

City of Whitewater Police Commission
Quarterly Meeting Minutes
August 4, 2010

ABSTRACT / SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL ACTIONS OF THE
POLICE COMMISSION OF THE CITY OF WHITEWATER, WALWORTH AND JEFFERSON
COUNTIES, WISCONSIN

CALL TO ORDER, ROLE CALL: Police Commission President Jan Bilgen-Craggs called the meeting of the Whitewater Police Commission to order at 7:00 p.m.

Members present: Jan Bilgen-Craggs, Rosa Verduzco, Dennis Knopp, and Jim Olsen.

Members absent: Jerry Wendt.

Also present were Chief James Coan, Lieutenant Lisa Otterbacher and Support Services Manager Kathy Boyd.

OATH OF OFFICE: Boyd administered the oath of office to Common Council Representative Jim Olsen. Bilgen-Craggs welcomed Olsen to the Police Commission.

CONVENE INTO CLOSED SESSION: At 7:02 pm Bilgen-Craggs made a motion to convene into closed session to interview one patrol officer candidate, to reconvene per Wisconsin State Statute §19.85(1) (c) "Considering employment, promotion, compensation or performance evaluation data of any public employee over which governmental body has jurisdiction or exercises responsibility." There was a second from Olsen. The motion was passed by unanimous voice vote.

AYES: Bilgen-Craggs, Verduzco, Knopp and Olsen

NOES: None

ABSENT: Wendt

Boyd stepped out of the closed session.

RECONVENE INTO OPEN SESSION: At 7:20 pm Olsen made a motion to reconvene into open session with a second from Verduzco. The motion was passed by unanimous voice vote.

AYES: Bilgen-Craggs, Verduzco, Knopp and Olsen

NOES: None

ABSENT: Wendt

ANNOUNCEMENT OF RECOMMENDATION TO CHIEF OF POLICE: A motion to recommend approval of the patrol officer candidate, Joshua Erickson, to move along in the hiring process was made by Olsen with a second by Verduzco. The motion was passed by unanimous voice vote.

AYES: Bilgen-Craggs, Verduzco, Knopp and Olsen

NOES: None

ABSENT: Wendt

Chief Coan thanked the commissioners and stated that it would be a conditional offer based on successful completion of the physical and psychological. Knopp asked if it was for just one opening and Chief Coan stated that it would be to fill Zena Villarello's leaving the department.

APPROVAL OF MINUTES: Minutes from the May 12, 2010 meeting were approved unanimously on a Knopp/Olsen motion.

AYES: Bilgen-Craggs, Verduzco, Knopp and Olsen

NOES: None

ABSENT: Wendt

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CITIZEN'S COMMENTS: Knopp asked if the police department asks permission when squad cars park in private parking lots or if it violates private property rights. Knopp stated he sees squad cars there all the time and his lot is one of them. Chief Coan stated that most people like to have a police car parked in their lot and the department has gotten no complaints, except from Knopp. Chief Coan stated that it's an effort to be visible and in a position to see activity or vehicles driving by. If someone objected to it the request would be honored, as it has been with Knopp's request. Officers have been told not to park in the lot, but they can go in on an emergency. Lt. Otterbacher stated it sometimes is an officer safety. Chief Coan stated that if someone complains about it to Knopp he should forward it to the Chief.

OLD BUSINESS: None

NEW BUSINESS:

