

2023 FIRE AND POLICE COMMISSION CITIZEN COMPLAINT REPORT



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Introduction

As the oversight authority for the City of Milwaukee Police Department (MPD), Fire Department (MFD), and Department of Emergency Communications (DEC), 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.¹ 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 FPC, FPC 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. This annual report is a summary of the complaints submitted directly to FPC and of those independently investigated by MPD and MFD and covers the year 2023.²

Complaints submitted to FPC

Complaints submitted to FPC are classified as either formal or informal. 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 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.

FPC classifies complaint allegations into five general categories:

¹ In this context and throughout the report 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.

² From 2020 through 2022, this report was produced by an outside consultant who made "reasonable attempts ... to match previous reports' methodology." This report likewise attempts to remain consistent with previous reports, to the extent that can be determined.

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 FPC will issue a finding for each allegation. The findings are categorized³ as:

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 policy and procedure.

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. There are a variety of circumstances which will warrant this action including but not limited to:

The complaint does not allege a rule violation by a department member. Often complaints are received by FPC which 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 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.

³ Other findings were listed in the data in addition to these four. These findings have been combined to facilitate analysis. "Baseless" was combined with "unfounded," and "substantiated" was combined with "sustained."

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 thorough review. Occasionally complaints are received numerous times after already concluding an investigation.

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, instead of conducting a duplicative investigation FPC will close the FPC 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 FPC and then forwarded to MFD or MPD for prompt solution. These complaints usually involve questions related to the conduct of an MFD or MPD employee that, on its face, do not appear to be a violation of 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.

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. FPC uses 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

In 2023 there were a total of 181 citizen complaints filed with FPC containing a total of 192 distinct allegations. At the time of data collection there are 3 outstanding open complaints still in process of investigation. The total number of complaints received per year is displayed in Figure 1.

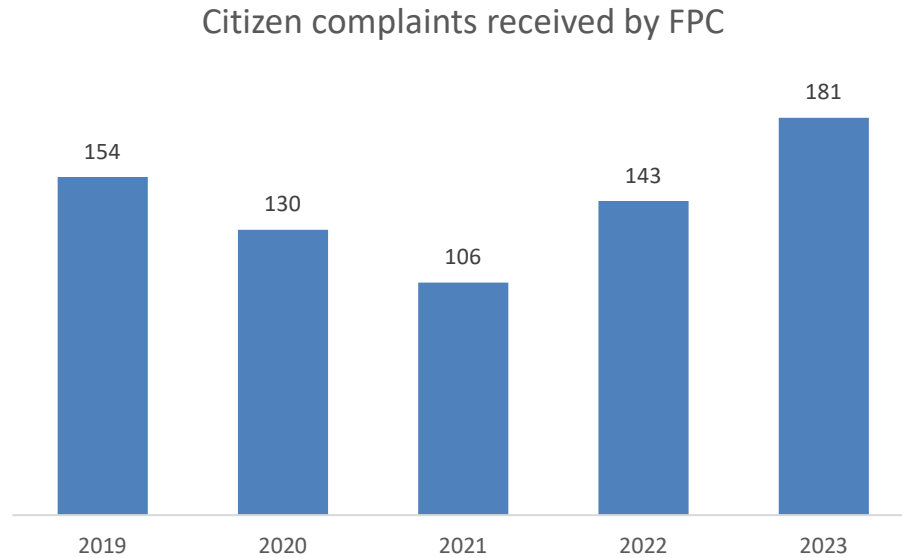


Figure 1: Citizen complaints receive by FPC

Summary of FPC allegations and findings: 2023

The 181 citizen complaints received by FPC in 2023 contained a total of 192 distinct allegations. Of these allegations, 34 were determined to be levied against non-employees (meaning FPC did not have jurisdiction to investigate), or the employees were unidentified. The remaining allegations totaled 159.

The categories and disposition of these 159 FPC allegations are summarized in Table 1. 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 allegations has the category of “not sustained” or “unsubstantiated”, which applied to 62 allegations. The finding for the next largest number of allegations, 30, was “FPC – dismissed”. Twenty-five allegations were listed as “unfounded”.

Thirteen allegations were “sustained”. Only one was sustained in 2022 and 11 were sustained in 2021. Six allegations resulted in a member being counseled and one in a policy review.

The most frequent misconduct alleged was categorized as “department services.” (112 allegations). “Disparate treatment” was next with 22 allegations, then “department procedures” with 17, “use of force” with 6 and “discourtesy” with 2.

