



Fire and Police Commission

Michael G. Tobin
Executive Director

Richard C. Cox
Chair

Carolina M. Stark
Vice-Chair

Kathryn A. Hein
Paol X. Lor
Sarah W. Morgan
Michael M. O'Hear
Commissioners

February 13, 2012

To Alderman Robert Donovan, Chair
Public Safety Committee
City Hall - Room 205
Milwaukee, WI 53202

RE: File #101459 Resolution requesting the Fire and Police Commission to conduct a study of all sworn positions in the Fire and Police Departments to identify all positions that can be reclassified as civilian positions

Dear Alderman Donovan:

Preface

The Fire and Police Departments together account for approximately 64% of the total personnel costs of the City budget. In recognition of the fiscal constraints facing the City, one potential alternative for reducing personnel costs is to reclassify sworn positions into civilian positions. Another alternative to reduce costs is to transfer specified duties performed by sworn personnel to civilian positions. Collectively, both of these alternatives are generally identified as "civilianization." This report reviews the civilianization concept primarily with respect to the conversion of designated tasks performed by sworn personnel to current and newly created civilian positions. This report will also address the conversion of sworn positions in the context of a policy decision to reduce personnel costs. This report does not address specific sworn positions that are recommended for complete reclassification to a civilian position.¹

Introduction

The purpose of Common Council Resolution #101459 is to address possible methods to reduce personnel costs in the police and fire departments. Final action on this resolution was taken by the Common Council on December 20, 2011. On that same date, December 20, 2011, the Common Council also took final action to mandate hiring 100 sworn police officers in 2012.² Both actions were unanimous votes.

¹ A comprehensive classification study of 2,765 sworn positions in the Police and Fire departments will require funding for consulting services and issuance of a Request for Proposal (RFP).

² File #110547, ratification of final agreement with Milwaukee Police Association collective bargaining unit.

The Common Council action taken to increase the number of sworn officers while simultaneously proposing to study decreasing the number of sworn officers by converting them to civilian positions illustrates a policy dilemma inherent in public safety funding. Maintaining public safety service levels while simultaneously reducing personnel costs requires difficult and sometimes unpopular decisions. The lack of willingness of the general public to accept reduced service levels must be balanced with the current fiscal realities of reduced budget revenues.

The most commonly accepted and efficient methods to reduce personnel costs are generally recognized:

- Reduce the total number of personnel through layoffs/attrition/hiring freeze.
- Reduce the compensation of current personnel by salary adjustments/benefit reductions/furloughs.

Many jurisdictions have utilized various combinations of these commonly accepted cost reduction methods. There are a number of large and small police departments that have recently reduced their costs by laying off current sworn employees, in addition to using all or some of the other alternative methods to reduce personnel costs.³

Recently, converting sworn positions to lesser-paid civilian positions has been considered as an additional alternative to reduce personnel costs. When this alternative includes a civilian field response to calls for service it has been embraced by very few communities or their respective police departments.⁴ The conversion of certain specified duties from a sworn officer function to a civilian function has proved much more popular than creating civilian field response systems.

A detailed study that will provide a national examination of civilians hired and the impacts of those hires on police agencies and their communities is currently being conducted by the Police Executive Research Forum (PERF). The study seeks to determine the economic efficiency and effectiveness of civilian hires in general. The study may also provide best practice suggestions and implications for civilian hires, along with its effects on community outcomes such as crime and economic conditions. The PERF study is not yet completed and an expected report release date has not been published.⁵

³ In addition to numerous suburban and small police departments, cities that have recently laid off sworn police employees include Miami, FL, Houston, TX, Tulsa, OK, Oakland, CA, San Jose, CA, Sacramento, CA, Detroit, MI, Trenton, NJ, Camden, NJ, Newark, NJ, Providence, RI, and Cleveland, OH. At the time of this writing Milwaukee County is in litigation concerning layoffs of 27-61 deputy sheriffs.

⁴ The police departments of Mesa, AZ, San Francisco, CA, and Fayetteville, NC have initiated pilot programs that include a field response to certain calls for service. The police departments of Orlando and Ft. Lauderdale, FL employ civilians as field response primarily to traffic accidents.

