

From: [Abra Bankendorf Vigna](#)
To: [Police Chief Search](#)
Subject: The Madison Police Chief Selection Process deserves Public Input
Date: Wednesday, December 9, 2020 4:20:47 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Police and Fire Commissioners:

The PFC should not make a decision on a Police Chief on Wednesday, December 9. Give the community an opportunity to engage with the candidates and give informed feedback before deliberating. The OIR report and the MPD Policy and Procedure Review Ad Hoc Committee report recommended that the PFC should involve the Madison community in the selection process through community panels and interviews. Such community engagement with police chief finalists is a normal part of the hiring process in many cities across the U.S. This was also recommended by former MPD Chief David Couper, who had one of the most successful tenures of Madison Police Chiefs. Some Madison alders are taken aback that this apparently isn't happening. Police Civilian Oversight Board member Shadayra Kilfoy-Flores was interviewed about the issue by Channel3000, stating "Candidates providing a video is not going to be sufficient. There needs to be actual community exchange. The community needs to be given an opportunity to interact with these candidates so we can get an idea of who they are as people."

<https://www.channel3000.com/there-needs-to-be-actual.../>

As OIR pointed out, this is all the more important in Wisconsin cities since, unlike cities in most states, police chiefs here basically can have lifetime tenure, rather than serving fixed terms.

It's also shocking that you have selected Portland Deputy Police Chief Chris Davis as a finalist and believe him suitable to be Madison's Chief of Police. In 2002, Davis participated in a controversial officer-involved fatality, precipitating major protests by Portland's Latinx community and mental health and civil rights advocates. Later, when Davis headed the Portland Police Bureau Internal Affairs Department, it had a deserved reputation of covering up misconduct. Then in 2014, Portland Police Lieutenant Rachel Andrew filed a \$300,000 civil rights lawsuit against Davis, Chief Reese, and the Portland Police Bureau for retaliation after she investigated Davis for misconduct. More recently, under Deputy Chief Davis' leadership, the Portland Police Bureau became a poster child for brutal mishandling of protests, and was found to be in direct violation of a federal restraining order regarding use of force against protestors. Davis has advocated practices like police in riot gear charging at crowds of protester to scare and disperse them, use of a wide variety of nonlethal munitions against protesters, slashing the tires of protester's cars, etc. His approach and mentality would never be accepted by Madison community members, and would exacerbate unrest here.

That you chose Davis as a finalist seems to show a fatally flawed process. The most charitable explanation is that you're not doing adequate independent investigations into candidates but just relying on the materials submitted (i.e., how the candidates present themselves). This is what happens when a commission operates in the dark as you currently appear to be seeking to do. Please allow the community to properly engage, vet, and provide input on these finalists.

Sincerely,

Abra Vigna

From: [Mitnick, Matt](#)
To: [Police Chief Search](#)
Cc: jrousseau@strangpatteson.com
Subject: Allow Community Input In Selection of Chief and STOP the decision tonight
Date: Wednesday, December 9, 2020 5:05:22 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Police and Fire Commissioners:

The Police & Fire Commission should NOT decide on a Police Chief tonight.

Why was the community not included in this process? This goes directly against the OIR Report and recommendations from the MPD Policy and Procedure Review Ad Hoc Committee. This seems really shady to me. I can't help but think that the Police & Fire Commission is attempting to sneak a decision by the community, especially considering several of the candidates have quite problematic histories to their names.

Engage with the community. This process needs to start back over from scratch with us Madisonians being involved every step of the way.

Black lives matter. BIPOC lives matter. Now do your jobs.

Best,

Matthew Mitnick

202 N Brooks St

From: [Rob Timberlake](#)
To: [Police Chief Search](#)
Cc: jrousseau@strangpatteson.com
Subject: Registering to speak at the PFC meeting tonight
Date: Wednesday, December 9, 2020 6:05:44 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Please accept my email registration to speak in public comment at the PFC meeting this evening.

I will be available anytime before 6:30pm—please unregister me if my name comes up after that time. Here is information for my registration:

- Rob Timberlake
- Madison, WI 53704
- Agenda Item 1
 - Oppose Christopher A. Davis
 - Oppose Larry R. Sciroto
- I wish to speak
- I am only representing myself

In addition to these notes, I would strongly encourage the PFC to not make a decision this evening and to continue public comment at the Dec 14 meeting.

Thank you,
Rob Timberlake

From: [Mitnick, Matt](#)
To: [Police Chief Search](#)
Cc: jrousseau@strangpatteson.com
Subject: Re: Allow Community Input In Selection of Chief and STOP the decision tonight
Date: Wednesday, December 9, 2020 6:24:51 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

I also want to add that as a member of the Public Safety Review Committee, I am offended that you left us out of this process. It is disrespectful to the work we do to serve the City of Madison.

From: Matthew Mitnick
Sent: Wednesday, December 9, 2020 5:03 PM
To: Police And Fire Commissioner <PoliceChiefSearch@cityofmadison.com>
Cc: jrousseau@strangpatteson.com <jrousseau@strangpatteson.com>
Subject: Allow Community Input In Selection of Chief and STOP the decision tonight

Dear Police and Fire Commissioners:

The Police & Fire Commission should NOT decide on a Police Chief tonight.

Why was the community not included in this process? This goes directly against the OIR Report and recommendations from the MPD Policy and Procedure Review Ad Hoc Committee. This seems really shady to me. I can't help but think that the Police & Fire Commission is attempting to sneak a decision by the community, especially considering several of the candidates have quite problematic histories to their names.