Allegations Investigated by FPC in 2023

Allegation Category	NOT SUSTAINED	NOT SUBSTANTIATED	UNFOUNDED	EXONERATED	DISMISSED	FPC - DISMISSED	FPC - NOT SUSTAINED	FPC-RAPID RESOLUTION	OTHER	SUSTAINED	MEMBER COUNSELED	POLICY REVIEW	Grand Total
Department Procedures			3	2		4		1	1	6			17
Department Services	54	2	15	8		18	1		1	7	6		112
Discourtesy	2												2
Disparate Treatment	3		7	1	1	8			1			1	22
Use of Force	1			4			1						6
Grand Total	60	2	25	15	1	30	2	1	3	13	6	1	159

Table 1 – Allegations investigated by FPC in 2023

FPC Allegation Trends

Total allegations investigated by FPC have decreased since the 2014 total of 331, reaching a 2023 low of 159.

Meanwhile, allegations of discourtesy have decreased from 17% of all allegations to 1%, those regarding department procedures have dropped from 18% of all allegations to 11%, and those alleging use of force have decreased from 7% to 4%.

Allegations involving department services have increased from 51% to 70% and allegations of disparate treatment have increased from 2% to 14%.

FPC investigation timetable

The speed at which FPC complaints were resolved in 2023 is summarized in Figure 2, depicting the number of calendar weeks within which a complaint was closed versus the number of cases resolved in each time period. Three of the 181 complaints remain open. Of the 178 closed complaints, 111 (62%) were resolved by FPC within two weeks and 155 (87%) were resolved within five weeks. The average (mean) number of days it took to resolve a complaint was 18 and the median number of days was 11.

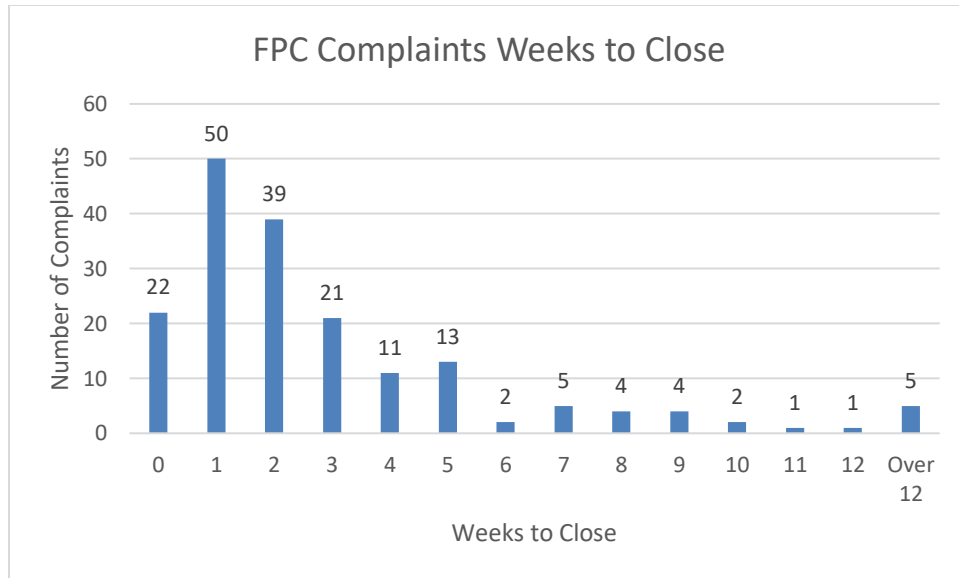


Figure 2: FPC complaints: weeks to close

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 makes its findings and 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, 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 in order to determine whether the good of the service requires that the department member be permanently discharged, suspended without pay, demoted to a lower rank, or participate in policy training.

One Citizen Complaint Trial was initiated during 2023. Result: dismissal by the hearing examiner.

Citizen Board Review

If a complainant is not satisfied with a complaint disposition as determined by the Executive Director they may request that the Board review the investigation and disposition.

There were three Citizen Board Reviews during 2023. The Executive Director's decision was upheld in each case.

Complaints submitted to MPD

Though FPC as an oversight authority has an independent process for receiving and investigating citizen complaints regarding the Milwaukee 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 MPD Internal Affairs Division directly. A complaint submitted to MPD may be submitted by 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.

When a complaint is submitted directly to MPD (rather than FPC) it is evaluated by the commanding officer of the Internal Affairs Division (IAD) to determine who will investigate the complaint. Serious allegations will be 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 a criminal allegation is involved, the complaint will go to the special investigation section of the IAD. The findings will be presented to the 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 to 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.

Total MPD complaint volume

Figure 3 summarizes the number of complaints submitted to MPD each year since 2007. In 2023, there were 94 citizen complaints made to MPD, 74 fewer than the previous year. Unlike in 2022, in 2023 the number of complaints made directly to MPD was lower than the number made to FPC.

