



City of Madison

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

Meeting Minutes - Amended EQUAL OPPORTUNITIES COMMISSION

Thursday, March 12, 2009

5:00 PM

210 Martin Luther King, Jr. Blvd.
Room 201, City-County Building (Common Council
Chambers)

Second Amended Minutes Approved May 14, 2009.

1. CALL TO ORDER / ROLL CALL

The meeting was called to order at 5:08 p.m., Bert G. Zipperer presiding.

Present: 9 -

Coco Bustamante; Bert G. Zipperer; Charles E. McDowell; Donna V. Hurd;
Nia Enemuoh-Trammell; Brian Benford; Carousel Andrea S. Bayrd; Megin
H. McDonell and Steven H. Morrison

Absent: 1 -

Brian L. Solomon

Excused: 2 -

Erika H. Braunginn and Katherine Cramer Walsh

Additional attendance included:

Staff: Lucia Nunez, Ariel Ford, Eric Kestin, Christina Thiele, and Claudia Catota

Others Present: Madison Police Chief Noble Wray and Alder Thuy
Pham-Remmele

2. APPROVAL OF MINUTES

A motion was made by Morrison, seconded by Hurd, to approve the Feb. 5th,
2009 minutes. The motion was passed by voice vote/other.

3. PUBLIC COMMENT

Public comments were made regarding amending Sections 23.11(1)(a) and (b)
of the Madison General Ordinances to modify the curfew hours for juveniles.

Brian L. Solomon arrived at 5:25 p.m.

Present: 10 -

Coco Bustamante; Bert G. Zipperer; Charles E. McDowell; Donna V. Hurd;
Brian L. Solomon; Nia Enemuoh-Trammell; Brian Benford; Carousel
Andrea S. Bayrd; Megin H. McDonell and Steven H. Morrison

Excused: 2 -

Erika H. Braunginn and Katherine Cramer Walsh

Nine people submitted Registration Statements. Registration Statements are attached to Legistar File 12596 (see Registration Statements from Mar 12 2009 EOC mtg.pdf). Five individuals spoke in opposition to the amendment. Two individuals against the amendment did not speak but were available to answer questions. One individual spoke in support of the amendment.

Questions: Commissioners directed questions to individuals who gave public comment and/or made themselves available for questions. Commissioners and Alder Thuy Pham-Remmele asked Chief Noble Wray questions. Questions asked were in regards to the impact of tickets on drivers' licenses, why the amendment was needed, and employment exception.

UNFINISHED BUSINESS

4. 12596 Amending Sections 23.11(1)(a) and (b) of the Madison General Ordinances to modify the curfew hours for juveniles.

Attachments: [12596 Registration Stmt.pdf](#)
[Articles on curfews in other jurisdictions.pdf](#)
[Curfews in other jurisdictions.pdf](#)
[Isthmus article and Police Department Notice.pdf](#)
[Summary of Juvenile Curfews in 17 Wisconsin Municipalities \(2\).pdf](#)
[Wisconsin State Journal article.pdf](#)
[Ald Rhodes-Conway position statement.pdf](#)
[Ltrs from Goodman Community Center Students.pdf](#)
[MPD Curfew Ticket Information.pdf](#)
[National ACLU position statement.pdf](#)
[The Impact of Youth Curfew Laws on Juvenile Crime Rates.pdf](#)
[Registration Statements from Mar 12 2009 EOC mtg.pdf](#)
[Version 1](#)
[Version 2](#)
[5/5 Council Meeting registration forms.pdf](#)
[5/5 Council Meeting amendment forms.pdf](#)

to place this item on file. The Equal Opportunities Commission strongly opposes this proposal.

