

# City of Madison

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

# Agenda - Approved POLICE CIVILIAN OVERSIGHT BOARD

Wednesday, August 20, 2025

6:00 PM

Virtual

The City of Madison is holding the Police Civilian Oversight Board meeting virtually to help protect our community from the Coronavirus (COVID-19) pandemic.

- 1. Written Comments: You can send comments on agenda items to pcob@cityofmadison.com
- 2. Register for Public Comment:
  - · Register to speak at the meeting.
  - Register to answer questions.
  - · Register in support or opposition of an agenda item (without speaking).

If you want to speak at this meeting you must register. You can register at https://www.cityofmadison.com/MeetingRegistration. When you register to speak, you will be sent an email with the information you will need to join the virtual meeting.

- 3. Watch the Meeting: If you would like to join the meeting as an observer, please visit https://www.cityofmadison.com/watchmeetings.
- 4. Listen by Phone:

(877) 853-5257 (Toll Free) Webinar ID: 886 4163 9368

If you need an interpreter, translator, materials in alternate formats or other accommodations to access this service, activity or program, please call the phone number below at least three business days prior to the meeting.

Si necesita un intérprete, un traductor, materiales en formatos alternativos u otros arreglos para acceder a este servicio, actividad o programa, comuníquese al número de teléfono que figura a continuación tres días hábiles como mínimo antes de la reunión.

Yog hais tias koj xav tau ib tug neeg txhais lus, ib tug neeg txhais ntawv, cov ntawv ua lwm hom ntawv los sis lwm cov kev pab kom siv tau cov kev pab, cov kev ua ub no (activity) los sis qhov kev pab cuam, thov hu rau tus xov tooj hauv qab yam tsawg peb hnub ua hauj lwm ua ntej yuav tuaj sib tham.

For accommodations, contact: Chioma Njoku at pcob@cityofmadison.com

**CALL TO ORDER / ROLL CALL** 

PUBLIC COMMENT

1. 89587 Public Comment 08/20/2025

Attachments: RegistrantsReport 8-20-25.pdf

# **APPROVAL OF MINUTES**

June 18, 2025 & June 25, 2025 : http://madison.legistar.com/Calendar.aspx

2. 89585 Approval of Minutes 06/18/2025 and 06/25/2025

Attachments: Full Board Minutes - Draft - 6-18-25.pdf

Full Board Minutes - Draft - 6-25-25.pdf

## **DISCLOSURES AND RECUSALS**

Members of the body should make any required disclosures or recusals under the City's Ethics Code.

## **DISCUSSION ITEMS**

3. 87483 Adopting the Updated Elected and Appointed Official Code of Ethical Conduct

Attachments: PROPOSED: Updated Elected and Appointed Official Code of Ethical Conduct3

IN EFFECT: Elected and Appointed Official Code of Ethical Conduct Updated 7-BPW Presentation Elected and Appointed Official Code of Ethical Conduct.pdf

Updated Presentation Elected and Appointed Official Code of Ethical Conduct.p

Updated 7-17-25 Elected and Appointed Official Code of Ethical Conduct.pdf

BCC Code of Conduct Feedback Notes.pdf

<u>Draft for Discussion Code of Expected Conduct - Govindarajan Alternate.pdf</u>

Public Comment re 87483.pdf

- 4. 89605 Subcommittee Scheduling and Work Plans
- 5. 89606 OIM Status Update
- 6. 89607 Adding Stephanie Rearick to the Executive Subcommittee
- 7. 89608 MPD Training Session Scheduling
- 8. <u>89609</u> PCOB Attorney List Timeline for Interviews

9. <u>85327</u> Amending Section 5.20 of the Madison General Ordinances to modify the Police Civilian Oversight Board appointment process.

Attachments: 021825-022025 CC public comments.pdf

PCOB-Changes.pptx

022625-022725 CC public comments.pdf 062725-070125 CC public comments.pdf 85327 Figuero Cole amendment.pdf

070125 CC public comment.pdf

85327 - Version 1

090225 CC public comments.pdf 090325 CC public comments.pdf

10. 89610 Discussion of PCOB priorities and values it wishes to see in the next MPD

Chief

11. 89611 NACOLE Conference Last Call

**ADJOURNMENT** 



# **City of Madison**

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

# Master

File Number: 89587

File ID: 89587 File Type: Discussion Item Status: Discussion Items

Version: 1 Reference: Controlling Body: POLICE CIVILIAN

OVERSIGHT BOARD

File Created Date: 08/19/2025

File Name: Final Action:

Title: Public Comment 08/20/2025

Notes:

Sponsors: Effective Date:

Attachments: RegistrantsReport 8-20-25.pdf Enactment Number:

Author: Hearing Date:

Entered by: cnjoku@cityofmadison.com Published Date:

History of Legislative File

 Ver- Acting Body:
 Date:
 Action:
 Sent To:
 Due Date:
 Return Result:

 sion:
 Date:

# **Text of Legislative File 89587**

Title

Public Comment 08/20/2025

# Public Comment Registrants Report

08/20/2025 06:00 PM - Police Civilian Oversight Board				Representing Organization			Lobbying
Agenda Item Registered	Name	Support	Speaking	Y/N Name(s)	Paid	Duties	Rep
	EM: 9 Amending Section 5.20 of the an Oversight Board appointment pr						
9 08/20/25 05:10 PM	Erika Bach District: Unknown Allen Blvd Middleton , WI 53562	Oppose	Yes	No			
9 08/20/25 06:02 PM	Shadayra Kilfoy-Flores District: 6 1115 E Wilson St. Madison , WI 53703	Neither support nor oppose	Yes	No			
9 08/20/25 01:09 PM	Ryan Olestro District: Unknown 231 Sugar Maple Lane Verona, WI 53717	Oppose	Available to answer questions	No			
9 08/19/25 04:27 PM	Amy Owen District: 15 3129 Buena Vista Street Madison, WI 53704	Oppose	No	No			
9 08/19/25 05:24 PM	William Newman District: 6 2037 Rutledge St Madison, WI 53704	Oppose	No	No			
9 08/19/25 06:34 PM	Jacob Winkler District: 15 2730 Union St Madison, WI 53704	Oppose	No	No			
9 08/19/25 09:11 PM	Miriam Hasan District: 15 2722 Sommers Ave Madison, WI 53704	Oppose	No	No			

