



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Meeting Minutes - Approved MADISON POLICE DEPARTMENT POLICY & PROCEDURE REVIEW AD HOC COMMITTEE

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Thursday, October 25, 2018

5:30 PM

Goodman Maintenance Facility  
1402 Wingra Creek Pkwy

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### CALL TO ORDER / ROLL CALL

at 5:36 pm. Misterys Brown and Findley in the chair.

**Present:** 10 - Jerry B. Vang; Christian A. Albouras; Sean A. Saiz; Sue K. Petkovsek; Luis R. Yudice; Matthew W. Braunginn; Kim M. Jorgensen; Linda J. Ketcham; Tom Brown and Keith A. Findley

**Absent:** 1 - Mario Garcia Sierra

**Excused:** 2 - Jacquelyn Hunt and Veronica Figueroa

### SUSPEND THE RULES

A motion was made by Albouras, seconded by Ketcham, to Suspend the Rules.  
The motion passed by voice vote/other.

### APPROVAL OF MINUTES

The minutes were approved via common consensus.

### PUBLIC COMMENT

### DISCLOSURES AND RECUSALS

### DISCUSSION ITEMS

1. Review and discussion of action item number 5 located in the President's Work Group on Police and Community Relations report  
  
A motion was made by Braunginn, seconded by Petkovsek, to recommend that MPD adopt the President's Work Group's precautionary principles within its use of force guidelines adding language that reads, "Department members will use only the force that is proportional to the threat, actions, and level of resistance offered by a subject. Proportionality involves officers: (1) using only the level of force necessary to mitigate the threat and safely achieve lawful objectives; (2) considering, if appropriate, alternate force options that are less likely to result in injury but will allow officers to achieve lawful objectives; and (3) considering the appropriateness of officers' actions. Proportional force does not require

officers to use the same type or amount of force as the subject. The concept of proportionality does not mean that officers, at the moment they have determined that a particular use of force is necessary and appropriate to mitigate a threat, should stop and consider how their actions will be viewed by others. Rather, officers should begin considering what might be appropriate and proportional as they approach an incident, and they should keep this consideration in their minds as they are assessing the situation and deciding how to respond. Proportionality also considers the nature and severity of the underlying events." The motion passed by voice vote/other.

2. Review and discussion of OIR's recommendation number 103 found in OIR's Madison Police Department Policy and Procedure Review

"The Madison Professtion Police Officers Association should make efforts to enlist greater participation by officers of color, including in leadership postiions."

**A motion was made by Braunginn, seconded by Ketcham, to endorse recommendation 103. The motion passed by voice vote/other.**

3. Review and discussion of OIR's recommendation number 104 found in OIR's Madison Police Department Policy and Procedure Review

"The City should work to revise the current agreement with the Police Association in order to provide MPD more flexibility regarding shift and location assignment of officers."

**A motion was made by Braunginn, seconded by Ketcham, to endorse recommendation 104. The motion passed by voice vote/other.**

4. Review and discussion of OIR's recommendation number 107 found in OIR's Madison Police Department Policy and Procedure Review

"MPD should change its current SOP to require presentation and signature of the consent to search forms prior to executing a voluntary search."

5. Review and discussion of OIR's recommendation number 108 found in OIR's Madison Police Department Policy and Procedure Review

"MPD should work with the City and the Professional Police Officers' Association to consider the feasibility of moving seargeants to the Association of Madison Police Supervisors."

**A motion was made by Braunginn, seconded by Ketcham, to endorse recommendation 108. The motion passed by voice vote/other.**

6. Review and discussion of OIR's recommendation number 114 found in OIR's Madison Police Department Policy and Procedure Review

"MPD should engage community members at the interview state of its

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promotional process."

**A motion was made by Braunginn, seconded by Ketcham, to endorse recommendation 114. The motion passed by voice vote/other.**

7. Review and discussion of OIR's recommendation number 117 found in OIR's Madison Police Department Policy and Procedure Review

"MPD should consider whether using Academy class rank for purposes of seniority places outsized importance on such criteria, or whether there are alternatives for determining the "seniority" of students from the same class."

8. Review and discussion of OIR's recommendation number 126 found in OIR's Madison Police Department Policy and Procedure Review

"MPD should change its policy so that all interviews of victims, witnesses, or complainants to internal investigations that could result in discipline are recorded unless the situation proves impossible or if a civilian witness declines."

9. Review and discussion of OIR's recommendation number 128 found in OIR's Madison Police Department Policy and Procedure Review

"MPD should consider whether there is sufficient accountability in its disciplinary process regarding violations of integrity and force."

10. Review and discussion of OIR's recommendation number 129 found in OIR's Madison Police Department Policy and Procedure Review

"MPD should expand its restorative justice disciplinary program to authorize and address courtesy violations or other low-level violations involving police/civilian contacts."

11. Discussion of the schedule for future meetings

12. Discussion on the process for compiling committee recommendations into a formal report

**A motion was made by Braunginn, seconded by Petkovsek, to request that the Common Council extend the deadline for the committee's report to the end of February. The motion passed by voice vote/other.**

13. Discussion on how the committee will receive community input and recommendations on the Madison Police Department Policy and Procedures

#### **UNFINISHED BUSINESS**

14. Review and discussion of OIR's recommendation no. 10 found in OIR's

Madison Police Department Policy and Procedure Review

"MPD should consider implementing the 21st Century Policing Task Force's Action Item to make all department policies available for public review."

**A motion was made by Braunginn, seconded by Ketcham, to endorse recommendation 10 without going into closed session. The motion failed by the following vote:**

**Absent:** 1 - Mario Garcia Sierra

**Ayes:** 4 - Jerry B. Vang; Matthew W. Braunginn; Linda J. Ketcham and Tom Brown

**Noes:** 6 - Christian A. Albouras; Sean A. Saiz; Sue K. Petkovsek; Luis R. Yudice; Kim M. Jorgensen and Keith A. Findley

**Excused:** 2 - Jacquelyn Hunt and Veronica Figueroa

**A motion was made by Jorgensen, seconded by Saiz, to go into closed session. The motion passed by voice vote/other.**

**A motion was made by Braunginn, seconded by Ketcham, to endorse recommendation 10. The motion passed by voice vote/other.**

**ADJOURNMENT**

**A motion was made by Yudice, seconded by Petkovsek, to Adjourn at 7:44 pm. The motion passed by voice vote/other.**