A motion was made by Morrison, seconded by McDonell, to RECOMM.END TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER: to place this item on file. The Equal Opportunities Commission strongly opposes this proposal. The motion passed by the following vote:

Excused: 2 -

Erika H. Braunginn and Katherine Cramer Walsh

Ayes: 10 -

Coco Bustamante; Bert G. Zipperer; Charles E. McDowell; Donna V. Hurd; Brian L. Solomon; Nia Enemuoh-Trammell; Brian Benford; Carousel Andrea S. Bayrd; Megin H. McDonell and Steven H. Morrison

REPORTS

5. 08355 PRESIDENT'S REPORT--For information only. No action required.
- Bert Zipperer, EOC President, will summarize meetings attended and other related activities on behalf of the Commission since the last Commission meeting. For information only. Any item raised for future discussion will be posted on the next agenda.*
- Zipperer passed.
6. 13093 DIRECTOR'S REPORT- For information only. No action required.
- Lucía Nuñez, DCR Director, will report on the following:*
- a. Her activities and meetings since the last meeting.*
 - b. Update on agency activities.*
- Nunez passed.
7. 08357 DIVISION MANAGER'S REPORT--For information only. No action required.
- Ariel Ford, Equal Opportunities Division Manager, will report on the following:*
- a. Activities of the Division since the last meeting.*
 - b. Update on staff activities.*
 - c. Update on the EEOC Contract.*
- Ford passed.
8. 12507 COMMON COUNCIL UPDATE--For information only. No action required.
- Ald. Brian Solomon will provide an update on Common Council actions since the last Commission meeting.
- Solomon informed the Commission that the Common Council decided to raise bus fares. He also mentioned that the Chronic Nuisance Ordinance will be discussed at the next Common Council meeting on March 17, 2009.
9. 13853 APPEALS COMMITTEE REPORT
- For information only. No action required.

No action required. A representative of the Appeals Panel will report on the two cases considered on appeal: Case No. 20051069, Larry v. Peterson, and Case No. 20082185, Goldsworthy v. Medpointe.

Bustamante stated that cases were decided.

Hurd stated that the decision in each case was upheld.

Zipperer thanked Ford and the staff for doing a great job. He also stated that feedback was given to staff regarding the Appeals Committee.

Morrison asked what kind of cases had come before the Appeals Committee and whether the Complainants had representation.

Zipperer informed the Commission that both cases discussed arrest and conviction record, one in housing and the other in employment.

Bustamante asked how appeals would be reported.

Ford stated that the staff would be keeping track of all the cases that are decided by the Appeals Committee.

Enemuoh-Trammell asked that in their report back to the full Commission the Appeals Committee describe the discussion that occurred with each case, what kind of case it was, what issues were appealed, and the reasoning behind the decision.

Ford stated that she would talk to Assistant City Attorney Roger Allen about what information the Appeals Committee can give to the Commission.

10. 13874

COMMITTEE REPORTS

Reports summarizing discussions at meetings held since the last meeting. For information only. Any item raised for discussion appears under Unfinished Business or will be posted as "New Business" on the next agenda.

- a. EOC Executive Committee
- b. EOC Employment Committee

The Commission will also consider Membership Applications for the EOC Employment Committee from Michele Thoren, applying as a City resident, and Dawn Ripp, TDS Telecom. (applications attached)

Attachments: [Thoren Membership Application.pdf](#)
[Ripp Membership Application.pdf](#)

- a. EOC Executive Committee

Morrison stated that the juvenile curfew was discussed.

- b. EOC Employment Committee

McDonell stated that the Committee is concerned about avoiding discrimination in pre-employment screening.

McDonell moved, seconded by Enemuoh-Trammell, to APPROVE THE TWO APPLICANTS FOR THE EMPLOYMENT COMMITTEE.