# Public Comment Registrants Report

8/20/2025 06:00 PM - Police Civilian Oversight Board				Representing	Representing Organization		
Agenda Item Registered	Name	Support	Speaking	Y/N Name(s)	Paid Duties	Rep	
	EM: 9 Amending Section 5.20 of the an Oversight Board appointment p						
9 08/19/25 09:37 PM	Jacob Rodgers District: 12 2518 E Johnson St APT 1 Madison, WI 53704	Oppose	No	No			
9 08/19/25 09:37 PM	Sami Head District: 12 2518 E Johnson St APT 1 Madison, WI 53704	Oppose	No	No			
9 08/19/25 10:36 PM	Philippa Bergmann District: 17 27 Anniversary Ct. Madison, WI 53704	Oppose	No	No			
9 08/20/25 10:50 AM	Megan Ross District: 3 113 Cameo Ln Madison, WI 53714	Oppose	No	No			
9 08/20/25 02:54 PM	Amelia Royko Maurer District: Unknown Country Rd Arena, WI 53503	Oppose	No	No			
9 08/20/25 05:23 PM	Lizbeth Wawrzonek District: 14 2232 W Broadway #209 Madison, WI 53713	Oppose	No	No			
9 08/20/25 05:33 PM	Natalia Hacerola District: 4 101 E Mifflin St Madison, WI 53703	Oppose	No	No			

# Public Comment Registrants Report

08/20/2025 06:00 PM - Police Civilian Oversight Board			Representing	Lobbying	
Agenda Item Registered	Name	Support Speaking	Y/N Name(s)	Paid Duties	Rep
		Support: 0 Opposed: 13 Neither: 1 Counts distinct registrants and removes duplicate votes			
		Total Registrants: 14			

# **Meeting Watch List (7)**

Name	Registration Time
1. Emily	08/18/2025 08:18 PM
2. Eric Howland	08/20/2025 10:02 AM
3. Pamela Oliver	08/20/2025 04:00 PM
4. Lizbeth Wawrzonek	08/20/2025 05:25 PM
5. Kathleen Fullin	08/20/2025 05:59 PM
6. Doug Maynard	08/20/2025 06:02 PM
7. Bonnie Roe	08/20/2025 06:07 PM



# **City of Madison**

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

# Master

File Number: 89585

File ID: 89585 File Type: Discussion Item Status: Discussion Items

Version: 1 Reference: Controlling Body: POLICE CIVILIAN

OVERSIGHT BOARD

File Created Date: 08/19/2025

File Name: Final Action:

**Title:** Approval of Minutes 06/18/2025 and 06/25/2025

Notes:

Sponsors: Effective Date:

Attachments: Full Board Minutes - Draft - 6-18-25.pdf, Full Board Enactment Number:

Minutes - Draft - 6-25-25.pdf

Author: Hearing Date:

Entered by: cnjoku@cityofmadison.com Published Date:

# **History of Legislative File**

 Ver- Acting Body:
 Date:
 Action:
 Sent To:
 Due Date:
 Return
 Result:

 sion:
 Date:

# **Text of Legislative File 89585**

Title

Approval of Minutes 06/18/2025 and 06/25/2025



# **City of Madison**

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

# Meeting Minutes - Draft POLICE CIVILIAN OVERSIGHT BOARD

Wednesday, June 18, 2025 6:00 PM

Virtual

The City of Madison is holding the Police Civilian Oversight Board meeting virtually to help protect our community from the Coronavirus (COVID-19) pandemic.

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## CALL TO ORDER / ROLL CALL

The Chair called the meeting to order at 6:10 pm.

Present: 11 - Stephanie A. Rearick; Hope Vang; Helyn Luisi-Mills; Brandice Hatcher;

Vanessa Statam; Tarah Stangler; Devon Snyder; Katherine Nelson; Maia E.

Pearson; Carlotta Calmese and Michelle E. Miller

Absent: 2 - Stephanie Salgado and Rodney D. Saunders, Jr.

# **PUBLIC COMMENT**

1. <u>88761</u> Public Comments 6/18/2025

Attachments: RegistrantsReport 6-18-25.pdf

### **APPROVAL OF MINUTES**

2. <u>88051</u> Approval of Minutes - 4/16/2025

Attachments: Full Board Minutes - Draft - 2025-04-16.pdf

Miller made a motion to approve the 4/16/2025 minutes. The motion was seconded by Statam. With Luisi-Mills abstaining, the rest of the board passed the motion unanimously.

# **DISCLOSURES AND RECUSALS**

## **DISCUSSION ITEMS**

- 3. <u>88762</u> Updates from the Independent Monitor
- 4. <u>88763</u> Updates from the Subcommittee Chairs
- 5. <u>88767</u> PCOB Ordinance Amendment Recommendation from the Policy and Procedure Subcommittee
- Procedure Subcommittee
- 6. <u>88764</u> Subcommittee Restructuring Merging Reporting and Analysis with Policy and Procedure

Luisi-Mills made a motion to dissolve the Policy and Procedure subcommittee, and the Reporting and Analysis subcommittee, and create an External Policies and Procedure subcommittee. The motion was seconded by Calmese and

passed unanimously.