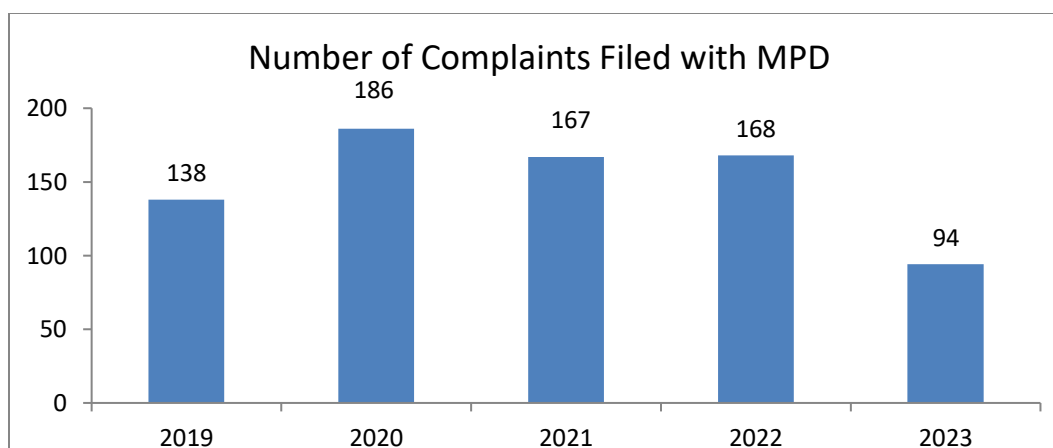


Figure 3: Number of complaints filed with MPD

Summary of MPD allegations and findings

Allegations investigated by MPD are classified differently from those investigated by FPC: FPC uses general descriptive categories to define an allegation while MPD uses specific item categories within its Code of Conduct (see Appendix 1). The 94 citizen complaints received and investigated by MPD in 2023 contained 234 distinct allegations – down 34% from 355 in 2022. Of these, 225 allegations included the ID of the employee or employees involved. Those are included in Table 2. At the time of this analysis all 2023 incidents were closed.⁴

The most common Code of Conduct complaint allegation category in 2023 was Respect, 5.01 – Failure to treat the public with courtesy & professionalism with 38 allegations (17%). The next most common were Competence, 1.04 – Failure to Fully Investigate (36 allegations, 16%) and Respect, 5.01 – Failure to be civil & courteous (29 allegations, 13%). Rounding out the top five in 2023 were Respect, 5.02 – FT Act W/Fairness, self-control, tolerance, or impartiality with 20 allegations (9%), Restraint, 6.01 – Excessive use of force – Bodily with 15 allegations (7%), and Integrity 3.01 – Behavior that could discredit the Department, with 14 allegations (6%).

Of these 225 allegations investigated and closed by MPD in 2023, 122 allegations (54%) were not sustained, up from 49% in 2022. Twenty-six allegations (12%) were determined to be unfounded – similar to 11% in 2022 – and 25 (11%) were found to have no Code of Conduct violation – down from 16% in 2022. Sixteen allegations (7%) resulted in a policy review and 3 allegations (1%) had a finding of “Filed – Pending additional information,” despite being listed as closed.

It should be noted that 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, 8 allegations (4%) were sustained – similar to 5% in 2022. Remaining smaller numbers of allegations were spread across several dispositions, as seen in Table 2:

⁴ This report analyzes allegations against known employees. The 2022 report analyzed allegations against unknown employees as well.