11. NEW BUSINESS

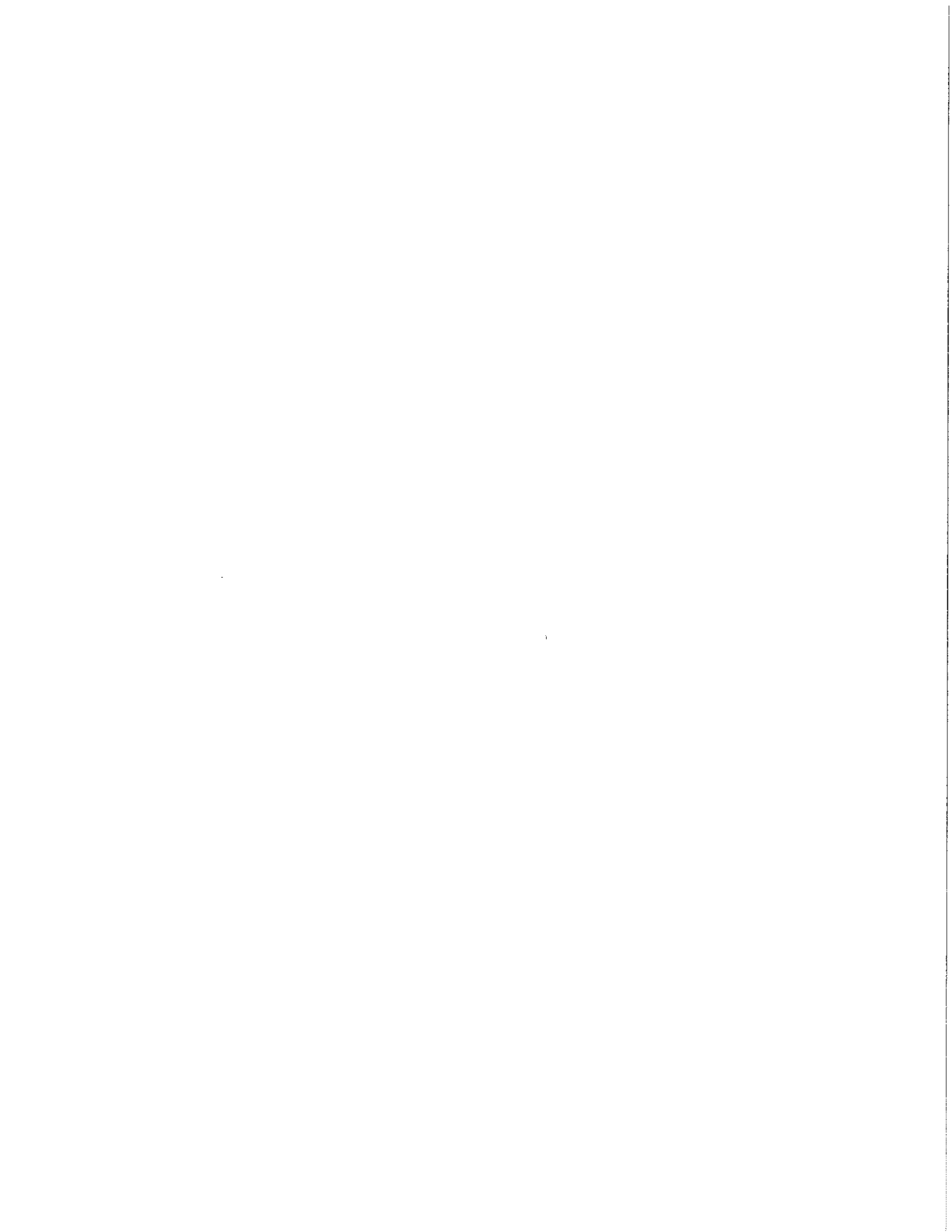
None.

12. ADJOURNMENT

A motion was made by Benford, seconded by Solomon, to adjourn. The motion was passed by voice vote/other. The meeting adjourned at 6:45 p.m.

Minutes were prepared by Claudia Catota.

Commissioners unable to attend should contact Rachel Cambell at (608) 267-1133 or rlcampbell@cityofmadison.com.



Date: 3/12/09

City of Madison Registration Statement – Equal Opportunities Commission

You must register before the Commission considers your item.

Please Print

Agenda No. <u>#4 (Leg. 12596)</u>

Name Marisha Ash

Address 6 Katherine Ct.

Please check the appropriate boxes:

- Support**
- Wish to speak
 - Do not wish to speak
 - Available to answer questions

- Oppose**
- Wish to speak
 - Do not wish to speak
 - Available to answer questions

At this meeting are you representing an organization or a person other than yourself? Yes No
(If you answered "no," STOP; you need not complete the rest of this form. If you answered "yes," go on to the next question.)