7. Subcommittee Leadership Elections

The following were selected as the members of the new External Policy and Procedures Subcommittee; Luisi - Mills, Rearick, Stangler, Calmese, and

Nelson.

For chair, Luisi-Mills self-nominated, Calmese nominated Rearick. Rearick emerged as chair of the External Policy and Procedure Subcommittee on a 4-3

vote.

8. <u>88766</u> PCOB Attorney List Timeline

# **ADJOURNMENT**

Rearick made a motion to adjourn the meeting. The motion was seconded by Snyder and the meeting adjourned at 7:45 pm.

City of Madison Page 2



# **City of Madison**

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

# Meeting Minutes - Draft POLICE CIVILIAN OVERSIGHT BOARD

Wednesday, June 25, 2025 6:00 PM Virtual

# **Special Session**

The City of Madison is holding the Police Civilian Oversight Board meeting virtually to help protect our community from the Coronavirus (COVID-19) pandemic.

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(877) 853-5257 (Toll Free) Webinar ID: 829 1970 3221

# CALL TO ORDER / ROLL CALL

The chair called this meeting to order at 6:04 pm.

Present: 9 - Stephanie A. Rearick; Hope Vang; Helyn Luisi-Mills; Brandice Hatcher;

Vanessa Statam; Devon Snyder; Maia E. Pearson; Rodney D. Saunders,

Jr. and Michelle E. Miller

Absent: 3 - Tarah Stangler; Stephanie Salgado and Carlotta Calmese

Excused: 1 - Katherine Nelson

# **PUBLIC COMMENT**

1. <u>88844</u> Public Comment 6/25/2025

Attachments: RegistrantsReport 6/25/2025

## **DISCLOSURES AND RECUSALS**

# **DISCUSSION ITEMS**

2. <u>85327</u> Amending Section 5.20 of the Madison General Ordinances to modify the Police Civilian Oversight Board appointment process.

Attachments: 021825-022025 CC public comments.pdf

PCOB-Changes.pptx

022625-022725 CC public comments.pdf

Police Civilian Oversight Board recommended to place on file with prejudice by a unanimous roll call vote of 9-0

Rearick made a motion to recommend to the Common Council to place Item 85327 on file with prejudice. The motion was seconded by Snyder. It passed unanimously with a roll call vote of 9-0.

Absent: 3 - Tarah Stangler; Stephanie Salgado and Carlotta Calmese

**Ayes:** 9 - Stephanie A. Rearick; Hope Vang; Helyn Luisi-Mills; Brandice Hatcher; Vanessa Statam; Devon Snyder; Maia E. Pearson; Rodney D. Saunders,

Jr. and Michelle E. Miller

Excused: 1 - Katherine Nelson

# **ADJOURNMENT**

Miller made a motion to adjourn the meeting. The motion was seconded by Statam, and passed unanimously. The meeting adjourned at 6:47 pm.

City of Madison Page 2



# **City of Madison**

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

## Master

File Number: 87483

File ID: 87483 File Type: Resolution Status: Items Referred

Version: 1 Reference: Controlling Body: COMMON

COUNCIL EXECUTIVE COMMITTEE

File Created Date: 03/05/2025

File Name: Adopting the Updated Elected and Appointed Official Final Action:

Code of Ethical Conduct

Title: Adopting the Updated Elected and Appointed Official Code of Ethical Conduct

Notes:

Sponsors: Bill Tishler Effective Date:

Attachments: PROPOSED: Updated Elected and Appointed Enactment Number:

Official Code of Ethical Conduct3.pdf, IN EFFECT: Elected and Appointed Official Code of Ethical Conduct Updated 7-2-24.pdf, BPW Presentation Elected and Appointed Official Code of Ethical Conduct.pdf, Updated Presentation Elected and Appointed Official Code of Ethical Conduct.pdf, Updated 7-17-25 Elected and Appointed Official Code of Ethical Conduct Peedback Notes.pdf, Draft for Discussion Code of Expected Conduct - Govindarajan Alternate.pdf,

Public Comment re 87483.pdf

(5/14/25), Landmarks Commission

Author: Alder Nasra Wehelie Hearing Date:

Entered by: kkapusta-pofahl@cityofmadison.com Published Date:

# **History of Legislative File**

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	03/05/2025	Referred for Introduction				
	Action Text:	This Resolution was Ref	erred for Introduction				
	Notes:	Common Council Executive	Committee (3/25/25), Comm	on Council (3/25/25)			
1	COMMON COUN	ICIL 03/11/2025	Refer	COMMON COUNCIL EXECUTIVE COMMITTEE			Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer to the COMMON COUNCIL EXECUTIVE COMMITTEE,. The motion passed by the following vote:  Notes: Additional Referrals to Board Of Public Works (5/7/25), Plan Commission (5/12/25), Board Of Park Commissione						

(5/19/25), Madison Public Library Board (6/5/25), Equal Opportunities Commission (6/12/25), Police Civilian Oversight Board (6/18/25), Transportation Commission

(6/25/25), Affirmative Action Commission (7/3/25), Economic Development Committee (7/10/25), Alcohol License Review Committee (7/16/25), Disability Rights Commission (7/24/25), Common Council (8/5/25)

Ayes: 16 Michael E. Verveer; Regina M. Vidaver; Marsha A. Rummel; Nikki

Conklin; Yannette Figueroa Cole; Bill Tishler; Tag Evers; Isadore Knox Jr.; Dina Nina Martinez-Rutherford; Jael Currie; Sabrina V. Madison; Charles Myadze; John P. Guequierre; John W. Duncan; Juliana R.