A. CITIZEN COMPLAINT FORM/PROCESS: Chief Coan stated that the department has a citizen complaint procedure brochure both in English and Spanish that are available in the lobby of the department. Also on the Web site is access to an overview of the process. The department also has a sixteen page policy on how to deal with internal affairs and citizen complaints. Chief Coan stated that it is important to be transparent. The number of citizen complaints, the dispositions and a general overview, are published yearly in the annual report. Chief Coan stated that history has shown that there has been a variety of disciplinary measures to include suspension, but employees have also been vindicated. A lot of complaints received by the department are procedural. Once it has been explained people are generally accepting. Lt. Otterbacher mentioned that the department is above most agencies due to accreditation. Accreditation has an entire chapter devoted to citizen complaints. She stated that there was one exhaustive complaint that was investigated in about a week, but they usually take less than that. She stated that people are encouraged to come in with complaints because more times than not they are misunderstandings. She stated that she has had complaints that an individual was handcuffed and felt treated like a criminal. She stated the explanation is that they know that they won't hurt the officer, but the officer doesn't know; it is an officer safety issue. The job is to make the community safe, but also to make sure the officer is safe. Lt. Otterbacher stated that an elderly woman's relative called and the tapes of the phone calls were pulled to clear it up. The relative was set at ease and left with a positive opinion of the department. Lt. Otterbacher mentioned that all incoming lines (to dispatch) are taped along with a lot of video surveillance within the department. Chief Coan stated that if it rises to the level of a full citizen complaint he always writes a letter of disposition. He stated that he doesn't tell the individual what discipline is given, but the Police Commission members get copies of discipline letters. Chief Coan stated that a lot of things are usually procedural and if the person is trying to get out of the arrest vs. the conduct of the officer then court is the venue. Knopp stated the reason the he requested this was that it is hard to file a complaint. He stated that he called to complain a couple of times and was talked out of it. He stated he was asked if he wanted the police department to ticket for everything they see. He stated that if it is made easier for a person to file a complaint. Knopp presented a copy of the Milwaukee Fire and Police commission complaint form stating that Whitewater wasn't Milwaukee. Knopp stated that there are a whole bunch of tourists coming into town (meaning students) and by ordinance the commission has to have a meeting televised and if you have a whole bunch of college kids screaming if they've been wronged it's going to take up a lot of time. Knopp stated that

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the reason he brought this up is one of his bartenders locked up the bar and drove three drunks home. Knopp stated that the bartender was stopped and the officer asked if she knew why she was being stopped and the officer stated it was because her taillight was out. Knopp stated that the officer didn't write the bartender up for a bad taillight. Knopp stated that the bartender was angry. Knopp told her to file a complaint and the bartender stated that she knew what would happen; she didn't want to be singled out. Bilgen-Craggs stated the bartender was making an assumption of what would happen. Bilgen-Craggs stated that part of the process is to help educate people. Knopp stated that he would like to see it made easier so people don't have to jump through so many hoops. Knopp stated that a lot goes on that people aren't aware of. He stated not bad – intimidating, bullying. Chief Coan stated that he was sorry to hear that, but that is not what the department is about. Chief Coan stated that he has found that when he hears things second hand that the story is sometimes very different. Chief Coan stated that Knopp is hearing it from his bartender, he now to them. Chief Coan stated it would be a matter of asking the police officer their perception of the particular situation, which might be different than what Knopp heard from his bartender. Chief Coan stated as far as the complaint process people can come in, they can fill out a form, they can send a letter. Chief Coan stated if someone feels threatened there are lots of different options; they can call Bilgen-Craggs, they could go to the sheriff's department, they could go to the F.B.I (Federal Bureau of Investigation), they could go to DCI (WI Department of Justice Division of Criminal Investigation). Chief Coan stated that there are a lot of organizations that would investigate their complaint if they are fearful that filing a complaint with the department, that there would be any retribution. Chief Coan stated that there are options for people if they are afraid and he asked what example Knopp's bartender had that there would be any retribution. Chief Coan asked if the bartender knew someone else that filed a complaint. Knopp stated no, that they are 21 years old and they are scared to death and fighting fearless all rolled up into one. Knopp stated that the only thing he is asking is to make it a little bit easier. Lt. Otterbacher stated that there aren't any hoops to jump through. Lt. Otterbacher stated that complaints are taken anonymously. Knopp stated he doesn't think that people are aware. Bilgen-Craggs stated that it is easier in Whitewater than in Fort, Janesville or Watertown to get a complaint form because she asked someone to do it for her. Bilgen-Craggs stated that anything electronic is going to respond better to the age group that they are talking about, if it's not on the Web, it doesn't exist. Bilgen-Craggs asked what can the commission do to better educate, not the tourist, but a short term resident. Bilgen-Craggs stated she had a conversation with Delta Chi (sorority) and they didn't know about the Police Commission. Bilgen-Craggs asked what the Police Commission could do or support the department and maybe it's a collaborative initiative with the campus police, to talk about what should interaction with a law enforcement professional be like. Bilgen-Craggs stated that until she took the Citizen's Academy she didn't know about a lawful order. Bilgen-Craggs stated she thinks that the presence is good on the Web and she didn't like that an officer talked Knopp out of a complaint and would like to know the officers name. Bilgen-Craggs stated that possibly they could do some target group with fraternities and sororities. Bilgen-Craggs stated that the assumption that there's going to be retribution and there is no way to change it angers her. Knopp stated he was looking at the ease and as far as who talked him out of it doesn't make any difference because it happened a few years ago, but they are still working here. Lt. Otterbacher stated if we don't know we can't fix it. Knopp stated that Otterbacher did one. Lt. Otterbacher stated that she found that hard to believe. Bilgen-Craggs stated that they can't continue to live in the past. Whether she did it or not it's