⁵ Police Executive Research Forum (PERF) is a non-profit national police membership organization dedicated to improving policing and advancing professionalism through research and involvement in public policy debate. Located in Washington, DC, Milwaukee Chief of Police Ed Flynn is a member of its board of directors.

Milwaukee Fire Department

The Milwaukee Fire Department (MFD) currently is staffed with 886 sworn personnel and 76 civilian personnel. Due to the nature of firefighting duties, conversion of sworn positions to civilian positions is not practicable at the firefighting level. Conversion of positions at the administrative level is practicable and has been accomplished for some positions. The fire service in general has most effectively reduced costs through reductions in the total number of personnel. These reductions have been implemented in many fire departments by reducing the number of personnel assigned to each piece of responding apparatus, partially or completely eliminating station houses, and eliminating minimum staffing requirements on a per-shift basis. Other methods that have been used on a less frequent basis include rotating station and/or apparatus closures, establishing a ten hour or fourteen hour shift during peak demand times while reducing staffing during low demand times, and reducing staffing at low-demand station houses.⁶

Personnel cost reduction techniques in the fire service have been primarily addressed at the local level by municipalities. The methods used to reduce personnel costs have been dictated by local conditions. The MFD has most recently implemented cost reductions by reducing the number of personnel staffing apparatus, implementing periodic temporary partial station house closures on a rotating basis, and a department command staff reorganization.⁷

The MFD periodically identifies sworn positions that can be converted to civilian positions. The positions of Fire Dispatch Manager, Fire Dispatch Supervisor, and Fire Equipment Dispatcher have all been converted to civilian positions. In addition, the Deputy Chief of Technical Services and Audio Visual Specialist positions have also been converted to civilian positions.

The Fire and Police Commission is currently recruiting for thirteen newly created civilian positions of Fire Cadet. The MFD is finalizing the training program and job duties of this position. It is expected that this position will supplement the duties of both civilian and sworn personnel in fire department administrative functions and fire house duties.

An analysis of operations and staffing of MFD was conducted in 2005 by Matrix Consulting Group (MFD Matrix Audit).⁸ The study identified several MFD positions as potential candidates for conversion to civilian status. The study also identified formal criteria it used to determine whether a position is suitable for civilianization.⁹ The study identified the Deputy Chiefs of Administration, Maintenance, and Technical Services as potential civilianization candidates. Ultimately, the MFD Matrix Audit recommended that these three deputy chief

⁶ No studies were located that recommended best practices within the fire service nationally or identified preferred techniques to obtain personnel cost reductions.

⁷ In the past two years personnel staffing trucks was reduced from 5 to 4, 1 engine was decommissioned, 2-4 station houses on a rotating basis have one apparatus temporarily closed, and 4 deputy chief positions were eliminated.

⁸ Performance Audit of the Milwaukee Fire Department October 10, 2005, Matrix Consulting Group, Palo Alto, CA, presented to the Milwaukee Common Council and Public Safety Committee, on file with the Common Council Legislative Reference Bureau.

⁹ MFD Matrix Audit, pp. 10-12.

positions be consolidated into a single sworn position. The recommendation was enacted when the positions were consolidated in 2011 under a single Assistant Chief. The study did not identify any firefighter/EMT positions suitable for conversion to civilian status under its formal criteria. The study also recommended a reduction in staffing of ladder trucks from five personnel to four.¹⁰ The ladder truck staffing reduction recommendation was fully enacted in 2010, five years after the study was presented and after prolonged and sometimes lively debate during budget deliberations before the Common Council over the course of several years.

The MFD Matrix Audit particularly cautioned that deployment and staffing decisions should only be made once a community has selected its desired service levels. “While there are national standards that can be used to evaluate fire and EMS service delivery, each community must identify the key risks and necessary level of protection it needs based on its own unique circumstances.”¹¹ The study recognized that the service level expectations of the community are an important consideration in determining staffing levels of the MFD. This is also an important consideration when determining the suitability of converting sworn positions to civilian positions, as well as transferring specified duties of sworn personnel to civilians.