Bennettand Derek Field

Noes: 2 MGR Govindarajanand Barbara Harrington-McKinney

Excused: 2 Nasra Wehelieand Amani Latimer Burris

Non Voting: 1 Satya V. Rhodes-Conway

COMMON COUNCIL 03/12/2025 Referred **BOARD OF EXECUTIVE PUBLIC WORKS** 

COMMITTEE

This Resolution was Referred to the BOARD OF PUBLIC WORKS Action Text:

COMMON COUNCIL 03/12/2025 Referred **PLAN** 05/12/2025

**EXECUTIVE** COMMISSION

COMMITTEE

Action Text: This Resolution was Referred to the PLAN COMMISSION

COMMON COUNCIL 03/12/2025 Referred **BOARD OF PARK** 06/11/2025

**EXECUTIVE** COMMISSIONER

COMMITTEE S

Action Text: This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

COMMON COUNCIL 03/12/2025 Referred **LANDMARKS** 05/19/2025

**EXECUTIVE** COMMISSION

COMMITTEE

Action Text: This Resolution was Referred to the LANDMARKS COMMISSION

COMMON COUNCIL 03/12/2025 Referred MADISON 06/05/2025

**EXECUTIVE PUBLIC LIBRARY** 

COMMITTEE **BOARD** 

This Resolution was Referred to the MADISON PUBLIC LIBRARY BOARD Action Text:

COMMON COUNCIL 03/12/2025 Referred **EQUAL** 

**OPPORTUNITIES EXECUTIVE** COMMITTEE COMMISSION

Action Text: This Resolution was Referred to the EQUAL OPPORTUNITIES COMMISSION

COMMON COUNCIL 03/12/2025 Referred POLICE CIVILIAN **EXECUTIVE OVERSIGHT** COMMITTEE **BOARD** 

Action Text: This Resolution was Referred to the POLICE CIVILIAN OVERSIGHT BOARD

COMMON COUNCIL 03/12/2025 Referred **TRANSPORTATI** 06/25/2025

**EXECUTIVE** ON COMMISSION

COMMITTEE

This Resolution was Referred to the TRANSPORTATION COMMISSION Action Text:

**COMMON COUNCIL** 03/12/2025 Referred **ALCOHOL** 07/16/2025

**EXECUTIVE LICENSE** COMMITTEE **REVIEW** COMMITTEE

Action Text: This Resolution was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

**COMMON COUNCIL** 03/12/2025 Referred **ECONOMIC** 07/16/2025

**EXECUTIVE DEVELOPMENT** COMMITTEE COMMITTEE

Action Text: This Resolution was Referred to the ECONOMIC DEVELOPMENT COMMITTEE

COMMON COUNCIL 03/12/2025 Referred **AFFIRMATIVE** 09/04/2025

**FXFCUTIVE ACTION** COMMITTEE COMMISSION

Action Text: This Resolution was Referred to the AFFIRMATIVE ACTION COMMISSION 1 COMMON COUNCIL 03/12/2025 Referred DISABILITY 08/28/2025

EXECUTIVE RIGHTS
COMMITTEE COMMISSION

Action Text: This Resolution was Referred to the DISABILITY RIGHTS COMMISSION

1 ALCOHOL LICENSE 03/19/2025 Table Pass

**REVIEW COMMITTEE** 

Action Text: A motion was made by Verveer, seconded by Barushok, to Table. The motion passed by voice

vote/other

1 ALCOHOL LICENSE 03/19/2025 Take Off The Table Pass

**REVIEW COMMITTEE** 

Action Text: A motion was made by Barushok, seconded by Verveer, to Take Off The Table. The motion passed by

voice vote/other.

1 ALCOHOL LICENSE 03/19/2025 Re-refer ALCOHOL 07/16/2025 Pass

REVIEW COMMITTEE LICENSE REVIEW

COMMITTEE

Action Text: A motion was made by Verveer, seconded by Barushok, to Re-refer to the ALCOHOL LICENSE

REVIEW COMMITTEE. The motion passed by voice vote/other.

1 BOARD OF PUBLIC 05/07/2025 Return to Lead with Council Office Pass

WORKS the

Recommendation for

Approval

Action Text: A motion was made by Ald. Guequierre, seconded by Williams, to Return to Lead with the

Recommendation for Approval to the Council Office. The motion passed by voice vote/other.

1 PLAN COMMISSION 05/12/2025 Return to Lead with COMMON Pass

the COUNCIL
Recommendation for EXECUTIVE
Approval COMMITTEE

Action Text: A motion was made by Guequierre, seconded by Heck, to Return to Lead with the Recommendation

for Approval to the COMMON COUNCIL EXECUTIVE COMMITTEE. The motion passed by voice

vote/other.

1 LANDMARKS 05/19/2025 Return to Lead with COMMON

COMMISSION the Following COUNCIL

Recommendation(s) EXECUTIVE

Recommendation(s) EXECUTIVE COMMITTEE

Action Text: This Resolution was Returned to Lead with no comments from the commission.

**Notes:** The commission had no comments on the document.

1 MADISON PUBLIC 06/05/2025 Return to Lead with COMMON Pass

LIBRARY BOARD the COUNCIL

Recommendation for EXECUTIVE Approval COMMITTEE

Action Text: A motion was made by DeChant, seconded by Lovelace III, to Return to Lead with the

Recommendation for Approval to the COMMON COUNCIL EXECUTIVE COMMITTEE. The motion

passed by voice vote/other.