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immaterial. Knopp stated that they wanted to know who did it. Bilgen-Craggs stated if it's true then just let it go and move forward. Bilgen-Craggs stated that it's on the Web and it's in two languages, but she thinks there needs to be some education about the process and what kind of direction that needs to be. Olsen stated that when visiting the department the yellow brochure pops right out. Olsen stated that maybe make complaints on the Web site more visible, if there isn't a tab, make one. Olsen said that he didn't think the department needed to change anything, because what the department has seems to be working. Chief Coan stated that he would talk to Tim Nobling (Chief Information Officer) and Boyd about changes to the Web site. Bilgen-Craggs stated that it's in the booklet that is given to students door-to-door. Bilgen-Craggs stated she wasn't sure where they were with a global form. It's already typed up and anonymity is significant. Chief Coan stated that anonymous complaints are not dismissed, they are looked into, but the department is unable to get back to someone. He stated that they are treated seriously. He stated that the department doesn't do it because of any standard, but because it is the right thing to do. Chief Coan said that the department wants to be transparent and they want to try to do better. Chief Coan stated that they may not reach everyone in the community or all of the students, but if they want to register a complaint they can go on-line or to the sheriff's department, the WI Department of Justice Division of Criminal Investigation (DCI) or the Federal Bureau of Investigation (FBI). He stated that there is no retribution, it won't be tolerated. Chief Coan thought that the changes to the Web site would be a good thing to do and possibly things can go to Bilgen-Craggs. Bilgen-Craggs stated that it is part of the job and that she would like the Police Commissioners notified about the changes to the Web site. Knopp stated that two people called him and that is why he requested it. He told them to contact dispatch, which would get a hold of a lieutenant and they didn't want anything to do with it. Knopp stated that he didn't like getting called at six o'clock on a Sunday night, but that's what he fought for nine years to get on this goofy thing and that comes with the territory, don't shoot the messenger. Bilgen-Craggs stated that if someone has a beef then it needs to be addressed and it can be sent to her. Bilgen-Craggs stated that the issue needs to be put on the next agenda. Bilgen-Craggs requested that when the Web site was updated that Boyd send the commissioners an email.

B. CHIEF'S REPORT:

1. PERSONNEL UPDATE:

- a) COMMUNITY SERVICE OFFICER OVERSIGHT: Chief Coan stated that Knopp had a question about Community Service Officer oversight. Chief Coan stated that they are para-professional, non-sworn support staff that is non-unionized. Chief Coan stated that they are City employees, but they fall within the oversight of the police department. Chief Coan mentioned that there is also a NSO (Neighborhood Service Officer) which is under Bruce Parker and that there is also a fire inspector, which is under the fire department. Chief Coan stated that they perform somewhat similar functions, but when it comes to CSO's they do a lot of parking enforcement, animal control, supporting the officers, and other things that free up police officers to do police work and that was the reason for creating the program. Chief Coan stated that the program started in the mid 90's and they try to employ college students from the university or the technical colleges to give them a leg-up in the business. Chief Coan stated that most are interested in police work so they work for