Name, address and telephone number of each person or organization you are representing:

~~XXXXXXXXXXXX~~

Are you being paid for your representation? Yes No

Are you appearing as part of your other paid duties for this person or organization? Yes No
(If you answered "no," STOP; you need not complete the rest of this form. If you answered "yes," go on to the next question.)

Speaking Limits: Public Hearing.....5 minutes
Information Hearing.....5 minutes
Other Items.....3 minutes

Registration Statement - Page 2

Are you an elected official who is appearing solely on behalf of your office or for your municipality or other governmental body? Yes No

(If you answered "yes" to the question, STOP. You need not complete the rest of this form, except that you must sign this form. If you answered "no" to the question, go on to the next question.)

If you are being paid for your representation, or if your appearance is part of other paid duties, do you understand that:

1. Before you engage in lobbying as a lobbyist, you or your principal must file an authorization with the City Clerk? Yes No
2. Your principal is not permitted to authorize you to lobby unless the principal is registered with the City Clerk? Yes No
3. If your principal spends or will owe more than \$500 for lobbying services in any reporting period (calendar quarter), the principal must file expense statements with the City Clerk for the remaining quarters of the calendar year? Yes No

(If you answered "no" to any of the last three questions, please call the City Clerk at 266-4601 or go to the Clerk's Office at Room 103 of the City-County Building, Madison, for more information.)

Date 3/12/09

Signature Marisha Ash

Print Name Marisha Ash

Date: 3/12/09

**City of Madison
Registration Statement – Equal Opportunities Commission**

You must register before the Commission considers your item.

Please Print

Agenda No. #4 (Leg. 12596)

Name Robin Berenson

Address 145 JACKSON ST.

Please check the appropriate boxes:

- Support**
 Wish to speak
 Do not wish to speak
 Available to answer questions

- Oppose**
 Wish to speak
 Do not wish to speak
 Available to answer questions

At this meeting are you representing an organization or a person other than yourself? Yes No
(If you answered "no," STOP; you need not complete the rest of this form. If you answered "yes," go on to the next question.)

Name, address and telephone number of each person or organization you are representing:

Are you being paid for your representation? Yes No

Are you appearing as part of your other paid duties for this person or organization? Yes No
(If you answered "no," STOP; you need not complete the rest of this form. If you answered "yes," go on to the next question.)

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Date 3/12/09

Signature Robin Berenson
Print Name Robin Berenson

Date: 3/12/09

City of Madison Registration Statement – Equal Opportunities Commission

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Please Print

Agenda No. #4 (Leg. 12596)

Name BILL CLUGAN
Address 1715 MADISON ST

Please check the appropriate boxes:

- Support**
- Wish to speak
 - Do not wish to speak
 - Available to answer questions

- Oppose**
- Wish to speak
 - Do not wish to speak
 - Available to answer questions

At this meeting are you representing an organization or a person other than yourself: Yes No
(If you answered "no," STOP; you need not complete the rest of this form. If you answered "yes," go on to the next question.)

Name, address and telephone number of each person or organization you are representing:
COMMUNITY SERVICES COMMISSION

Are you being paid for your representation? Yes No

Are you appearing as part of your other paid duties for this person or organization? Yes No
(If you answered "no," STOP; you need not complete the rest of this form. If you answered "yes," go on to the next question.)

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Information Hearing.....5 minutes
Other Items.....3 minutes

Registration Statement - Page 2

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Date _____

Signature _____

Print Name _____

Date: 3/12/09

City of Madison Registration Statement – Equal Opportunities Commission

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Please Print

Agenda No. #4 (Leg. 12596)

Name Stacy Harbaugh
Address 122 State St. #201

Please check the appropriate boxes:

- Support**
 - Wish to speak
 - Do not wish to speak
 - Available to answer questions

- Oppose**
 - Wish to speak
 - Do not wish to speak
 - Available to answer questions

At this meeting are you representing an organization or a person other than yourself: Yes No
(If you answered "no," STOP; you need not complete the rest of this form. If you answered "yes," go on to the next question.)