1 BOARD OF PARK 06/11/2025 Return to Lead with COMMON Pass

COMMISSIONERS the COUNCIL Recommendation for EXECUTIVE

Approval COMMITTEE

Action Text: Common Council Chief of Staff Kapusta-Pofahl gave an overview of the updated policy. This applies

to both Park Commission and subcommittees.

Motion made by Harrington, seconded by McDonald, to RETURN TO LEAD WITH THE

RECOMMENDATION FOR APPROVAL TO THE COMMON COUNCIL EXECUTIVE COMMITTEE.

Motion passed by voice vote/other.

1 TRANSPORTATION 06/25/2025 Return to Lead with COMMON Pass

COMMISSION the COUNCIL

Recommendation for EXECUTIVE Approval COMMITTEE

Action Text: Common Council Chief of Staff Karen Kapusta-Pofahl provided verbal reports and was available for

auestions.

Olson moved to Return to Lead with the Recommendation for Approval, seconded by Webber. The motion passed by voice vote/other.

After this item, the meeting went to ITEM 3.

**ECONOMIC** 07/16/2025 Return to Lead with COMMON **DEVELOPMENT** the Following COUNCIL

COMMITTEE Recommendation(s)

Action Text: Duncan gave an overview of the Code of Ethical Conduct followed by questions and comments from

members. A motion was made by Bulgrin seconded by Liggon to return to lead with the

recommendation to adopt with the following recommendations:

1. That it stay a living document

2. That it is made available to the public

The motion passed unanimously by voice vote. Madison was absent at the time of the vote.

A motion was made by Bulgrin seconded by Liggon to return to lead with the recommendation to adopt with the Notes: following recommendations:

1. That it stay a living document

2. That it is made available to the public

The motion passed unanimously by voice vote. Madison was absent at the time of the vote.

COMMON ALCOHOL LICENSE 07/16/2025 Return to Lead with **Pass REVIEW COMMITTEE** the COUNCIL

Recommendation for

Approval

Action Text: A motion was made by Farley, seconded by Carter, to Return to Lead with the Recommendation for

Approval to the COMMON COUNCIL. The motion passed by voice vote/other. Figueroa Cole abstains.

Recommendation to Add terminology regarding culture and speaking to members of the media.

Notes: Add terminology regarding culture and speaking to members of the media.

COMMON COUNCIL 08/05/2025 Re-refer COMMON Pass

> COUNCIL **EXECUTIVE** COMMITTEE

Action Text: A motion was made by Govindarajan, seconded by Guequierre, to Re-refer to the COMMON

COUNCIL EXECUTIVE COMMITTEE. The motion passed by voice vote/other.

08/14/2025 Return to Lead with **EQUAL** Pass

**OPPORTUNITIES** 

COMMISSION Recommendation for

Common Council to

Adopt

Action Text: Commissioner Klebba made a motion to approve two with general changes; 1. define the acronym

BCC and be clear in the language when referring to appointed official and BCC member and make corrections throughout the document and 2. provide a clear link to the City of Madison website for public civilians to review the Alder's Code of Conduct to make complaints on Alder's behavior and lack

of conduct. It was seconded by Commissioner Ketcham. The vote was unanimous.

Return to Lead with Recommendation for Common Council to Adopt

Commissioner Klebba made a motion to approve two with general changes; 1. define the acronym BCC and be Notes: clear in the language when referring to appointed official and BCC member and make corrections throughout the

document and 2. provide a clear link to the City of Madison website for public civilians to review the Alder's Code of Conduct to make complaints on Alder's behavior and lack of conduct. It was seconded by Commissioner Ketcham.

The vote was unanimous.

08/20/2025 Return to Lead with POLICE CIVILIAN COMMON **Pass** 

**OVERSIGHT BOARD** COUNCIL the **EXECUTIVE** Recommendation for

Common Council to COMMITTEE

Adopt

Action Text: A motion was made by Rearick, seconded by Calmese, to Return to Lead with the Recommendation

for Common Council to Adopt. The motion passed unanimously.

**DISABILITY RIGHTS** COMMISSION

08/28/2025 Return to Lead with

COMMON the Following COUNCIL Recommendation(s) **EXECUTIVE** 

COMMITTEE

Action Text: Kapusta-Pofahl led the discussion.

Feedback submitted via email -

· Wendi: I felt that it was fairly straightforward and I don't have any changes.

- · Nakia: I was impressed by the ethics code's presentation. I do have a concern pertaining to the reversal of unethical behaviors from non-appointed and non-elected politicians. How can we ensure that we will not be bullied, harassed, and targeted by people who think we have money or can provide them with favors. In addition, what can stop someone or groups of people from telling lies on appointed and elected officials to get them removed from their seats or in trouble with the law? How can we ensure that we are protected?
- · Kathleen: Changes to the Code of Conduct should never be taken lightly or done hastily as they need to be done thoughtfully and as a response to the changing times and needs of the city, not only as a reaction to a particular incident. The proposed changes are clearly meant to foster a safe and respectful environment to conduct the important work of the city. Having heard the presentation and read the proposed updates to the Code of Ethical Conduct again I can say that I support these changes

Disability Rights Commission considered file 87483 at the meeting of August 28, 2025. No action was taken. Notes:

AFFIRMATIVE ACTION

09/04/2025 Return to Lead with

COMMON COUNCIL

COMMISSION

the Following Recommendation(s)

**EXECUTIVE** COMMITTEE

Action Text: Alder Duncan presented the proposed changes.

A motion was made by Commissioner Moze, seconded by Commissioner Mathews, to approve the

revisions to the code of conduct. The motion passed by voice/other.