	Allegation Disposition															
Code of Conduct Category	NO DISPOSITION	BASELESS	FILED - PENDING ADDITIONAL INFORMATION	MEMBER COUNSELED	MEMBER RESIGNED	MEMBER RETIRED - CHARGES PENDING	MEMBER RETIRED - INVESTIGATION PENDING	No COC Violation	NOT SUSTAINED	POLICY REVIEW	REMEDIAL TRAINING	RESIGNED - CHARGES PENDING	RESIGNED - INVESTIGATION PENDING	SUSTAINED	UNFOUNDED	Grand Total
Competence, 1.03 - FT render service promptly & efficiently									1							1
Competence, 1.03 - Idling & loafing				1					3				2	3		9
Competence, 1.04 - FT File Accurate Reports								1	1							2
Competence, 1.04 - FT File Reports								2	1	2						5
Competence, 1.04 - FT File Reports ASAP								1								1
Competence, 1.04 - FT Fully Investigate								2	23	4			1	2	4	36
Competence, 1.04 - Unfair Citation															2	2
Competence, 1.05 - Foreign Nationals - Diplomatic Immunity - Immigration									2							2
Competence, 1.05 - Personnel Investigations									2							2
Competence, 1.05 - SOP Bodyworn Camera				1						2						3
Competence, 1.05 - SOP Domestic Violence			2													2
Competence, 1.05 - SOP Equal Employment Opportunity Policy														2		2
Competence, 1.05 - SOP Prisoners and Booking									1							1
Competence, 1.05 - SOP Property										1						1
Competence, 1.05 - SOP Search Warrants									3							3
Competence, 1.05 - SOP Social Networking Sites										6			2			8
Integrity, 3.00								1	1						1	3
Integrity, 3.01 - Behavior that could discredit the Dept.				3					7			1	2	1		14
Integrity, 3.03 - Improper Search & Seizure									6							6
Integrity, 3.03 - Unfair Arrest								4							1	5
Integrity, 3.04 - FT Treat Dept. Info as Confidential									1							1
Integrity, 3.05 - FT CITY - DISORDERLY CONDUCT												1				1
Integrity, 3.06 - Misuse of official position															1	1
Integrity, 3.10									4							4
Leadership, 4.01 - FT set an example									1							1
Leadership, 4.04 - FT ensure subordinates carry out duties									1							1
Respect, 5.01 - FT be civil & courteous	2			1	1		1	3	19	1					1	29
Respect, 5.01 - FT treat the public with courtesy & professionalism			1			1		7	21		1				7	38
Respect, 5.02									1							1
Respect, 5.02 - FT Act W/Fairness, self control, tolerance, or impartiality		2							13						5	20
Respect, 5.02 - Harass Citizen									3							3
Respect, 5.02 - Racial Profiling									1							1
Restraint, 6.01 - Excessive use of force - Bodily							2	4	5						4	15
Restraint, 6.01 - Excessive use of force - ECD									1							1
Grand Total	2	2	3	6	1	1	3	25	122	16	1	2	7	8	26	225

Table 2 Allegations investigated by MPD in 2023

MPD investigation timetable

The speed at which complaints submitted to MPD were resolved in 2023 is summarized in Figure 4, depicting the number of calendar days to close a complaint versus the number of cases resolved in each time period. Of the 94 closed citizen complaints received by MPD in 2023, the average (mean) number of weeks it took MPD to resolve a complaint was 27 while the median number of weeks was 22. Eighteen cases (19%) were closed within 12 weeks and 56 cases (60%) were closed within 24 weeks.

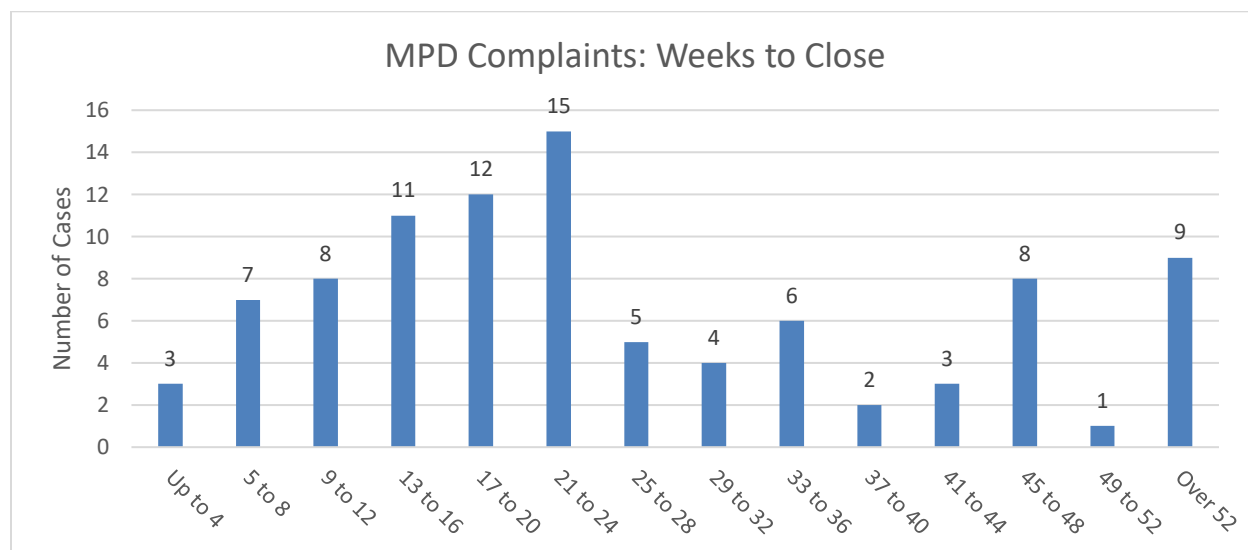


Figure 4: MPD complaints: weeks to close

Note that investigations of complaints by MPD 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 at least seven days from the original request date. This requirement makes it rare to conclude an investigation in less than seven days. Also impacting 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.