Engage with the community. This process needs to start back over from scratch with us Madisonians being involved every step of the way.

Black lives matter. BIPOC lives matter. Now do your jobs.

Best,

Matthew Mitnick

202 N Brooks St

From: [Juliana Bennett](#)
To: [Police Chief Search](#)
Cc: jrousseau@strangpatteson.com
Subject: Madison's Next Police Chief
Date: Wednesday, December 9, 2020 6:25:29 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear PFC,

I am Juliana Bennett, University student, activist, and candidate for District 8 Alder. I am writing today with **extreme discontent and frustration** with the despicable manner in which you have strategically attempted to leave the Madison community out of the process in hiring the new police chief. I strongly believe that while we are in the midst of a global uprising regarding police brutality, it is our duty to involve the public and maintain complete transparency over the man (and I say man, because the candidates you have chosen are only men) that will be in charge of any attempt the police will have in building community relationships and trust in policing. The way in which you ignored the vital need for public input and oversight has broken what little trust the community has in the police and tarnish the dignity of the PFC.

The lack of transparency from PFC in choosing the new police chief defiles the progress Madison has made in civilian oversight on policing. This year Madison finally started the Civilian Oversight Board, which was even recognized nationally by President Obama for its progress in creating independent community oversight on policing. The Public Safety Review Committee (PSRC) has additionally contributed to redefining public safety in Madison, through the legislative process. Both the Civilian Oversight Board and PSRC were excluded from conversations about choosing the next police chief. You are conducting a sheer illegitimate process, if you did not have the decency to include groups within the Madison municipal process of matters pertaining to policing.

Furthermore, the lack of community input is a slap in the face to all the community organizers that have been at the frontlines of combating the current hideous nature of what we call public safety in Madison. Community organizers have been pushing you to select a candidate of a diverse background that they would feel comfortable interacting with, specifically a local woman of color. You ignored the request for candidates that are local, of different genders, and for the most part people of color. It is additionally abominable that you would even consider a candidate, such as Christopher Davis, a killer cop that was involved in

the murder of an immigrant. It is clear that you excluded community involvement, because of your personal motivations that do not adhere to the needs of the community that the new police chief would be serving.

PFC does not speak for the Madison community. I strongly urge you, if you want to maintain any integrity that PFC has, to suspend the process of hiring a new police chief, backtrack to include other candidates, and resume once the Civilian Oversight Board, PSRC, and the rest of the Madison community has been duly involved in the process. Community input is one of the pillars to democracy. If you or anyone else on the Madison police force wants to preach messages such as, “building relationships and trust within the community” and “increasing transparency”, then know that the process by which you are hiring the new police chief is precisely another example as to why the community does not trust nor want to build relationships with the police. Madisonians have the right to decide the person that will be responsible for public safety.

Do the right thing. Involve the community.

Juliana Bennett

From: [Kathy Raschke](#)
To: [Police Chief Search](#)
Cc: rousseau@strangpatteson.com
Subject: Madison Police Chief search
Date: Wednesday, December 9, 2020 6:57:38 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Commissioners,

I am concerned that Portland Deputy Police Chief, Chris Davis, is a finalist for the Madison Chief of Police position. I have learned, and I think you have since heard from many community members, of numerous reasons why he should not be considered much less chosen. In the light of ongoing concerns about the relationship of the police and community, and considering the unrest that we all have felt in the recent past, I believe his selection would exacerbate unrest and do immeasurable harm to our community. It is imperative that the community and the police department be able to work together to develop humane systems for providing both safety and service to our people and community, both residents and police officers themselves. I am hoping that there is another candidate who is more equipped to do just that.

Sincerely,
Kathy Raschke

Email: PoliceChiefSearch@cityofmadison.com

December 9, 2020

Board of Police and Fire Commissioners
City of Madison
205 Doty St. Suite 201
Green Bay, WI 54301

Re: Chief of Police Search

Dear Commissioners:

I am a lifelong resident of Madison (64 years) and live in District 11. Now that you have identified four finalists for chief of police, I have some important questions about the process for vetting the finalists and making a hiring decision.

Regarding the meeting of the Board of Police and Fire Commissioners (Board) yesterday, December 8, 2020, it appears that the Board failed to establish a period for public comment at or near the beginning of the meeting, a violation of [MGO 33.01\(9\)\(e\)](#). The ordinance is unambiguous about this requirement and I am aware of no evidence that the meeting met the requirements for an exception. If you disagree, what facts support your claim a period of public comment was not required at this meeting?

As to the evaluation of the four finalists, what is the plan for engaging the community in this final and critical phase of the process? It is vital the community have a meaningful opportunity to meet the finalists, ask them questions, and provide input to the Commission prior to your making a hiring decision. This is a best practice, is important to building trust with the community, and will provide a healthy and positive start for the new chief.

Meaningful community engagement is important and I appreciate that you solicited input from the community on what they're looking for in a new chief and am very gratified to see the depth and breadth of responses that you received. I'm interested in learning how this input informed your selection criteria. To that end, I would like to receive copies of or examine the following records:

1. The position description for the chief of police.
2. That relate to the results of the Community Input Survey (<https://www.surveymonkey.com/r/G923DNG>) conducted this year on the search for a chief of police.
3. That relate to summarizing or analyzing any input the Board received this year on hiring a chief of police.
4. That relate to the criteria you are using to hire the chief of police, including any rubrics or matrixes for scoring or evaluating candidates. This would not include the scores or comments on any candidate.
5. That relate to the process, schedule, or action plan for hiring the chief of police.