Milwaukee Police Department

The Milwaukee Police Department (MPD) currently is staffed with 1,876 sworn personnel and 744 civilian personnel. The MPD has been proactive in identifying positions that have been traditionally held by sworn personnel and civilianizing them as they become vacant if they are suitable for conversion. These reclassification requests are submitted to the Department of Employee Relations for study, and approved by the Fire and Police Commission. The following positions have been converted to civilian positions in the past ten years, or are in the process of conversion as vacancies occur:

Original Sworn Position	Civilianization Position
Chief’s Adjunct Captain	Staff Assistant Senior
Public Information Officer Sergeant	Public Relations Manager
Police Administration Building Garage Sergeant	Facilities Services Manager
Information Technology Inspector of Police	Police Information Systems Director
Police Alarm Operator (53 positions)	Police Dispatcher
Police Chief Alarm Operation	Telecommunications Supervisor
Health and Safety Administrative Lieutenant	Health and Safety Office
Information Technology Captain	Information Systems Manager
Communication Maintenance Manager	Communication Systems Manager
Police Electronic Technician Foreman	Electronic Technician Supervisor
Police Electrician	Electronic Technician

¹⁰ MFD Matrix Audit, pp.48-60.

¹¹ MFD Matrix Audit p. 15.

The following new civilian positions were created to relieve sworn members from performing the tasks associated with the position:

Original Sworn Position	Civilianization Position
Crime Analyst Police Officer/Detective	Crime and Intelligence Specialist
Crime Statistics Police Officer/Detective	Crime Analyst (2 positions)

The Department of Employee Relations is currently studying the reclassification of the Central Records Captain to a civilian position. In addition, the Fire and Police Commission has recently referred a request to the Department of Employee Relations to study the reclassification of Police Identification Supervisor (6 positions).

Two programs have been initiated in MPD to utilize current employees more effectively and subsequently free sworn members for street assignments. The Police Aide Booker Program and the Differential Police Response Program transfer specific tasks previously performed by sworn personnel to civilians and limited duty officers. The Police Aide Booker Program assigns current police aides to book prisoners at district stations. The police aides complete a four week certification course to learn the duties and responsibilities of the position of district station booker. This program returned 19 sworn members to street assignments.

The Differential Police Response (DPR) program transferred specified tasks of sworn personnel to current limited duty personnel. The DPR program provides police services intervention via telephone for situations that do not require the immediate presence of an officer. The program utilizes 60 limited-duty officers assigned to the seven police districts on the day and early shifts. The DPR program allows full-duty officers to be available for assignments and conduct pro-active policing duties. The program has diverted 34,401 calls for service in 2011, allowing officers to conduct proactive patrols and respond to situations requiring more immediate response.

Two additional programs have been created to relieve sworn personnel from indirect law enforcement activities and utilize the experience of retired officers. The Police Services Specialist (PSS) and Police Services Specialist Investigator (PSSI) programs both utilize retired officers to perform duties previously conducted by sworn personnel.

The PSS position conducts investigative duties in the License Investigation Unit, and administrative support duties at district stations, Prisoner Processing Section, and Facilities Services Division. There are currently five full-time and eight half-time positions that perform these functions.

The PSSI position conducts background investigations for new hires in the police and fire departments, assists Community Liaison Officers (CLO) at district stations, assists the City Attorney in civil litigation investigations and minor internal investigations, assists detectives in forgery, white collar crime, "cold" criminal cases, administers the Concealed Weapon

Certification Program, and responds to open record requests. There are currently 16 full-time and 12 part-time positions in this job classification.

The FPC has also identified a potentially substantial cost-saving measure with respect to utilization of sworn personnel that are restricted from performing full police duties due to physical limitations. These officers are classified as limited duty personnel based upon medical examinations. These limited duty officers are able to do light duty office work but cannot physically perform the tasks required of a law enforcement officer due to medical conditions. Their salary is 2-3 times greater than the civilian clerical personnel performing identical tasks, and they occupy sworn positions that would otherwise be performing actual law enforcement functions. There is currently no maximum time limit for such officers to remain in a limited duty status. Some officers spend a majority of their career in limited duty status and are never fit to serve in a regular police capacity.

