exams required that applicants meet a minimum number of years of continuous service at the rank preceding that of the exam. Under those test administrations continuous service included, for example, time spent on military leave, maternity leave, sick leave, and any break in service of up to 30 days for non-disciplinary reasons. Any break in service of more than 5 days for disciplinary reasons was considered an interruption of continuous service.

Consistent with the past practice, Chief Morales requests that members whom have a break of service of more than 5 days for disciplinary reasons be ineligible for the promotional exam. The main difference between past administrations and Chief Morales' proposal is the relationship between the exact number of years of continuous service required and the number of years without a suspension over 5 days.

In past administrations the minimum years of service requirement for each exam was inherently coupled with the requirement that the applicant did not have a disciplinary suspension longer than 5 days during that same time period. An exam required x years of continuous service and a suspension longer than 5 days occurring within those x years by definition interrupted the continuity of service.

Under the request as written, the disciplinary history is decoupled from the years of service requirement; under the request all three exams would require that applicants not have been suspended for more than 5 days for disciplinary reasons for the 5 years preceding the exam. See Table 1 for a summary of the difference.

Exam	Previous Exam	Proposed	
	Minimum years of service in preceding rank = Minimum years without suspension over 5 days	Minimum years of service in preceding rank	Minimum years without suspension over 5 days
Detective	4	3	5
Police Sergeant	5	7	5
Police Lieutenant	3	3	5

Table 1

Number of Qualified Members

On September 5, 2019 Alba Santiago, MPD Police Payroll Supervisor, provided me with a current list of all sworn members along with their rank, start date, and start date at their current rank. With this list I calculated the number of members whom would qualify to take each promotional exam under the previously used minimum years of service as well as those proposed by Chief Morales.

Note that this calculation only considers the minimum years of service standard and does not account for candidates whom could be disqualified for incurring a disciplinary suspension of more than 5 days within the defined time period. Excluding the consideration of disciplinary history in the analysis allowed for much faster analysis, which should still be quite close to the actual number of qualified members (consider, for example, that in 2018 there were 14 suspensions of sworn members for time periods over 5 days and in 2017 there were 7).

Table 2 details the number of members whom would qualify to take the Detective exam under both sets of standards, using September 6, 2019 as the date from which service time is calculated.

Detective Exam	Total number of Police Officers	Number of PO with at least 4 years of service	Number of PO with at least 3 years of service
		1422	1019
		71.7%	76.9%

Table 2



Table 3 details the number of members whom would qualify to take the Police Sergeant exam under both sets of standards, using September 6, 2019 as the date from which service time is calculated.

Police Sergeant Exam	Total number of Police Officers	Number of PO with at least 5 years of service	Number of PO with at least 7 years of service
	1422	960	858
		67.5%	60.3%
	Total number of Detectives	Number of DET with at least 5 years of service	Number of DET with at least 7 years of service
	147	147	147
		100.0%	100.0%
	Total number of Police Officers & Detectives	Number of PO & DET with at least 5 years of service	Number of PO & DET with at least 7 years of service
	1569	1107	1005
		70.6%	64.1%

Table 3

Table 4 details the number of members whom would qualify to take the Police Lieutenant exam, using September 6, 2019 as the date from which service time is calculated. Note that the service time recommendation proposed by Chief Morales is identical to that used in the previous exam administration. The number of Detectives remaining on the MOU list is as of November 14, 2018 (see my memo to the Testing & Recruiting Committee from that date).

Police Lieutenant Exam	Total number of Police Sergeants	Number of SGT with at least 3 years at rank
	211	132
		62.6%
	Total number of Detectives	Number of Detectives remaining on the MOU list
	147	43
		29.3%
	Total number of Sergeants & Detectives	Number of SGT with at least 3 years at rank & number of DET on MOU list
	358	175
		48.9%

Table 4

Prior Decision of the Board

At the FPC's Testing and Recruiting Committee meeting on January 17, 2019 ([minutes](#)) the Committee voted to recommend to the board that:

"The current MOU list of Detectives remain allowed to test for Lieutenant but all other Detectives will be required to have experience as Sergeant. Additionally, it is recommended that Sergeants who have prior experience as a Detective be granted additional preference points on the Lieutenant exam."

At the FPC's January 24, 2019 regular meeting the full board voted to adopt the recommendation of the committee ([minutes](#)), and according to the minutes Commissioner Cocroft commented that:

"The weighted area for seniority of sergeants will be reviewed at a later time by the Board."

Reviewing the [video](#) of the meeting, at 53:21 Commission Cocroft says "If I'm not mistaken, wasn't there another weighted area for Sergeants with seniority?" Chair Cabrera responded "That is correct" and Commissioner Soler stated "It was mentioned, but it wasn't part of the motion, so that will be something that the Executive Director will deal with the staff in terms of looking at the different scales that we have with percentages and will be presented at a future meeting."

MOU List

Consistent with the board's decision, Chief Morales' recommends that only Detectives listed on the Memorandum of Understanding between the City of Milwaukee and the Milwaukee Police Association, dated November 4, 2011, be eligible to take the exam.

Weighted Area for Seniority

As was mentioned by Commissioners Cocroft and Cabrera past promotional exams have included a weighted component for each applicant's seniority. The previous exam administrations for Detective, Police Sergeant, and Police Lieutenant all used seniority to account for 5% of the total exam score. See each previous job announcement for the other components of the total exam score. The communication from Chief Morales does not address this topic.

Preference Points

The board had voted to recommend that Police Sergeants whom take the Police Lieutenant exam be granted preference points if they also have experience as a Detective. The communication from Chief Morales does not address this topic as it pertains to the Police Lieutenant exam, but Chief Morales does recommend that no preference points be given for the administration of the Police Sergeant exam. This recommendation is consistent with the previous test administrations; no preference points were awarded during the previous exams for Detective, Police Sergeant, or Police Lieutenant.

Promotional Path Considerations

My interpretation of the rationale for the board's decision to recommend preference points on the Police Lieutenant exam for those with experience as a Detective was to address the concern that few members might wish to sit for the Detective exam considering the minimum qualifications for Police Lieutenant requires experience as a Police Sergeant. This was often referred to by the term "dead end

rank” because there is no direct promotional path from Detective without first becoming a Police Sergeant.

Given the recommendations set forward by Chief Morales it appears that his recommendations might address the “dead end rank” concern without the use of preference points. I can’t speak to the actual intent, but given his proposed years-of-service structure I could imagine that there might be better incentive to sit for the Detective promotion under the proposed framework.

As Table 1 details, the previous Detective exam required 4 years of service and the previous Police Sergeant exam required 5 years of service in order to take the exam. Being that both promotions had relatively similar service time requirements and pay but only the position of Police Sergeant would qualify members to further promote to Police Lieutenant, one could imagine that the Detective promotional opportunity might have been less desirable.

Also detailed in Table 1, Chief Morales proposes a decrease in the minimum service time requirement for the Detective promotion and an increase in the minimum service time requirement for the Sergeant promotion. By more widely differentiating the minimum service time required between the positions there might be more incentive for members whom have more than 3 but less than 7 years of service time to sit for the Detective exam.