December 9, 2020

Page 2

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$50.00. I would request a response in writing, within the 5 days described by law, if you intend to deny this request. Also, if you expect a significant delay in fulfilling this request, please contact me with information about when I might expect copies or the ability to inspect the requested records. If you have any questions or concerns about this request and would like to discuss them, please don't hesitate to contact me. If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

The four finalists were identified just three business days ago. A significant amount of time and energy has been invested in hiring a new chief, which is well deserved. Let's take the time to finish this effort in a way that ensures the best outcome for all parties, is transparent, builds trust, and provides meaningful opportunities for community feedback and input on the finalist selected to be our new chief of police.

Sincerely,

A handwritten signature in black ink, appearing to be 'A Saloutos', written over the word 'Sincerely,'.

Alex Saloutos

pc: Jenna Rousseau, jrousseau@strangpatteson.com

From: [Gisela Wilson](#)
To: [Police Chief Search](#); jrousseau@strangpatteson.com
Subject: Follow-up to earlier email Re: Madison Police Chief Search: it is essential the community has the opportunity to vet candidates!!!
Date: Wednesday, December 9, 2020 9:01:00 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

December 9, 2020

Dear Members of the Madison Police & Fire Commission,

Having had the opportunity to view the recordings of the interviews for the new Chief, I am taking the opportunity to affirm and elaborate on my public comment and prior email (see below).

I wanted to remind you of your job and responsibility as Commissioners. At this moment, I would hope you would do your best to ensure the well-being of this city. That includes ALL it's residents, but particularly those from communities that, for one reason or another, are typically over-policed. Your job as Commissioners is to do your best ensure that Madison has no more Tony Robinsons, Paul Heenans or others who were mentally compromised (at least one contemplating suicide) unnecessarily killed by Madison police. Your job is ensure Madison doesn't go bankrupt, both in trust (resulting from the long drawn out process that these incidents result in) and, practically speaking, in dollar amounts due the settlement and subsequent increases in insurance costs.

In listening to the interviews, one observation that gave me pause was that the interviews actually provided very little to distinguish between the candidates. If you hadn't included Davis as a finalist, I would assume you have access to more information than the interviews and brief summaries of their records provide. I'm still shocked he was included.

As far as I'm concerned, the only candidate that distinguished himself during the interview process was Ramon Batista, who spoke in very practical terms about various strategies meant to him in practice. I appreciated that he was realistic about the limitations on what policing can accomplish. I appreciated the respect he showed for his family members and his own early encounters with police as a child. He also was the ONLY candidate to mention de-escalation.

I appreciated your interview questions concerning approaches to increasing trust around youth, mental health and immigration. As far as additional questions, I would have liked to each of the candidates respond to how they would hope deal with protests, especially when the protests have to do with police brutality whether locally or in solidarity with other communities in the country (We already know the answer for Davis and it's not good.)

Should you be willing to include an assessment of how these candidates (or maybe a subset) interact with the community I recommend the interview process used in recent hire for MMSD Superintendent — a process which still allowed for some mediation.

Your selection of the new Police Chief will have long-lasting repercussions for Madison's climate.

Thank you. Sincerely,

Gisela Wilson, PhD
Madison, WI 53703
District 6

Speaking as a resident of Madison since 1981 and someone who attended the MPD Policy and Procedure Ad Hoc Committee sessions deliberating the recommendations for the final report, the Alder Workgroup session designing the Civilian Oversight Board, and a member of the Community Response Team (CRT), though not specifically representing the CRT with my comments.

Begin forwarded message:

From: Gisela Wilson <>
Subject: Urgent! Re: Madison Police Chief Search: it is essential the community has the opportunity to vet candidates!!!
Date: December 7, 2020 at 1:12:53 PM CST
To: PoliceChiefSearch@cityofmadison.com,
jrousseau@strangpatteson.com

PoliceChiefSearch@cityofmadison.com
jrousseau@strangpatteson.com

December 7, 2020

Dear Members of the Madison Police & Fire Commission,

I am writing to urge you comply with the recommendations of the OIR and MPD Policy and Procedure Ad Hoc Committee's Final Reports and allow the public to engage directly with the candidates for the Madison Police Chief position.

To disregard that recommendation, which is the result of several years of evaluation and deliberation, would further alienate Madison residents and set up the new Chief to fail. I implore you to delay your decision date in order to allow time for the community to vet the candidates and provide input to the Commission. This all the more essential since the position of Chief can be a lifetime appointment.

Further, I am 100% shocked that the finalists include Portland Deputy Police Chief Chris Davis who has a demonstrated history of escalating both responses to mental health and substance abuse issues (precisely the area which was responsible for initiating the years' long MPD review process) and responses to peaceful protests. It makes me wonder how extensively you researched the candidate list beyond their own submitted materials.

I am also wary of other candidates stances on a variety of issues that might cause myself and/or other community members to jump to erroneous conclusions, for example, support for predictive policing, and a history of standing up to police unions. Recent research has shown predictive policing has been shown to be racially biased (even when race is excluded as a variable, substitute variables are proxies for race and discrimination). Predictive policing algorithms only serve to distance officers from the responsibility of racial bias.