In an average pay period there are typically 130-140 officers in a limited duty status. This means that approximately 9% of the patrol bureau workforce is on limited duty, unable to perform the duties of a police officer. Some of the officers are in a temporary limited duty status and will return to active duty, while others are in a permanent limited duty status. There are currently 58 officers in a permanent limited duty status. Thirty-four of the 58 permanent limited duty officers sustained their injuries off-duty. The FPC is currently working with the MPD and City Attorney, to begin removing officers from sworn positions where they have been placed in permanent limited duty status due to an injury sustained while off-duty. If successful, this initiative will make approximately 34 additional sworn positions available for street patrol.

An analysis of MPD personnel capacity and deployment of patrol officers was conducted in 2007 by Matrix Consulting Group (Patrol Resource Analysis).¹² The project scope of work for the Patrol Resource Analysis included determining the optimal deployment of patrol resources and comparing MPD police services with other similar agencies.

The Patrol Resource Analysis was publicly released shortly after Chief Flynn was appointed Chief of Police in 2008. Many of the report recommendations were in the process of being enacted by Chief Flynn prior to publication of the report. The recommendations of the Patrol Resource Analysis that were enacted included a redistricting plan for the patrol districts, reducing the practice of staffing special events with on-duty officers, redeploying personnel used for booking prisoners, and increasing the utilization of telephone-reporting for non-emergency calls for service.¹³

The Patrol Resource Analysis also included a recommendation to investigate options to provide a civilian field response for low priority calls for service.¹⁴ The report attempted to survey similar cities to identify best practices in civilianization. The Patrol Resource Analysis

¹² Patrol Resource Analysis of the Police Department, November 8, 2007, Matrix Consulting Group, Palo Alto, CA, presented to the Milwaukee Common Council and Public Safety Committee, on file with the Common Council Legislative Reference Bureau.

¹³ Patrol Resource Analysis executive summary pp. 2-4.

¹⁴ Patrol Resource Analysis p. 108.

identified cities that are comparable to Milwaukee by using multiple comparison factors. The analysis then surveyed these comparable cities. No comparable cities were identified that utilized civilians in a field response role.¹⁵ The analysis noted that reviewing the totality of operational practices is important in making determinations that impact policies and procedures that may significantly alter the business practices of a large law enforcement agency such as MPD.¹⁶

Prior to authorizing funding to conduct the Patrol Resource Analysis a city task force was established to examine the concept of civilianization. The Community Services Staffing Task Force was established in 2006 to “investigate the means and methods that would lead to community services staffing for public safety needs as well as to provide funds for the implementation of new staffing models for responding to Milwaukee resident’s calls for service directed to the police department.”¹⁷ The Task Force did not examine in detail civilianization in the context of transferring specific duties of sworn personnel to existing civilian positions. The Task Force also did not examine the fiscal impact or operational practices of the PSS, PSSI, Police Aide Booker, DPR, and limited duty programs that have since been initiated or modified. It appears that the Task Force concentrated its activity on civilianization in the context of providing a civilian field response to calls for service.

In June 2006, the Community Services Staffing Task Force proposed the creation of a new job classification of Police Services Assistant (PSA).¹⁸ The job description for Police Services Assistant included the following tasks:

- Conduct follow-up on missing persons and nuisance properties.
- Direct traffic.
- Book prisoners.
- Receive and file complaints at district stations.

The job description for PSA also included the task of responding to non-emergency police calls, but only as deemed appropriate by the Chief of Police. Many collective bargaining and scope of authority legal issues were identified by the Task Force as it related to providing a civilian field response to calls for service. The Task Force also recommended examining the feasibility of expanding the existing position of PSS to encompass the role envisioned for the new position of PSA, and to examine the civilianization of booking officer duties at the district stations.¹⁹

The 2007 City of Milwaukee Budget authorized 15 positions of PSA. A job analysis study of the position was initiated in 2007 by the Department of Employee Relations but no

¹⁵ Patrol Resource Analysis p. 107.

¹⁶ Patrol Resource Analysis p. 103.

¹⁷ Milwaukee Common Council File #050956

¹⁸ Final Report of the Community Services Staffing Task Force, June 2006, on file with the Milwaukee Common Council Legislative Reference Bureau.