Rate of police complaints by district

Complaint volume in the context of the number of police-citizen contacts in 2023 is outlined in Table 3. Police-citizen contacts are categorized as either field interviews or traffic stops.

The 2023 rate of 9.7 complaints per 1,000 police-citizen contacts is a slight increase from the 2022 rate of 9.6. However, both the number of police citizen contacts (32,153 in 2022) and the number of police complaints (309 in 2022) decreased in 2023. 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 56.5 complaints per 1,000 contacts. With a rate of 5.6, District 2 had the lowest rate per 1,000 contacts.

Complaints per Police-Citizen Contact

	Field Interviews	Traffic Stops	Total Police-Citizen Contacts	FPC Citizen Complaints-MPD Only	MPD Citizen Complaints	Total Citizen Complaints	Complaints per 1000 contacts
District 1	28	644	672	27	11	38	56.5
District 2	108	5,599	5,707	28	4	32	5.6
District 3	140	3,416	3,556	27	5	32	9.0
District 4	76	4,129	4,205	20	14	34	8.1
District 5	151	3,536	3,687	24	14	38	10.3
District 6	62	5,010	5,072	17	16	33	6.5
District 7	137	4,462	4,599	29	9	38	8.3
Unknown	6	919	925	9	21	30	32.4
Total	708	27,715	28,423	181	94	275	9.7

Table 3 – Rate of complaints per police-citizen contact

Three districts – 1, 5, and 6 – showed an increase in their rate of complaints per 1,000 contacts, while the remainder saw a decrease or remained the same, as shown in Figure 5 [FN1][CB2].

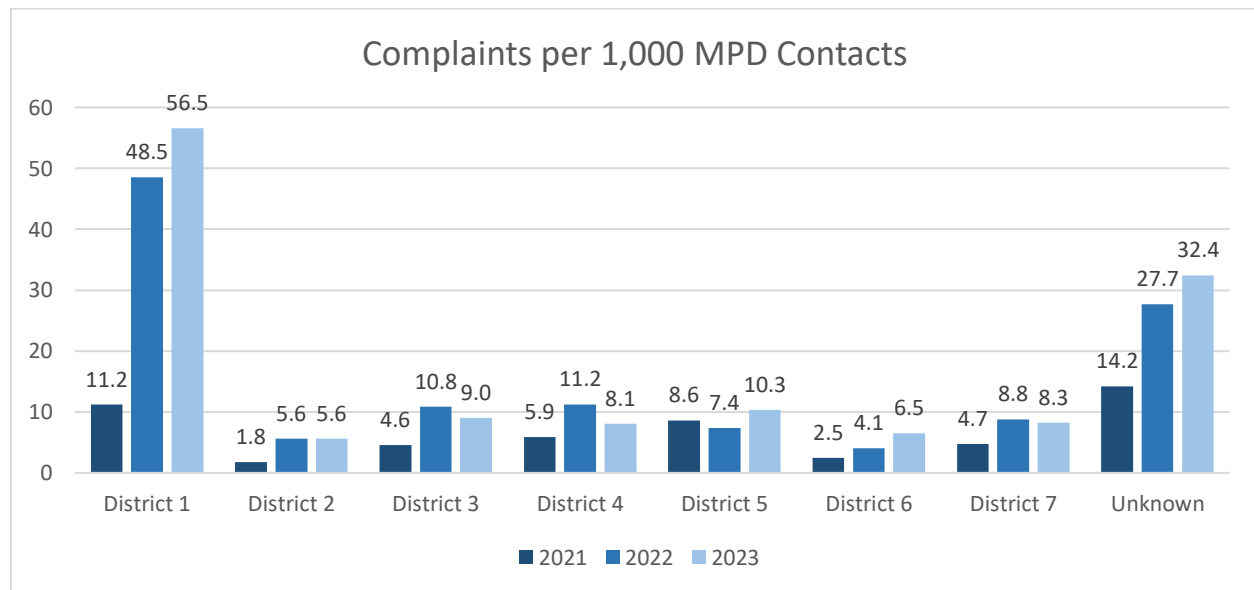


Figure 5: Complaints per 1,000 MPD Contacts

As can be seen in Figure 6, traffic stops were down in all districts from 2022. Field interviews were up in Districts 3, 5 and 7 and down in all other districts, including those not associated with a district. Figure 6 shows the increase or decrease in each type of contact from the previous year by district.