In contrast, to me, a history of standing up to the police union given the qualified immunity officers hold, is a plus. In both cases, however, the community needs insight into how the candidates positions have changed (or not) as a function of their experience. For these and other concerns, that will only happen if the community is given the opportunity to engage directly with and vet the candidates.

As member of the Community Response Team, I endorse the following letter:

The PFC should not make a decision on a Police Chief on Wednesday, December 9. Give the community an opportunity to engage with the candidates and give informed feedback before deliberating. The OIR report and the MPD Policy and Procedure Review Ad Hoc Committee report recommended that the PFC should involve the Madison community in the selection process through community panels and interviews. Such community engagement with police chief finalists is a normal part of the hiring process in many cities across the U.S. This was also recommended by former MPD Chief David Couper, who had one of the most successful tenures of Madison Police Chiefs. Some Madison alders are taken aback that this apparently isn't happening. Police Civilian Oversight Board member Shadayra Kilfoy-Flores was interviewed about the issue by Channel3000, stating "Candidates providing a video is not going to be sufficient. There needs to be actual community exchange. The community needs to be given an opportunity to interact with these candidates so we can get an idea of who they are as people."

<https://www.channel3000.com/there-needs-to-be-actual-community-exchange-some-say-final-interview-process-for-madison-police-chief-lacks-transparency/>

As OIR pointed out, this is all the more important in Wisconsin cities since, unlike cities in most states, police chiefs here basically can have lifetime tenure, rather than serving fixed terms.

It's also shocking that you have selected Portland Deputy Police Chief Chris Davis as a finalist and believe him suitable to be Madison's Chief of Police. You should examine what a candidate has done, not just their pretty words to you. In 2002, Davis participated in a controversial officer-involved fatality, precipitating major protests by Portland's Latinx community and mental health and civil rights advocates. Later, when Davis headed the Portland Police Bureau Internal Affairs Department, it had a deserved reputation of covering up misconduct. Then in 2014, Portland Police Lieutenant Rachel Andrew filed a \$300,000 civil rights lawsuit against Davis, Chief Reese, and the Portland Police Bureau for retaliation after she investigated Davis for misconduct. More recently, under Deputy Chief Davis' leadership, the Portland Police Bureau became a poster child for brutal

mishandling of protests, and was found to be in direct violation of a federal restraining order regarding use of force against protestors. Davis has advocated practices like police in riot gear charging at crowds of protester to scare and disperse them, use of a wide variety of nonlethal munitions against protesters, slashing the tires of protester's cars, etc. His approach and mentality would never be accepted by Madison community members, and would exacerbate unrest here. That you chose Davis as a finalist seems to show a fatally flawed process. The most charitable explanation is that you're not doing adequate independent investigations into candidates but just relying on the materials submitted (i.e., how the candidates present themselves). This is what happens when a commission operates in the dark as you currently appear to be seeking to do. Please allow the community to properly engage, vet, and provide input on these finalists.

Sincerely,

Gisela Wilson. PhD
Madison, WI 53703
District 6

From: [Isa Dolski](#)
To: [Police Chief Search](#)
Cc: jrousseau@strangpatteson.com
Subject: Police Chief Search Process
Date: Thursday, December 10, 2020 4:29:26 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Madison Police Chief Search Committee,

This email is to urge you to:

1. Reject Chris Davis as a candidate for Madison Police Chief.
2. Revise the process to create space for meaningful community involvement in the selection process.

As someone who has served on numerous search committees myself, I believe Deputy Chief Chris Davis's public record of performance indicates he will be a liability to The City of Madison and our community. In his video, he said he wanted to take Madison to "the next level". Based on the publicly available information about his tenure in Portland, he doesn't understand what "next level" means.

I am also extremely disappointed in the limited opportunity for community engagement with, and opportunity to provide input on the finalists for this position. The process as announced on Friday 12/4/20 is a huge step backward, but there is time tonight to rectify that mistake. Please chose to delay the final decision and create an opportunity for the community to be able to interact with the finalists and provide input.

Thank you,
Isa Dolski

From: [Samson, Emily](#)
To: "[Jenna Rousseau](#)"
Cc: [Police Chief Search](#); "[rcneuburger@****](#)"; [PD MPPPOA](#) RE:
Subject: Finalists for MPD's Police Chief Position
Date: Thursday, December 10, 2020 7:41:52 PM

Hello Jennifer,

I appreciated your quick and thorough response to my email last week. Yours was the only correspondence I received, so forgive me for addressing this email specifically to you. You will see that I am cc'ing the Police Chief Search email address, Rebecca Neuburger from PERF, as well as the membership of the Madison Professional Police Officers Association. I do not know if this is the most efficient way for me to provide feedback and/or information to the PFC.

There are just a few things I want to share with the PFC in light of the insight you shared with me via email last week about the recruitment and hiring process, to date, for the Police Chief Position.