¹⁹ Task Force Report pp. 11-12.

examination process was developed or administered. The 2008 City of Milwaukee Budget authorized 25 positions of PSA. Shortly after the adoption of the 2008 budget, funding for the PSA position was used to continue and augment salary funding for PSSI positions.²⁰ This allocation was communicated to the Finance and Personnel Committee and the Public Safety Committee²¹ as part of the strategic plan developed for personnel deployment concurrent with the appointment of the new police chief and MPD reorganization.

The strategic plan for personnel deployment and MPD reorganization included assessments by the newly appointed police chief, Ed Flynn, the Fire and Police Commission, national public safety experts from Strategic Policy Partnership and Hanover Justice Group, and other entities. Beginning in 2008 the MPD reorganization ascribed many of the duties initially envisioned for the position of PSA to the positions of PSS, PSSI, Police Aide, and limited duty officers. The 2009 budget eliminated funding for the proposed PSA position as a result of the MPD reorganization and personnel deployment analysis.

Conclusion

The use of civilians to perform certain duties that do not require a sworn member is a trend that continues to expand in urban public safety departments. It has financial benefits but is not as cost effective as traditional salary reduction methods such as layoffs, compensation/benefit reductions, furloughs, and hiring freezes. When the transfer of duties from sworn members to civilians is not accompanied by a corresponding reduction in the equivalent number of sworn personnel it can lead to a negative cost-benefit result. That is, total salary costs can actually increase when civilianization is utilized if there is not a reduction in the total number of sworn officers to correspond with the increased number of civilians. Many communities that have embraced some version of civilianization have done so in conjunction with utilizing one or more of the traditional salary reduction methods.

Very few communities have adopted a strategy of replacing sworn members with civilians to provide a field response to calls for police service. However, many communities have embraced the utilization of civilians for other duties that have been traditionally performed by sworn personnel. The MFD and MPD actively utilize this strategy and continually assess specialized sworn positions and specified duties to determine their eligibility for civilianization.

The conversion of specified duties traditionally performed by sworn personnel to a civilian position should not be entertained in a vacuum. The analysis of personnel deployment in public safety organizations requires a complete assessment of the department's strategic plan. With the appointment of new chiefs for each department, the MFD and MPD have implemented continual personnel deployment assessments, including civilianization of certain tasks. The first comprehensive national examination of the civilianization concept is currently underway by

²⁰ Letter from Mark Niccolini, Budget and Management Director December 21, 2007 to the Common Council Finance and Personnel Committee on file with the author.

²¹ Letter from Michael Tobin, Fire and Police Commission Executive Director, January 7, 2008, on file with the author.

PERF. The PERF study should provide valuable information on the effect of civilianization of traditional police functions.

The following chart is a snapshot of MFD and MPD budget and personnel data for 2008 and 2012:

Fire²²	Salary Budget	Total Budget	Sworn Personnel	Civilian Personnel
2008	\$69,460,314	\$97,968,286	950	72
2012	\$68,238,570	\$94,854,477	886	76 ²³

Police²⁴	Salary Budget	Total Budget	Sworn Personnel	Civilian Personnel
2008	\$136,259,539	\$215,487,472	2,017	703
2012	\$155,251,802	\$236,229,306	1,876	744

The snapshot data comparing January 2008 with January 2012 indicate that MFD and MPD have both decreased their sworn strength and increased their civilian strength during the comparison time periods. Both departments continue to assess their personnel deployments, including efforts to identify and transfer specific job tasks from sworn personnel to civilian members.

When determining optimum sworn and civilian personnel strength levels, the two most important considerations are the available fiscal resources and the desired service levels expected by the community. Both MFD and MPD have maintained acceptable service delivery standards within their allocated budgets.

Sincerely,



Michael G. Tobin
Executive Director

MGT:kj

CC: Ald. Michael J. Murphy
Ronald D. Leonhardt, City Clerk

²² MFD Accountability in Management Report January 2008 and January 2012.

²³ Does not include 13 Fire Cadets to be hired September 2012.

²⁴ MPD Vacancy Status Report January 2008 and January 2012.