Name, address and telephone number of each person or organization you are representing:

ACLU of Wisconsin
122 State St. #201

Are you being paid for your representation? Yes No

Are you appearing as part of your other paid duties for this person or organization? Yes No
(If you answered "no," STOP; you need not complete the rest of this form. If you answered "yes," go on to the next question.)

Speaking Limits: Public Hearing.....5 minutes
Information Hearing.....5 minutes
Other Items.....3 minutes

Registration Statement - Page 2

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Date _____

Signature _____

Print Name _____

Date: 3/12/09

City of Madison Registration Statement – Equal Opportunities Commission

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Please Print

Agenda No. #4 (Leg. 12596)

Name Terry Moen
Address 1129 Gilbert Rd
Madison WI 53711

Please check the appropriate boxes:

- Support**
- Wish to speak
 - Do not wish to speak
 - Available to answer questions

- Oppose**
- Wish to speak
 - Do not wish to speak
 - Available to answer questions

At this meeting are you representing an organization or a person other than yourself: Yes No
(If you answered "no," STOP; you need not complete the rest of this form. If you answered "yes," go on to the next question.)

Name, address and telephone number of each person or organization you are representing:

Chair PSRB but opinions not that of
PSRB only myself

Are you being paid for your representation? Yes No

Are you appearing as part of your other paid duties for this person or organization? Yes No
(If you answered "no," STOP; you need not complete the rest of this form. If you answered "yes," go on to the next question.)

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Other Items.....3 minutes

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Date _____

Signature _____

Print Name _____

Date: 3/12/09

City of Madison Registration Statement – Equal Opportunities Commission

You must register before the Commission considers your item.

Please Print

Agenda No. #4 (Leg. 1259.6)

Name MARY O'Donnell
Address 215 Martin Luther King Jr Blvd
Rm 225 Madison

Please check the appropriate boxes:

- Support**
- Wish to speak
 - Do not wish to speak
 - Available to answer questions

- Oppose**
- Wish to speak
 - Do not wish to speak
 - Available to answer questions

At this meeting are you representing an organization or a person other than yourself: Yes No
(If you answered "no," STOP; you need not complete the rest of this form. If you answered "yes," go on to the next question.)

Name, address and telephone number of each person or organization you are representing:

Are you being paid for your representation? Yes No

Are you appearing as part of your other paid duties for this person or organization? Yes No
(If you answered "no," STOP; you need not complete the rest of this form. If you answered "yes," go on to the next question.)

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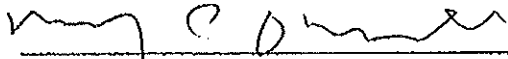
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Date 3/12/09

Signature 
Print Name Mary C. O'Connell

Date: 3/12/09

City of Madison Registration Statement – Equal Opportunities Commission

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Please Print

Agenda No. #4 (Leg. 12596)

Name Thuy Pham-Rennette
Address Alden, District 20

Please check the appropriate boxes:

Support

Wish to speak

Do not wish to speak

Available to answer questions

Oppose

Wish to speak *this was incorrect and Ad. Pham-Rennette asked me to change this. BGE.*

Do not wish to speak

Available to answer questions

At this meeting are you representing an organization or a person other than yourself? Yes No
(If you answered "no," STOP; you need not complete the rest of this form. If you answered "yes," go on to the next question.)

Name, address and telephone number of each person or organization you are representing:
Sponsor of Census Amendment

Are you being paid for your representation? Yes No

Are you appearing as part of your other paid duties for this person or organization? Yes No
(If you answered "no," STOP; you need not complete the rest of this form. If you answered "yes," go on to the next question.)

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Registration Statement - Page 2

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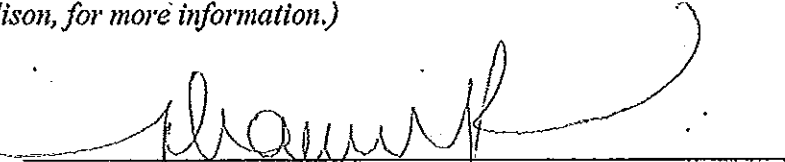
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(If you answered "no" to any of the last three questions, please call the City Clerk at 266-4601 or go to the Clerk's Office at Room 103 of the City-County Building, Madison, for more information.)