A motion was made by Commissioner Moze, seconded by Commissioner Mathews, to approve the revisions to the Notes:

code of conduct. The motion passed by voice/other.

COMMON COUNCIL

09/16/2025 RECOMMEND TO

**EXECUTIVE** COMMITTEE COUNCIL TO RE-REFER -REPORT OF

Action Text:

**OFFICER** A motion was made by Tishler, seconded by Govindarajan, to RECOMMEND TO COUNCIL TO

RE-REFER - REPORT OF OFFICER to the 10/28/25 Common Council Executive Committee meeting

and the 11/25/25 Common Council meeting. The motion passed by voice vote/other.

Recommend to re-refer to the 10/28/25 CCEC meeting and the 11/25/25 Council meeting. Notes:

COMMON COUNCIL

10/07/2025 Re-refer

COMMON

COUNCIL **EXECUTIVE** COMMITTEE

Action Text:

A motion was made by Vidaver, seconded by Govindarajan, to Re-refer to the COMMON COUNCIL

EXECUTIVE COMMITTEE. The motion passed by voice vote/other.

# Text of Legislative File 87483

# **Fiscal Note**

No City appropriation required.

Adopting the Updated Elected and Appointed Official Code of Ethical Conduct

# **Body**

WHEREAS, the City of Madison's vision is Inclusive, Innovative, and Thriving; and,

WHEREAS, the City of Madison is committed to equity, diversity, inclusion, equal employment and participatory government for all; and,

**Pass** 

Pass

WHEREAS, the goal of our policy is for City work and meeting environments to be inclusive, equitable, and free of harassment, discrimination, and retaliation; and,

WHEREAS, we expect all members of the Common Council, the Mayor, and members of City Boards, Commissions, and Committees to treat their colleagues, City employees and members of the public in a welcoming, inclusive, fair, respectful, and equitable manner; and,

WHEREAS, in 2023, the Common Council passed RES-23-0000 adopting the Elected and Appointed Official Code of Ethical Conduct; and,

WHEREAS, in 2024, the Common Council passed RES-24-00450 adopting the Sexual Harassment Appendix to the Elected and Appointed Official Code of Ethical Conduct; and,

WHEREAS, the Updated Elected and Appointed Official Code of Ethical Conduct includes additional guidance on expected interactions between officials and members of the public, City staff, and the media; and,

WHEREAS, the Updated Elected and Appointed Official Code of Ethical Conduct also includes the procedure for censure of an alder for violation of the Code;

NOW, THEREFORE, BE IT RESOLVED that the Madison Common Council adopts the Updated Elected and Appointed Official Code of Ethical Conduct.

# Elected and Appointed Official Code of Ethical Conduct (Updated)

The City of Madison and its elected and appointed officials (alders, mayor, and City board, commission, or committee members) share a commitment to ethical conduct and service to the city and its residents. In alignment with the City of Madison vision to be inclusive, innovative, and thriving, and its mission to provide the highest quality of service for our residents and visitors, City elected and appointed officials shall maintain the utmost standards of personal integrity, trustfulness, honesty, and fairness in carrying out their public duties, avoid any improprieties in their roles as public servants, comply with all applicable laws, and never use their position to bully, harass, or abuse others. Individuals with a wide variety of backgrounds, personalities, values, opinions, lived experiences and goals participate in the democratic process in Madison, whether on the Council, on a board, commission, or committee, or providing public comment at a Council meeting or City event.

It is vital to recognize that all Council members and BCC members choose to serve in public office and, therefore, have the obligation to preserve and protect the well-being of the community and its residents. In all cases, this common goal should be acknowledged, and elected and appointed officials must recognize that certain behavior is counterproductive, while other behavior will lead to success. Elected and appointed officials are expected to demonstrate, both publicly and privately, their honesty and integrity, and to be an example of appropriate and ethical conduct.

This Code is designed to communicate the expectation that City elected and appointed officials shall treat members of the public, City staff, and each other with respect and courtesy at all times. This policy is intended to promote an inclusive and positive work environment and working relationships and prevent unlawful discrimination.

# **Elected and Appointed Official Expected Conduct**

This policy applies to all elected and appointed City officials and applies to any conduct or interaction that occurs at the workplace and at any location or on any platform that can be reasonably regarded as an extension of the workplace, including but not limited to the use of a telephone, voicemail, text messages, video meeting, and/or any social media or online platforms. City staff members, including department and division heads, are governed by <u>APM 3-5</u> and <u>APM 2-33</u>.

City elected and appointed officials, in the performance of their duties, shall create and maintain a welcoming, respectful, and inclusive work environment and shall not engage in abusive, violent, bullying, harassing, discriminatory or other threatening or intimidating behavior or language. <u>Bullying, harassment of, or discrimination against any person on the basis of any City protected class</u>\* status or statuses is expressly prohibited.

• **Bullying** is repeated, unwanted, aggressive physical or verbal behavior which hurts another individual, physically, mentally, or emotionally.

- Harassment is repeated or egregious unwelcome, intimidating, hostile or offensive actions, words, jokes or comments based on any protected class status or statuses.
- **Discrimination** is unfair treatment of an individual or members of a group based on their protected class status.

**Bullying, harassment, and discrimination** are demeaning to others and undermine the integrity of relationships. In the event that these shared objectives are not met, effort shall be taken to notify the individuals of the substance of the issue so that they can resolve it. Self-correction or informal resolution between parties in a timely manner is strongly encouraged, with formal sanctions only as a rare and last option if informal communication and resolution is unsuccessful.

# **Elected and Appointed Official Conduct with City Staff**

Governance of the City relies on the cooperative efforts of elected and appointed officials who set and recommend policy and the City staff who implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each other for the good of the community.