- As I mentioned in my email, I work full time for the MPD's Personnel and Training Team. I have co-workers assigned, partially, to recruiting new police officers. While I acknowledge your explanation of the strides taken to ensure a diverse pool of applicants to the position, I can't help but wonder how the PFC would respond if, after a recruitment and initial vetting process, the MPD produced a list of potential recruit officer candidates that did not include a single female contestant. I am certain this pool would not be acceptable in the eyes of our PFC. Likewise, if the four finalists for this position were all white, I would assume there would be (and absolutely *should* be) grave concern about the absence of racial diversity on the panel. I am wondering what leeway, if any, the PFC has to demand that the search for candidates be extended? I wonder if, partly, Mayor Rhodes-Conway's desire to expedite the process resulted in a final pool of applicants that is less than representative of the community in which we live? I am sure that I don't have to remind the PFC of any of the statistics surrounding women in Law Enforcement, however, I ask that they continuously consider these, among many, many others:
 - Women officers are less likely to use excessive force.
 - Women officers are less likely to engage in misconduct.
 - Women remain vastly underrepresented in Law Enforcement, at 13% nationally and 28% at the MPD.
- Part of the issue that the Law Enforcement community has when it comes to attracting, retaining, and advancing female and other minority police officers is that people can't be what they can't see. I desperately need to address the following information, provided in your explanation of the final pool of applicants:

"...there were three (3) non-male applicants (including one (1) non-binary applicant) out of a total of forty-three (43) applicants. Of the non-male applicants, one (1) met the minimum qualifications for the position."

While I certainly understand omitting demographic information, including gender, from the application process, I find it interesting that you were able to separate the candidates into two categories and the division you chose was "male" and "non-male." I asked specifically about female candidates. I would be remiss if I did not express to you that this categorization of the applicants as "male" and "other" is a formidable step in the wrong direction and only serves to deepen the stereotype, that *mine* is a man's job. Ultimately, I have no idea if the 1 "non-male" candidate who met the minimum qualifications for the position was, in fact, a woman **OR** just *not a man*. There is an important distinction.

- The percentages of women and other minority police officers employed by the Madison Police Department is not good enough. Again, while I appreciate that our composition specific to gender is far better than the national average, it is still far from balanced. Additionally, female officers are underrepresented in formal positions of leadership within our organization. Based only on some of the statistics we know about women in Law Enforcement, there should be an outcry over the fact that our search for a candidate produced less than 2% interest from qualified "non-male" applicants! Furthermore, the fact that there were only 43 applicants total (and I assume the overall number of *qualified* applicants was much lower) speaks volumes about the current climate in our city created by the lack of leadership displayed by our Mayor and City Council. Again, MPD is a lead Law Enforcement Agency, historically recognized by the United States Department of Justice, and less than one candidate, on average, from each state in the nation thought the position of Chief of this department worthy of their time and effort.

These facts beg the following questions about the role PERF played in the selection process to date:

1. Did the Search Consultant merely collect application materials and submit the entire group to the PFC for consideration?
2. Did the Search Consultant vet the pool of candidates in some way prior to observation by the PFC?
3. If so, was only that group of PERF vetted candidates presented to the PFC?
4. What was the total number of *qualified* applicants?

By moving hastily through this process and accepting these four candidates as their finalists for our Police Chief position, Mayor Rhodes-Conway and the Police and Fire Commission are sending a message, loud and clear, to our membership and to the people who visit, work, and live in the city of Madison. "Change" is just a buzzword, not something to which they are truly committed.

If you haven't already, please refer to the following links for more information about one of the current candidates for the Police Chief position:

<https://assets.documentcloud.org/documents/5988312/MPA-Survey-2019.pdf>

<https://tucsonscorruptleadership.com/dirty-chiefs>

https://urldefense.proofpoint.com/v2/url?u=https-3A__www.azfamily.com_news_retired-2Dmesa-2Dpd-2Ddetective-2Dsays-2Dformer-2Dchief-2Dbatista-2Dwas-2Donly-2Dpart-2Dof-2Dthe-2Dproblem_article-5F996c5174-2D05cf-2D11ea-2D9ced-2Ddb868e528743.html&d=DwlFAG&c=byefhD2ZumMFFQYPZBagUCDuBiM9Q9twmxaBM0hCgII&r=xbJJaQ2H4rWwRYdtwI5LGoUxtpzXrSkjkgWJPHL-Kk&m=R4aUl7-n7FMyW0GDEplaHAj1IzX_ANGiRpTQqTv3CZM&s=Kb40Ghx_t3sSsDMjHIot3HKW2AEajTl39Uu-kgN68WU&e

I truly appreciate your time and energy.

Emily Samson

From: Jenna Rousseau <JRousseau@strangpatteson.com>
Sent: Friday, December 4, 2020 4:50 PM
To: Samson, Emily <>
Subject: RE: Finalists for MPD's Police Chief vacancy

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Emily:

Thank you for your e-mail.

The PFC carefully drafted and reviewed its position announcement to ensure that it attracted a diverse pool of applicants. For instance, the PFC emphasized in its position announcement that "[d]iversity is one of MPD's core values, and the department has been recognized nationally for its diverse workforce. About 21% of MPD commissioned personnel are people of color, and 28% are female." The PFC also emphasized in its position announcement that candidates must possess "[a] commitment to diversity, equity, and inclusiveness throughout the organization." Further, the PFC utilized the City's Equitable Hiring Tool.

The position announcement was widely distributed and shared with various professional organizations, including the National Association of Women Law Enforcement Executives. The PFC's consultant, Police Executive Research Forum (PERF), engaged in additional recruitment efforts.

Despite these efforts, there were very few non-male applicants. The PFC did not require candidates to provide a gender (or any other demographic) as part of the application process. Based upon available information, however, there were three (3) non-male applicants (including one (1) non-binary applicant) out of a total of forty-three (43) applicants. Of the non-male applicants, one (1) met the minimum qualifications for the position. Unfortunately, this candidate withdrew from the process very early-on, before the PFC met for the first time to review the candidates.

