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Details:

(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

### 2007-08

(session year)

### Senate

(Assembly, Senate or Joint)

### Committee on ... Labor, Elections and Urban Affairs (SC-LEUA)

### COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)
  - (**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

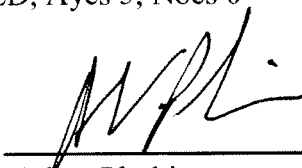


Moved by Senator Wirch, seconded by Senator Lehman that  
**Senate Bill 388** be recommended for passage.

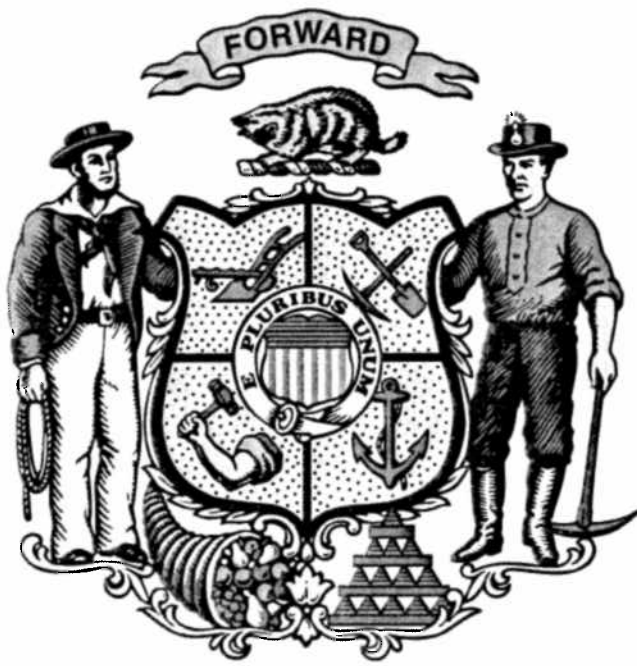
Ayes: (5) Senators Coggs, Wirch, Lehman, Grothman  
and A. Lasee.

Noes: (0) None.

PASSAGE RECOMMENDED, Ayes 5, Noes 0

A handwritten signature in black ink, appearing to read 'A. Plotkin', written over a horizontal line.

Adam Plotkin  
Committee Clerk









Date ?

Department of Administration  
Intergovernmental Relations Division

Tom Barrett  
Mayor

Sharon Robinson  
Director of Administration

Paul Vornholt  
Director of Intergovernmental Relations

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**Senate Bill 388:**

**Proposal to Change the Composition of the City of Milwaukee's Fire & Police Commission**

In 2006, Milwaukee's Fire and Police Commission hired the Police Assessment Resource Center (PARC) to evaluate the Commission and make recommendations for improvement. The evaluation, "Promoting Police Accountability in Milwaukee: Strengthening the Fire and Police Commission" was released in June of 2006. The report acknowledged the difficulty in quickly processing the sheer volume of disciplinary cases before it and made recommendations to improve the process. Additionally, it acknowledged significant public dissatisfaction over the length of time it takes to resolve citizen complaints and disciplinary appeals.

To address this issue, one of PARC's recommendations was to expand the Commission to 7 appointees, provided that the Commission was still able to decide upon disciplinary appeals in panels of three members. The Commissioners would continue to serve staggered five-year terms to "foster the right balance of experience and fresh perspectives." They would also continue to be appointed by the Mayor and confirmed by the Common Council. Implementing this change requires action by the Wisconsin State Legislature.

As pointed out by PARC, expanding the Commission's membership would allow broader representation and a broader base of skills. It would also improve the ability of the Commission to obtain a quorum when scheduling meetings. Lastly, it would distribute the large workload over a greater number of people, making the appointment more attractive to candidates under consideration.

Traditionally, police officer and firefighter disciplinary trials have been scheduled on a weekly basis given challenges associated with the availability of Commissioners and pre-trial and post-trial documentation requirements. Expanded membership using the model of panels of 3 Commissioners to hear and decide disciplinary appeals would allow an increased number of trials to be scheduled on a regular basis. This would help eliminate the backlog of trials and move disciplined officers off the city payroll in a more timely fashion, thereby saving Milwaukee taxpayers money.

This legislation proposes to amend s. 62.50 (1) to increase Milwaukee's board of fire and police commissioners to 7 appointees. It also adds language authorizing panels of three board members to decide upon disciplinary appeals. We would greatly appreciate your support for this change.

**For more information, please contact:**

Jennifer Gonda, Senior Legislative Fiscal Manager  
(414) 286-3492 or [jgonda@milwaukee.gov](mailto:jgonda@milwaukee.gov)





Date?

### Differences between Carpenter SB 388 and Taylor SB 390.

- SB 388 increases Board from 5 to 7 members.
- SB 390 increases Board from 5 to 7 or 9 members, depending upon how many member the mayor appoints. The mayor can also decrease the amount of the Board from 9 to 7 members by not appointing new members when member's term's expires.
  
- SB 388 requires no more than 3 members of the new Board be of the same political party. (Current law: no more than 2 members of the Board be of the same political party.)
- SB 390 eliminates any limit on the number of Board members who may belong to the same political party.
  
- SB 388 does not change the current law regarding noticing, scheduling, or adjourning of a trial before the Board.
- SB 390 changes law regarding noticing, scheduling and adjourning of a trial before the Board. Currently, if the Board receives a notice of appeal, it must schedule a trial within 5 and 15 days after service of the notice and copy of the complaint. This bill changes the time frame for scheduling a trial to between 60 and 120 days. Currently, both the accused and the chief of a department have the right to request up to a 15-day adjournment of the trial or investigation of the charges. Once such a request is made, it is granted automatically. Under the bill, the Board may grant an adjournment, for cause, to either party.

Summary & Argument: By eliminating the limit on the number of members who may belong to one party, the Taylor Bill SB 390 risks losing the legitimacy of the Board by allowing it to become dominated entirely by one political party. As for changing the timing for trials, I am not opposed to the concept; however, I don't believe that the issue is as vital as increasing the board size and allowing 3 – members to hear disciplinary and citizen complaint hearings.