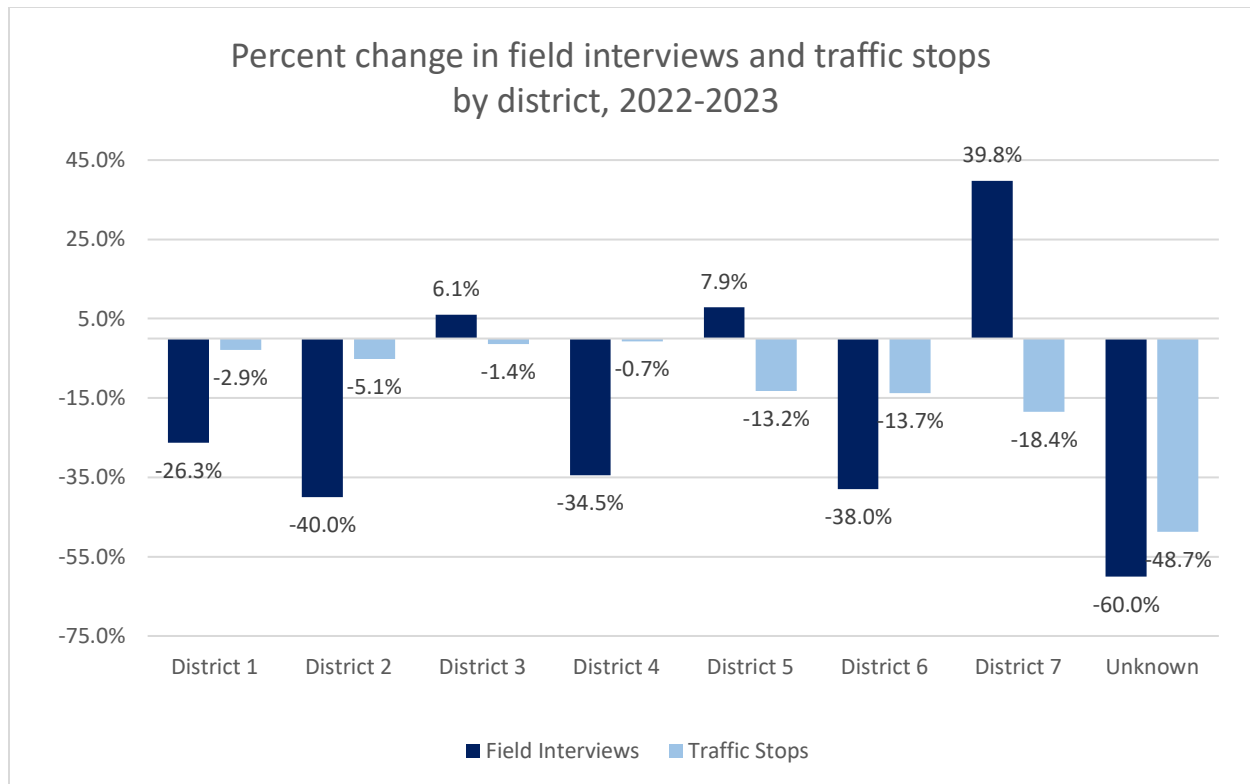


Figure 6: Percent Change in field interviews and traffic stops by district, 2022-2023

Complaints submitted to MFD

The Milwaukee Fire Department (MFD), like MPD, can accept and investigate citizen complaints independent of FPC. Citizens may contact MFD by telephone or in person, and staff will record the complaint which will be directed to the Assistant Chief of Support for investigation. See Appendix 2 for information on MFD's Code of Conduct.

MFD independently received and investigated 49 complaints in 2023, an increase of 4 over 2022. Because of the way MFD records complaints, they cannot be analyzed in the same way as FPC and MPD citizen complaints. In 29 (59%) of the cases, MFD notes indicate the complainant was at least somewhat satisfied with the investigative response to the complaint; and in 40 cases (82%), no further action from the complainant was expected.

Of those 49 total complaints, 27 were related to emergency medical calls for service (EMS) and 1 was related to a reported fire. The remainder had various causes. They included one complaint concerning a non-employee and another concerning a non-City fire department. In one finding the department member was terminated. Three findings resulted in oral reprimands. Eleven findings led to coaching or counseling sessions with the member(s) involved.

Department of Emergency Communications (DEC) complaints

As DEC is a new department under the FPC, its citizen complaints are not designated as such in any system. There is no separate tracking system for DEC and there is no search field to identify DEC complaints *per se*. The only indication that a complaint concerned a DEC call taker is found in the complaint data “notes” field for FPC, MPD and MFD. As such, the DEC complaints are already included above in the total counts for FPC, MPD and MFD. Among all FPC complaints, five were found that involved DEC call takers. Three MFD complaints involved DEC call takers; no MPD complaints did.

Complaints found were that the call takers were rude, argumentative, disconnected the call, wait was over an hour on hold, operator did not intend to report or send squad, or complainant did not like policy stated by call taker.