Although the PFC is pleased with the qualifications of the finalists, it is disappointing that there were no non-male candidates for the PFC to consider who met the minimum qualifications.

I hope this information addresses your questions/concerns.

Jenna Rousseau

Legal Counsel to the Board of Police and Fire Commissioners of the City of Madison

Attorney Jenna E. Rousseau

Strang, Patteson, Renning, Lewis & Lacy, s.c.

Green Bay Office: 205 Doty St., Suite 201, Green Bay, WI 54301

Madison Office: 660 W. Washington Avenue, Suite 303, Madison WI 53703

Ph. 844.833.0828

Fax 608.333.0828

jrousseau@strangpatteson.com

www.strangpatteson.com



From: Samson, Emily []
Sent: Friday, December 4, 2020 3:31 PM
To: Samson, Emily <>
Subject: Finalists for MPD's Police Chief vacancy

Good afternoon,

My name is Emily Samson and I am the Vice President of the Madison Professional Police Officers Association. I am a 20 year veteran of the Madison Police Department. I am writing to you this afternoon in response to your release of the names/biographies of the final four candidates for the position of Police Chief for the City of Madison.

I have fielded a considerable amount of feedback and concern today from members of my labor group as well as other commissioned and civilian employees of the Madison Police Department about the fact that none of the candidates who are advancing to the final stage of the hiring process are women. As I am sure you are all aware, MPD is considerably proud of the fact that 28% of our commissioned employees are female and, as a member of our Personnel and Training Team, I can tell you that we strive to further lessen the gender gap that plagues the law enforcement community through our recruitment efforts.

I understand the need for anonymity, to a certain extent, during this hiring process, but I am hopeful that you can answer some question for me about the final pool of applicants.

- What was done to attract female applicants to the position?
- How many of the applicants were women?
- How far in the process did the female applicants progress?
- For what reasons did the female applicants either retract themselves or become excluded from the process?
- Can you please explain further why there were not any female candidates in the final four?

I would greatly appreciate your feedback on this matter as soon as possible. You can reach me via email or call me directly at 608.213.2940.

Thank you, in advance. I appreciate your time and your service.

Emily Samson

From: [Hayes, Jeffrey E](#)
To: [Samson, Emily](#); ["Jenna Rousseau"](#)
Cc: [Police Chief Search](#); ["rcneuburger@****"](#); [PD MPPQA](#) Re:
Subject: Finalists for MPD's Police Chief Position
Date: Thursday, December 10, 2020 11:04:27 PM

Good Evening, Jenna:

I have been following the discussion and process of hiring a new chief closely as I have only recently exited the MPD pre-service academy. I recognize that as a new face to the team my concerns may be valued with a different perspective but I hope that they will at least garner some interest in this process. I represent only myself but in a way the next generation of officers within this department. While I would never profess to speak for their interests, I can unequivocally state that I feel that the concerns raised by Emily Samson align with my own.

Frankly I am astonished that there were merely 43 candidates interested in this position, let alone 3 who were not males. I understand the climate in which today's police departments currently operate but I am inclined to believe that there is a very healthy pool of candidates who are eager to make a difference. With that in mind I again am amazed that there were only 43 candidates nationwide who were interested in meeting the call to be Madison's next chief.

My experience prior to joining the department in May this year was in the private sector and in my time I was the lead on corporate recruiting and hiring. One of the realizations I made early on was that if you target only certain areas you will only get specific candidates. With that in mind I would like to ask of your inquiry process how you went about advertising this position. Specifically, was this position made available only to leadership or past leadership in other departments? If not, please elaborate on whom you targeted? Second, you referenced that there was an emphasis on diversity. Could you please share the entire wording of the posting, not just a portion or excerpt?

Finally, I want to be clear that I am not dedicated to ensuring that a chief be hired only because of race, gender, or any combination thereof. My concern is that we hire the best candidate and I am not certain, or at least I am not yet convinced, that the process that has gotten us to the candidates presented has given us the best group from which to pick. It would be a true miscarriage of justice if our city missed an opportunity to continue its commitment to improvement simply for the sake of expediency, politics, or budget. Our focus should be on who can best bring leadership, commitment to justice, and a dedication to serving the citizens of Madison and the exceptional people who serve with the Madison Police Department.

Thank you for your time and consideration of my concerns. I look forward to your response.

Most Respectfully,

Jeff Hayes

From: Samson, Emily
Sent: Thursday, December 10, 2020 7:41 PM
To: 'Jenna Rousseau'
Cc: Police Chief Search; 'rcneuburger@****'; PD MPPQA
Subject: RE: Finalists for MPD's Police Chief Position

Hello Jennifer,

I appreciated your quick and thorough response to my email last week. Yours was the only correspondence I received, so forgive me for addressing this email specifically to you. You will see that I am cc'ing the Police Chief Search email address, Rebecca Neuburger from PERF, as well as the membership of the Madison Professional Police Officers Association. I do not know if this is the most efficient way for me to provide feedback and/or information to the PFC.

There are just a few things I want to share with the PFC in light of the insight you shared with me via email last week about the recruitment and hiring process, to date, for the Police Chief Position.