Date 3/12/09

Signature 
Print Name Terry Plouffe-Remmel

Date: 3/12/09

**City of Madison
Registration Statement – Equal Opportunities Commission**

You must register before the Commission considers your item.

Please Print

Agenda No. #4 (Leg. 12596)

Name Matt Veldman
Address 5738 Krocicki Dr
Madison WI

Please check the appropriate boxes:

- Support**
 - Wish to speak
 - Do not wish to speak
 - Available to answer questions

- Oppose**
 - Wish to speak
 - Do not wish to speak
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Date _____

Signature _____

Print Name _____

Date: 3/12/09

City of Madison Registration Statement – Equal Opportunities Commission

You must register before the Commission considers your item.

Please Print

Agenda No. #4 (Leg. 12596)

Name Walter Verburg
Address 1614 Wendy Ln.
Madison, WI

Please check the appropriate boxes:

- Support**
- Wish to speak
 - Do not wish to speak
 - Available to answer questions

- Oppose**
- Wish to speak
 - Do not wish to speak
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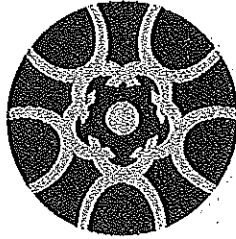
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Date _____

Signature _____

Print Name _____



Goodman
Community Center

March 12, 2009

Dear Equal Opportunities Commission:

The following letters are submitted on behalf of several students enrolled in East High School's alternative Vocational Integrated Pathways program. Please consider their opinions and perspectives as you deliberate the proposed curfew change.

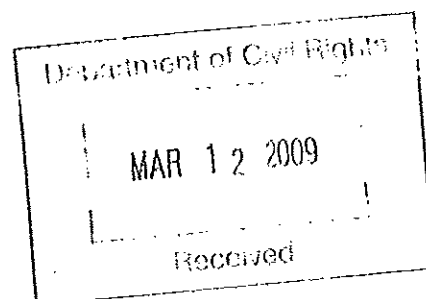
Sincerely,

Norma-Jean Simon

High School Community Connections Coordinator

Goodman Community Center

normajeans@goodmancenter.org



March 12, 2009

Commissioners -

I'm not able to make it to the EOC meeting tonight, at which you'll discuss the proposed changes to Madison's curfew for young people, so I want to share my thoughts via this message.

I understand that the Police Department believes that having a youth curfew is a useful tool. I understand that "youth-related" crime is on the rise. However, I am not convinced that an earlier curfew is the appropriate solution. Here are my concerns:

- 1) Consistency. We should at least look at what the surrounding municipalities do.
- 2) Discouragement. I worry that a curfew, especially an earlier curfew, discourages young people from engaging in productive evening activities. I would hate for a young person to miss out on a job, sports event, school club, cultural activity, etc. because they were worried about getting home before curfew. I'm particularly concerned about my young constituents who are transit dependent and for whom the bus ride home can be an hour or more.
- 3) Criminalization of youth. I am troubled by creating violations that are based on a state of being - age - rather than actions. I would much rather put our collective energies into strengthening families, supporting parents, providing jobs training and jobs for youth, encouraging positive recreational activities and connecting youth to academic support and opportunities.

Thanks for your time.

Satya Rhodes-Conway
Alder, District 12



June 05, 2008

Richard C Pfeiffer, Jr.
Columbus City Attorney
90 West Broad Street
Columbus, Ohio 43215

SENT VIA U.S. MAIL & FAX TO 614/645-6969

RE: Enforcement of City of Columbus curfew ordinance

Dear Mr. Pfeiffer:

We write to you to express various concerns about renewed enforcement of the City's juvenile curfew ordinance and aspects of that enforcement for which we seek clarification.