The five complaints received by FPC resulted in one being unsubstantiated, two being dismissed, one employee receiving coaching/counseling, and one employee separation.

The three complaints received by MFD resulted in one oral reprimand, one termination, and one being unsubstantiated.

All complaints combined

The total number of complaints recorded for MFD and each Police District are outlined in Figure 7. These totals combine complaints received and investigated by FPC with those received and investigated by each department. In addition to the Police District (D1, D2, etc.) and MFD categories listed in Figure 7, there is also a category called “MPD General”. This category is for complaints which do not clearly refer to a specific known Police District. In 2023 Police Districts 3 and 7 had the highest number of complaints with 41 and 49 respectively. District 6 had the lowest number of complaints with 26^[FN3].

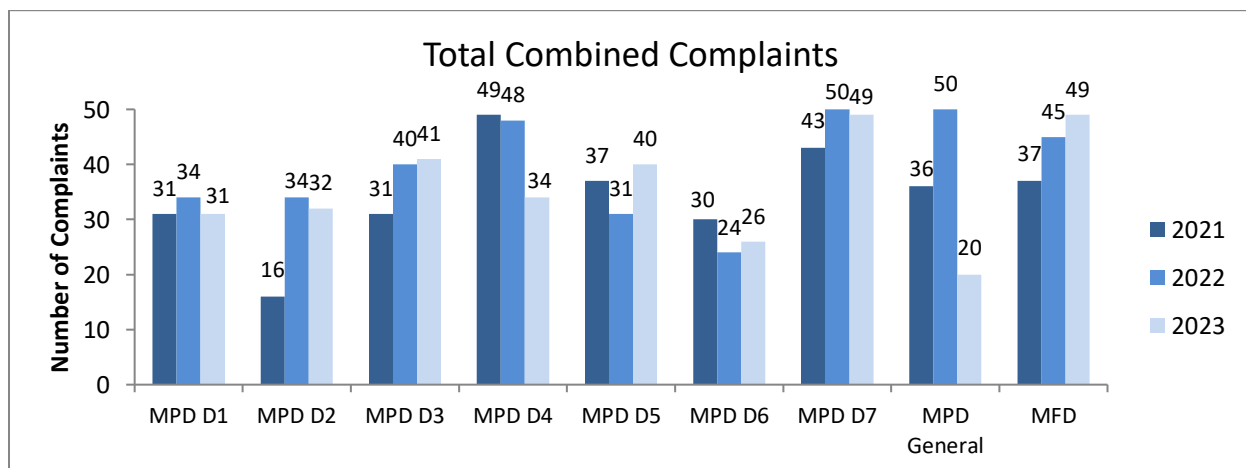


Figure 7: Total combined complaints

Employee and complainant 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 FPC and MPD during 2023 results in a set of 270 complainants. Because only 38% list a gender, the data with regard to gender is of limited usefulness. Of the 103 complainants whose gender is given, 56 (54%) were female and 47 (46%) were male.

With regard to complainants' race and ethnicity, as shown in Table 4, 40 complaints did not include that information.⁵ Among the 229 complaints with available data, the largest share (153, or 67%) was made up of individuals who identify as Black. This is higher than the 37% of Milwaukee residents who are Black or African American according to U.S. Census data. In other words, Black people are overrepresented in this set of complaints as they were in prior years.

The next largest group was individuals identifying as white, with 45 complaints (20%), down from 65 complaints in 2022. According to U.S. Census data, 32% of Milwaukeeans identify as white, so this group is underrepresented in this set of complaints. Individuals identifying as Hispanic made 18 complaints (8%). Twenty-one percent of Milwaukeeans identify as Hispanic or Latino, according to census data, so Hispanic complainants are underrepresented as well.⁶

Race	Complaints
Asian	4
Black	153
Hispanic	18
Native American	3
Other Races	4
Unknown	2
White	45
Left Blank	40
TOTAL	269

Table 4: Race/Ethnicity of Complainants

Table 5 breaks down the race and ethnicity of the 301 named MPD employees who were the subject of complaints and whose race/ethnicity is given. The highest number of complaints were made against white employees (177, or 58.8%), who make up 61% of MPD sworn employees overall, as shown in Table 6.

⁵ Complaints against MFD employees are excluded from this analysis due to the fact that more complete demographic information is accessible in this context for MPD employees and the large majority of complaints are levied against MPD employees.

⁶ Milwaukee demographic makeup was taken from 2022 1-year ACS estimate.

There were 74 complaints (25%) made against Black employees (who comprise 18% of MPD sworn employees), and 42 complaints (14%) made against Hispanic employees (16% of MPD sworn employees).