Council members and members of boards, commissions, and committees (BCCs) shall treat all staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior toward staff is not acceptable. Council and BCC members should refer to staff by their title or formal salutation followed by the individual's last name in public meetings when first introduced.

All employee performance issues shall be forwarded to the Mayor, the Human Resources Director or the employee's Department/Division Head through professional, private correspondence or conversation.

<u>Elected and appointed officials shall not attempt to unethically influence or coerce City staff concerning either their actions or recommendations to Council.</u>

Nothing in this section shall be construed, however, as prohibiting the Council or a BCC while in session from fully and freely discussing with or suggesting to Department Heads or City employees anything pertaining to City affairs or the interests of the City.

Elected and Appointed Official Conduct Toward Participants in Public Meetings

Making the public feel welcome is an important part of the democratic process and a

City strategic objective is to increase desired public participation and diverse viewpoints.

For many residents, speaking in front of the Council or a committee is a new and

difficult experience. Elected and appointed officials are expected to treat members of
the public with care and respect during public meetings by committing full attention to

the speakers or any materials relevant to the topic at hand. Questions directed to members of the public testifying should seek to clarify or expand information, not to insult or interrogate. All elected and appointed officials should convey to the public their respect and appreciation for the public's participation, input, and opinions. In an instance where a member of the public addressing the body strays from the topic under consideration, exceeds their allotted speaking time, or exhibits behavior or language a Council or BCC member finds inappropriate, they may call point of order and request the issue be addressed.

# **Elected Official Conduct with the Media**

When communicating with the media, elected and appointed officials should clearly differentiate between personal opinions and the official position of the City. Until a vote on any issue is taken, Council members' positions are merely their own.

Council or BCC members should not discuss personnel issues or other matters regarding individual City staff in the media.

# **Enforcement**

Formal sanctions include formal censure by the Common Council or committee of one of its members, removal of a committee member from the body, or, in limited cases pursuant to <a href="Wis. Stat. § 17.001">Wis. Stat. § 17.001</a>, removal of a Common Council member from office. Per state statute, alders and appointees to BCCs can only be removed by a vote of the Council for cause, meaning "inefficiency, neglect of duty, official misconduct or malfeasance in office."

# Points of Order During Meetings

<u>Violations of this Policy, when made during a chaired public meeting, may be noted</u> promptly after their occurrence by raising a point of order and stating the violation or concern. The Council President or Chair of the meeting shall rule on the point of order, which does not need a second and is not debatable. The Chair's decision shall stand unless challenged and reversed by a majority vote of the members present and voting as an open session of the Common Council or BCC.

# Communication and Reconciliation Between Council or BCC Members

Any Council or BCC member who feels a violation of this Policy has occurred during or outside of a public meeting may raise the issue privately with the other relevant member. Attempts should be made to resolve any issue in a professional, private manner. If unsuccessful, either member may ask for the assistance of the Common Council Chief of Staff or other appropriate City staff in mediating the issue or conflict.

# **Censure – Complaint Process and Action by Common Council**

If the matter remains unresolved, the complaining Alder, City employee or community member may file a sworn written complaint with the City Clerk. The Clerk shall provide a copy of the complaint to the party alleged to be in violation. The Clerk shall provide a copy of the complaint to the Department of Civil Rights and Human Resources for review and possible further investigation or mediation, which will then provide a report on their findings to the Common Council Executive Committee.

Complaints shall first be heard by the Common Council Executive Committee, giving each party to the dispute the opportunity to be heard. If the Common Council Executive Committee, by a majority vote, so recommends, a Censure resolution shall be prepared by the City Attorney stating the findings as directed by the Committee.

If the Censure resolution is sponsored by at least two Alders, it shall be considered by the Common Council. Censure shall only be made upon a majority vote of the entire Common Council.

Elected or appointed City officials, upon entering office or being appointed as a BCC member, shall be provided a copy of this policy and shall acknowledge receipt. Failure to acknowledge receipt does not exempt an individual from the requirements of this policy.

The City shall offer trainings and other supports to promote an inclusive and welcoming environment and provide elected and appointed officials with resources to assist them in resolving any issues that may arise.

Please refer to MGO 3.35 Code of Ethics for regulations on additional aspects of conduct, such as conflicts of interest, use of public office, political activity, and receiving gifts and favors.

\*City protected classes: age, arrest record, citizenship status, color, conviction record, credit history, disability, domestic partners, familial status, gender identity, genetic identity, HIV status, homelessness, less than honorable discharge from military, marital status, military/veteran status, national origin/ancestry, non-religious, physical appearance, political beliefs, race, religion, sex, sexual orientation, source of income, student status, unemployment, use or non-use of lawful products off the employer's premises during non-work hours

# Appendix A

If a person has experienced or witnessed sexual harassment by an alder or member of a City board, commission or committee while such official is on City business, whether on or off City premises, including at City-sponsored events or other events which the alder or appointed individual attends in their official capacity, the Council encourages the following steps:

- If the person feels comfortable and safe, the person can address the matter informally with the alder or appointed individual.
- The person can report the matter to another alder; the alder will connect the person with the Common Council Chief of Staff.
- The person can contact the Council Chief of Staff; the Chief of Staff will connect the person with the appropriate personnel to report their claim.