To be sure, the ACLU of Ohio opposes all juvenile curfew ordinances as a violation of fundamental rights of innocent people. Curfews, at their core, essentially place all persons of a particular demographic under "house arrest" for the actions of a minority. As always, it remains the position of the ACLU that finite police resources should be utilized to pursue legitimate lawbreakers, not a whole category of people whose only offense is to be outdoors after an arbitrarily set time of night.

We are also concerned about the tendency of curfew laws to usurp the authority of parents who should rightly be the sole decision-makers regarding child-rearing decisions for otherwise law-abiding children.

That said, we seek answers to the questions below and request you provide us with timely answers so the ACLU of Ohio may obtain a better understanding of the City's plans for curfew enforcement.

First, recent news coverage indicated police officers will be taking most curfew offenders to the downtown YMCA, pursuant to a formal agreement with that organization, to be held until a parent or guardian can be contacted and then pick up the juvenile.

What legal authority does the City and/or police department have to demand that an offender stay at that location? In other words, what is the anticipated response of law enforcement and/or YMCA staff should an offender simply decide he or she does not want to remain at that location?

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Department of Civ. Rights

MAR 12 2009

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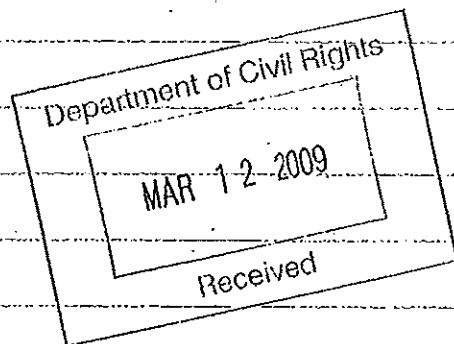
Dear, Madison common council

I disagree with the decision that you've made about curfew. I feel that teens are gonna be teens and we do not like to go in early to teens 9:00 is just the beginning of the day if your 16 and up I think you should be able to stay out with parental content. and teens 15 and under should be in at 9:00 to 10:00 and to my understanding the council is trying to keep kids ~~in~~ ⁱⁿ at night and you are saying that if we keep the teens in at night it will prevent break-ins and robbery and crime period but I feel no matter what time of the day crime is always going to happen no matter where you are and no matter what time. but the decision you make make your decision wisely because we don't want madison wisconsin to be a teen lockdown state.

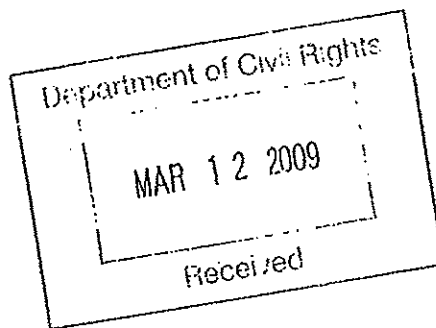
Sincerely,
Dante Alexander

Jayson

I think that's bogus, that they change the curfew because in Madison don't nothin happen into later at night like all the party don't start into around 9:00 to 10:00 o'clock and sometimes people don't get off work into about 9:00, 9:30 and u get to wait for the bus and some people coming from the north and going to either the west or the south in if teens get into trouble for coming home from work and it's pass your own few time then that's a shame



Dear Madison Common Council,
I am opposed to the curfew change
because it seems like the city is
just trying to keep juveniles in



Dear madison common Council,

I am writting you to let you know that I am apposed to the curfew change I really do not like how they changed it because we shouldn't be able to be stuck in the house at 10:00 because sometimes ~~be~~ people have Birth day parties. and want to stay outside, but whatever happens-happens but if it was up to me I would have not changed the curfew because I want to have freedom, but maybe it was a good thing that they changed the curfew because many people get killed and bad things happen at night and but.

what ever you decide to do is what they do.

Danyel

Department of Civil Rights

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Dear Madison Common Council

Jhannon

I ~~don't~~ think you should reconsider
in changing youth curfew. mainly
B'cuz w3 just add more time at
school. and most kids wont even
listen to this rule. and most kids
come from rough homes and being
outside save them from alot of things
like violence. and wat about the homeless
kids-

Jhannon