Race	Complaints
American Indian/Alaska Native	1
Asian	7
Black	74
Hispanic	42
White	177
TOTAL	301

Table 5: Race/Ethnicity of MPD sworn employees named in complaints

With regard to gender, 50 complaints were made against named female employees, (27% of all MPD sworn employees), while 251 complaints were made against named male employees (73% of all MPD sworn employees). No other options for gender were included.

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
TOTAL	1,512	570	2,082

Table 6: Race/Ethnicity of all sworn MPD employees, Q4 2023

Allegation and complaint 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 all complaints made to both FPC and MPD. Figure 8 shows the breakdown of allegation frequency for 2023 complaints. The vast majority of MPD employees (186) listed in complaints were the subject of a single allegation that year.

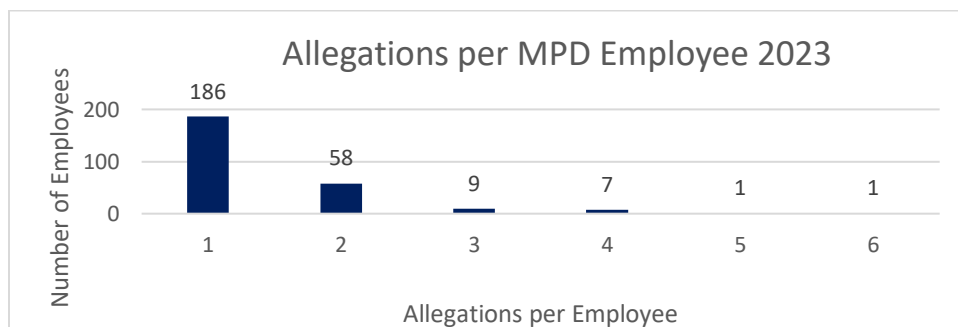


Figure 8: Allegations per MPD Employee 2023

Likewise, the vast majority of employees, 212, who received a citizen complaint received only one, as shown in Figure 9:



Figure 9: Complaints per Employee 2023

Conclusion

The purpose of this report was to collect, synthesize, and share with the public 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 are summarized some of the key findings that emerge from the 2023 data.

Complaints made directly to FPC:

- The number of allegations received by FPC has decreased since the 2014 total of 331, reaching a 2023 low of 159.
- The largest share of allegations was related to department services (71%), followed by disparate treatment (14%).
- Meanwhile, allegations of discourtesy have decreased from 17% of all allegations to 2%, those regarding department procedures have dropped from 18% of all allegations to 10%, and those alleging use of force have decreased from 7% to 4%.
- Of 159 allegations, 62 were “not sustained” or “not substantiated”, 30 were “FPC – dismissed”, and 25 were “unfounded”.
- Thirteen were “sustained” – an increase of 2 over the previous year.
- The average number of days to resolve a complaint was 18 days compared to 17 in 2022; the median number of days was 11 compared to 7 in 2022^[FN4]^[CB5]^[CB6].

Complaints made directly to MPD:

- The number of citizen complaints received by MPD has declined from 186 in 2020 to 94 in 2023.
- The 94 citizen complaints received by MPD in 2023 contained 234 distinct allegations, compared to 355 in 2022.
- The three most common Code of Conduct complaint allegation categories in 2023 were Respect, 5.01 – Failure to treat the public with courtesy & professionalism with 38 allegations (17%), Competence, 1.04 – Failure to Fully Investigate (36 allegations, 16%) and Respect, 5.01 – Failure to be civil & courteous (29 allegations, 13%).
- Of the 225 allegations investigated and closed by MPD in 2023, 122 allegations (54%) were not sustained, up from 49% in 2022.
- The average number of weeks it took MPD to resolve a complaint was 18 and the median number was 17, up from 13 weeks in 2022.
- The demographic data for those submitting complaints is similar to recent years. Whites and Hispanics had a lower rate of representation among complainants than in the City as a whole, while Blacks had a higher rate of representation.

Combined complaints:

- The 2023 rate of 9.7 complaints per 1,000 police-citizen contacts is a slight increase from the 2022 rate of 9.6. Both the number of police citizen contacts (32,153 in 2022) and the number of police complaints (309 in 2022) decreased in 2023.
- Three districts – 1, 5, and 6, as well as complaints not associated with a district – showed an increase in their rate of complaints per 1,000 contacts, while the remainder saw a decrease or

remained the same. In 2022, six districts and complaints not associated with a district saw an increase in complaints per 1,000 contacts^[FN7].

The Fire and Police Commission continues to remain committed to providing excellent service to the community and to providing a fair and impartial process by which residents of the City of Milwaukee may submit complaints against protective service personnel.

Appendix 1

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 2

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.

2023 Fire and Police Commission Citizen Complaint Report

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