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the department for a couple of years and get hands-on practical experience. Chief Coan stated the department has hired five to six CSO's as officers. Chief Coan stated that it is not a cadet program but has the same effect by virtue of the department being able to see how they perform. Chief Coan stated when the department has an opening for a police officer if they are interested they apply for it. Knopp stated that he saw Officer Martin last week and she was either doing driver ed or we got a new kid. Lt. Otterbacher stated that Officer Martin was training. Knopp asked due to the fact that the CSO's are driving squads and issuing tickets shouldn't they be answering to the police commission too? Chief Coan stated that if Knopp looked at the handbook (Handbook for Wisconsin Police and Fire Commissioners) that per statute the Police Commission has purview over sworn staff, not over civilians, dispatchers, secretaries, CSO's, because they are non-sworn, they are not commissioned police officers. Chief Coan stated that CSO's are civilians and they perform parking enforcement, but they are not making arrests. Chief Coan stated that when they are driving police cars that are not allowed to engage in any emergency situations and a lot of times they are just ferrying cars to the City garage for repairs or oil changes. Chief Coan stated that if the CSO vehicle, which is painted differently than the squad cars, is out of commission for repair they have been allowed to take unmarked cars to perform their duties. Chief Coan stated that the department has very strict guidelines as to what they can or cannot do. Chief Coan stated they can't drive in emergency mode, lights and siren. Chief Coan stated that even with the truck they can respond to accident or fire scenes to help with traffic control, but they can't turn the lights on and they have to follow the traffic rules. Chief Coan stated that the department is careful due to a liability standpoint and in the past have had some CSO's overstep their authority and they have been disciplined and reminded that they are not police officers. Lt. Otterbacher stated that patrol officers would be tied up with parking issues and the different pay scale between an officer and a CSO is significant and so is the job. Lt. Otterbacher stated that the department relies on the CSO's to take care of parking issues and community life issues. Lt. Otterbacher stated that someone from Platteville came in and asked how Whitewater did it because the community is clean; there aren't any kegs or paper cups all over the place. Lt. Otterbacher stated that if a fraternity has a party the CSO's are knocking on the door at 8:00 am to have them clean it up. Knopp asked who the NSO is. Chief Coan stated that they are the Neighborhood Service Officer. Bilgen-Craggs stated that the NSO was more focused on ordinance. Chief Coan stated leaves, grass. Bilgen-Craggs stated no shoveling and toters, but CSO's tend to get those too. Knopp stated he was just wondering because he wanted to get a packet of yellow tickets because he wanted to write tickets. Chief Coan stated that it's a dilemma with parking enforcement because the department gets calls from business people who ask what the department is doing, enforcing too much downtown, driving away customers and a week later there will be a call from another business person asking why isn't the department moving cars downtown. Chief Coan stated that the department tries to keep a balance in terms of parking enforcement and get the CSO's out in a proactive manner as much as possible. Chief Coan stated that there are

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times when a CSO will leave the department to take a job and the department is down to one or two CSO's so the department is not always consistently using them for parking enforcement, but that parking is their primary job. Chief Coan stated that CSO program is great and not very expensive and yields a lot of revenue for the City through parking enforcement. Knopp asked if the CSO's did dispatching too. Chief Coan stated no, they are not trained to do it. Lt. Otterbacher stated that the sworn officers cover lunch for the dispatcher and that the CSO's are in a two year program so they couldn't be brought up to speed. Chief Coan stated they receive training and carry pepper spray and they are taught some basic defensive tactics, first aid training and traffic control, and animal control. Chief Coan stated that Knopp saw Officer Martin training and that she was a CSO herself so she is one of the people that trains incoming CSO's when she is available and does a good job. Chief Coan stated that CSO's also train CSO's. Chief Coan stated that the program has brought diversity into the department because the department has had African-American and Hispanic CSO's. Chief Coan stated the sometimes there aren't as many minority candidates applying for officers jobs. Chief Coan stated that there have been other departments contact him about creating CSO programs because it has been hyped for all of the pulses it brings to the department, the community and for young people trying to get into the business.

- b) RECRUIT OFFICER UPDATE: Chief Coan stated that Bill Becker was doing an outstanding job. He is a nice young man and late August or early September he will be released (solo as an officer). Lt. Otterbacher stated that September 5th he will be solo. Chief Coan stated that he will be out on the street with the start of school and that will help from a staffing standpoint. Chief Coan thanked the Police Commission for allowing the department to hire someone tonight. Chief Coan stated that there will be some other staffing issues to update then next time the Police Commission meets.

The next regular meeting of the Police Commission will be on November 10, 2010 at 7:00p.m. Bilgen-Craggs mentioned to the commissioners to send agenda items to her or Boyd one week before the meeting.

ADJOURNMENT: An Olsen/Verduzco motion to adjourn was passed by unanimous voice vote.

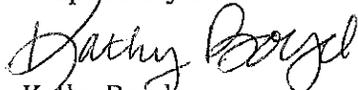
AYES: Bilgen-Craggs, Verduzco, Knopp and Olsen

NOES: None

ABSENT: Wendt

The meeting adjourned at 8:12 pm

Respectfully submitted



Kathy Boyd

Support Services Manager