- As I mentioned in my email, I work full time for the MPD's Personnel and Training Team. I have co-workers assigned, partially, to recruiting new police officers. While I acknowledge your explanation of the strides taken to ensure a diverse pool of applicants to

the position, I can't help but wonder how the PFC would respond if, after a recruitment and initial vetting process, the MPD produced a list of potential recruit officer candidates that did not include a single female contestant. I am certain this pool would not be acceptable in the eyes of our PFC. Likewise, if the four finalists for this position were all white, I would assume there would be (and absolutely *should* be) grave concern about the absence of racial diversity on the panel. I am wondering what leeway, if any, the PFC has to demand that the search for candidates be extended? I wonder if, partly, Mayor Rhodes-Conway's desire to expedite the process resulted in a final pool of applicants that is less than representative of the community in which we live? I am sure that I don't have to remind the PFC of any of the statistics surrounding women in Law Enforcement, however, I ask that they continuously consider these, among many, many others:

- Women officers are less likely to use excessive force.
 - Women officers are less likely to engage in misconduct.
 - Women remain vastly underrepresented in Law Enforcement, at 13% nationally and 28% at the MPD.
- Part of the issue that the Law Enforcement community has when it comes to attracting, retaining, and advancing female and other minority police officers is that people can't be what they can't see. I desperately need to address the following information, provided in your explanation of the final pool of applicants:

"...there were three (3) non-male applicants (including one (1) non-binary applicant) out of a total of forty-three (43) applicants. Of the non-male applicants, one (1) met the minimum qualifications for the position."

While I certainly understand omitting demographic information, including gender, from the application process, I find it interesting that you were able to separate the candidates into two categories and the division you chose was "male" and "non-male." I asked specifically about female candidates. I would be remiss if I did not express to you that this categorization of the applicants as "male" and "other" is a formidable step in the wrong direction and only serves to deepen the stereotype, that *mine* is a man's job. Ultimately, I have no idea if the 1 "non-male" candidate who met the minimum qualifications for the position was, in fact, a woman **OR** just *not a man*. There is an important distinction.

- The percentages of women and other minority police officers employed by the Madison Police Department is not good enough. Again, while I appreciate that our composition specific to gender is far better than the national average, it is still far from balanced. Additionally, female officers are underrepresented in formal positions of leadership within our organization. Based only on some of the statistics we know about women in Law Enforcement, there should be an outcry over the fact that our search for a candidate produced less than 2% interest from qualified "non-male" applicants! Furthermore, the fact that there were only 43 applicants total (and I assume the overall number of *qualified* applicants was much lower) speaks volumes about the current climate in our city created by the lack of leadership displayed by our Mayor and City Council. Again, MPD is a lead Law Enforcement Agency, historically recognized by the United States Department of Justice, and less than one candidate, on average, from each state in the nation thought the position of Chief of this department worthy of their time and effort.

These facts beg the following questions about the role PERF played in the selection process to date:

1. Did the Search Consultant merely collect application materials and submit the entire group to the PFC for consideration?
2. Did the Search Consultant vet the pool of candidates in some way prior to observation by the PFC?
3. If so, was only that group of PERF vetted candidates presented to the PFC?
4. What was the total number of *qualified* applicants?

By moving hastily through this process and accepting these four candidates as their finalists for our Police Chief position, Mayor Rhodes-Conway and the Police and Fire Commission are sending a message, loud and clear, to our membership and to the people who visit, work, and live in the city of Madison. "Change" is just a buzzword, not something to which they are truly committed.

If you haven't already, please refer to the following links for more information about one of the current candidates for the Police Chief position:

<https://assets.documentcloud.org/documents/5988312/MPA-Survey-2019.pdf>

<https://tucsonscorruptleadership.com/dirty-chiefs>

https://urldefense.proofpoint.com/v2/url?u=https-3A__www.azfamily.com_news_retired-2Dmesa-2Dpd-2Ddetective-2Dsays-2Dformer-2Dchief-2Dbatista-2Dwas-2Donly-2Dpart-2Dof-2Dthe-2Dproblem_article-5F996c5174-2D05cf-2D11ea-2D9ced-2Ddb868e528743.html&d=DwlFAG&c=byefhD2ZumMFFQYPZBagUCDuBiM9Q9twmxaBM0hCgll&r=xbJJaQ2H4rWwRYdtwI5LGoUxtpzXrSkjk-WGJPHL-Kk&m=R4aUl7-n7FMyWOGDEplaHAj1IZx_AngiRpTQqTv3CZM&s=Kb40Ghx_t3sSsDMjHIot3HKW2AEaITl39Uu-kgN68WU&e

I truly appreciate your time and energy.

Emily Samson

From: Jenna Rousseau <JRousseau@strangpatteson.com>

Sent: Friday, December 4, 2020 4:50 PM

To: Samson, Emily <> **Subject:** RE: Finalists for MPD's Police Chief vacancy

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Emily:

Thank you for your e-mail.

The PFC carefully drafted and reviewed its position announcement to ensure that it attracted a diverse pool of applicants. For instance, the PFC emphasized in its position announcement that “[d]iversity is one of MPD’s core values, and the department has been recognized nationally for its diverse workforce. About 21% of MPD commissioned personnel are people of color, and 28% are female.” The PFC also emphasized in its position announcement that candidates must possess “[a] commitment to diversity, equity, and inclusiveness throughout the organization.” Further, the PFC utilized the City’s Equitable Hiring Tool.

The position announcement was widely distributed and shared with various professional organizations, including the National Association of Women Law Enforcement Executives. The PFC’s consultant, Police Executive Research Forum (PERF), engaged in additional recruitment efforts.

Despite these efforts, there were very few non-male applicants. The PFC did not require candidates to provide a gender (or any other demographic) as part of the application process. Based upon available information, however, there were three (3) non-male applicants (including one (1) non-binary applicant) out of a total of forty-three (43) applicants. Of the non-male applicants, one (1) met the minimum qualifications for the position. Unfortunately, this candidate withdrew from the process very early-on, before the PFC met for the first time to review the candidates.

Although the PFC is pleased with the qualifications of the finalists, it is disappointing that there were no non-male candidates for the PFC to consider who met the minimum qualifications.

I hope this information addresses your questions/concerns.

Jenna Rousseau

Legal Counsel to the Board of Police and Fire Commissioners of the City of Madison

Attorney Jenna E. Rousseau

Strang, Patteson, Renning, Lewis & Lacy, s.c.

Green Bay Office: 205 Doty St., Suite 201, Green Bay, WI 54301

Madison Office: 660 W. Washington Avenue, Suite 303, Madison WI 53703

Ph. 844.833.0828

Fax 608.333.0828

jrousseau@strangpatteson.com

www.strangpatteson.com



STRANG, PATTESON
RENNING, LEWIS & LACY

From: Samson, Emily []

Sent: Friday, December 4, 2020 3:31 PM

To: Samson, Emily <>

Subject: Finalists for MPD's Police Chief vacancy

Good afternoon,

My name is Emily Samson and I am the Vice President of the Madison Professional Police Officers Association. I am a 20 year veteran of the Madison Police Department. I am writing to you this afternoon in response to your release of the names/biographies of the final four candidates for the position of Police Chief for the City of Madison.

I have fielded a considerable amount of feedback and concern today from members of my labor group as well as other commissioned and civilian employees of the Madison Police Department about the fact that none of the candidates who are advancing to the final stage

of the hiring process are women. As I am sure you are all aware, MPD is considerably proud of the fact that 28% of our commissioned employees are female and, as a member of our Personnel and Training Team, I can tell you that we strive to further lessen the gender gap that plagues the law enforcement community through our recruitment efforts.

I understand the need for anonymity, to a certain extent, during this hiring process, but I am hopeful that you can answer some question for me about the final pool of applicants.

- What was done to attract female applicants to the position?
- How many of the applicants were women?
- How far in the process did the female applicants progress?
- For what reasons did the female applicants either retract themselves or become excluded from the process?
- Can you please explain further why there were not any female candidates in the final four?

I would greatly appreciate your feedback on this matter as soon as possible. You can reach me via email or call me directly at 608.213.2940.

Thank you, in advance. I appreciate your time and your service.

Emily Samson

From: [Amelia Royko Maurer](#)
To: [Police Chief Search](#)
Subject: Public Discourse
Date: Thursday, December 10, 2020 11:40:22 PM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

Dear Police and Fire Commission,

Please allow for a Q & A at the meeting on Monday. Your candidates have not taken issue with adding a Q&A to your format but may not feel comfortable to make that request. Please respect our recommendation for input as submitted to OIR. It isn't ethical for you to reinvent the intent of that recommendation. We have been telling you all along what it means.

Thank you,

Amelia Royko Maurer

From: [Jenna Rousseau](#)
To: [Police Chief Search](#)
Subject: FW: Need for public Q&A with the chief candidates
Date: Friday, December 11, 2020 7:21:39 AM

Caution: This email was sent from an external source. Avoid unknown links and attachments.

From: Rebecca Neuburger []
Sent: Thursday, December 10, 2020 9:43 PM
To: Matthew Braunginn
Cc: Chuck Wexler <>; Sarah Mostyn <>
Subject: Re: Need for public Q&A with the chief candidates

Hi Anthony,

I will share your message with the PFC.

Take care,

Rebecca Neuburger
Executive Search Consultant
PERF

Begin forwarded message:

From: Matthew Braunginn
Date: December 10, 2020 at 12:52:52 PM EST
To: Chuck Wexler, [Rebecca Neuburger](#), [Sarah Mostyn](#)
Subject: [Need for public Q&A with the chief candidates](#)

With the PERF assisting Madison in its search for a new police chief, it must be said how the PFC has approached the search has been alarming at best. With a complete disregard for a robust public engagement process, recommended by the OIR Group, the Police Policy Ad-Hoc I spent five years on, and the recommendation we put forward that the Public Safety Review Board and Common Council Approved. In my mind, this can be nothing but intentional in their lack of transparency in the process, and quite minimal community input, with zero direct engagement on the candidate poll, and almost

zero in the final applicant process. This is already a disaster, whoever they push forward will have minimal trust by communities most impacted by police and police violence in our city- the fact the finalists from Portland is even a finalist shows almost a complete disregard of those most impacted in our city by the PFC.

For this city to move forward, there must be a pause on the PFCs decision for more community input, professionally moderated, with a far more transparent process heading into their final decision. I do kindly ask if you all could please request this pause and delay of the PFC. If they don't, MPD community relations will further deteriorate, deepening a broken trust many residents of color, especially Black residents have of not just MPD but of this city's government. So far this process is exactly how cities continue to deepen racial disparities, broken trust, and perpetuating of racial inequities this city perpetually professes to object to, yet multiple parts of the government continue to make decisions that keep us on the same path we have been on in the creation and continuation of these disparities and broken trust.

Thank you,

Mathew Braunginn