# **Prohibited Conduct:**

Examples of actions that could constitute sexual harassment include, but are not limited to:

- Preferential treatment in return for submitting to or engaging in sexual conduct
- Making derogatory or demeaning comments about someone's sexual orientation or gender identity (including but not limited to consistently misgendering an individual)
- Name-calling or using slurs with a gender/sexual connotation
- Making sexual comments about appearance, clothing or body parts
- Rating a person's sexuality
- Asking for sex or sexual conduct
- Asking a person for dates in a coercive manner, or repeatedly asking for a date after having been turned down
- Staring in a sexually suggestive manner
- Unwelcome touching, including pinching, patting, rubbing, or purposefully brushing up against a person, making inappropriate sexual gestures
- Unwelcome sharing of sexual or lewd anecdotes or jokes
- Unwelcome sending of sexually suggestive communications in any format
- Sharing or displaying sexually inappropriate images or videos in any format not necessary for work purposes
- Attempted or actual sexual assault

# Reporting:

A person who feels that they have been harassed by an alder or an appointed individual while acting in their official capacity may report the matter to the organizer of the event or relevant meeting authority or the Council Office Chief of Staff. The organizer of the event or the meeting authority will be expected to take appropriate action by its applicable policies, regulations, and rules and shall notify the Council Office Chief of Staff.

Examples of appropriate action may include, but are not limited to:

- Requesting the perpetrator to stop the offending behavior immediately
- Conveying the complaint to the Council Office Chief of Staff

The Council Office Chief of Staff will connect the individual reporting the conduct with the Department of Civil Rights, Human Resources, and the City Attorney. After talking to the

complainant and, if different, the person who was the alleged subject of the sexual harassment, the Department of Civil Rights, the Human Resources Department, and the City Attorney will decide if an investigation or referral to any other agency is needed. Any action taken as a result of an investigation shall be under the applicable Federal, State or City law or applicable City procedure.

# **Debriefing:**

If the Department of Civil Rights, Human Resources, and the City Attorney complete an investigation upon completion of their investigation they shall debrief the complainant, the respondent, the Council President and the Council Office Chief of Staff on the findings of the investigation.

# Release of Summary of Findings or Related Documents:

After consideration of safety-related concerns and confidentiality needs related to the investigation, the Common Council President may issue a public summary of findings.

The City will ensure compliance with Wisconsin's Public Records Laws in release of any required documents, redacting such information as required by law.

# Retaliation:

Threats, intimidation, or any other form of retaliation against a person who has made a complaint or provided information supporting a complaint are prohibited. An alder or appointed individual or any other entity responsible for Council events will take any reasonable and appropriate action to prevent and respond to retaliation per its applicable policy, regulations, and rules.

# **Elected and Appointed Official Code of Ethical Conduct**

The City of Madison and its elected and appointed officials (alders, mayor, and City board, commission, or committee members) share a commitment to ethical conduct and service to the city and its residents. In alignment with the City of Madison vision to be inclusive, innovative, and thriving, and its mission to provide the highest quality of service for our residents and visitors, City elected and appointed officials shall maintain the utmost standards of personal integrity, trustfulness, honesty, and fairness in carrying out their public duties, avoid any improprieties in their roles as public servants, comply with all applicable laws, and never use their position to bully, harass, or abuse others. This Code is designed to communicate the expectation that City elected and appointed officials shall treat City staff and each other with respect and courtesy at all times. This policy is intended to promote an inclusive and positive work environment and working relationships, and prevent unlawful discrimination.

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- **Bullying** is repeated, unwanted, aggressive physical or verbal behavior which hurts another individual, physically, mentally, or emotionally.
- Harassment is repeated or egregious unwelcome, intimidating, hostile or offensive actions, words, jokes or comments based on any protected class status or statuses.
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**Bullying**, **harassment**, and **discrimination** are demeaning to others and undermine the integrity of relationships. In the event that these shared objectives are not met, effort shall be taken to notify the individuals of the substance of the issue so that they can resolve it. Self-correction or informal resolution between parties in a timely manner is strongly encouraged, with formal sanctions only as a rare and last option if informal communication and resolution is unsuccessful. Formal sanctions include formal censure by the Common Council or committee of one of its members, removal of a committee member from the body, or, in limited cases pursuant to <a href="Wiss.Stat.\§ 17.001">Wis. Stat.\§ 17.001</a>, removal of a Common Council member from office. Per state statute, alders and appointees to BCCs

can only be removed by a vote of the Council for cause, meaning "inefficiency, neglect of duty, official misconduct or malfeasance in office."

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- Asking for sex or sexual conduct
- Asking a person for dates in a coercive manner, or repeatedly asking for a date after having been turned down
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# Elected and Appointed Official Code of Ethical Conduct

Dr. Karen Kapusta-Pofahl
Common Council Chief of Staff
Kkapusta-pofahl@cityofmadison.com

# **Existing Policy:** Elected and Appointed Official Code of Ethical Conduct and Sexual Harassment Appendix

Elected and Appointed Official Code of Ethical Conduct adopted by the Council in January of 2023

Sexual Harassment Appendix adopted by Council in July of 2024

code seeks to provide shared expectations and guidelines for elected and appointed officials, including members of City boards, commissions, and committees

BCCs are required by resolution to put the code on their agenda annually for discussion

FYI: City staff are governed by APMs (Administrative Procedure Memoranda), including APM 3-5 and APM 2-33

# **Existing Policy:** Elected and Appointed Official Code of Ethical Conduct and Sexual Harassment Appendix

Provides expectation for general conduct

Prohibits bullying, harassment (including sexual harassment), and discrimination

Encourages informal conflict resolution

Describes process for reporting and investigating sexual harassment complaints

Outlines possible sanctions for violation



# Seeking BPW Recommendation on Proposed Changes

Referrals: Board of Public Works, Board of Park Commissioners, Landmarks Commission, Madison Public Library Board, Equal Opportunities Commission, Police Civilian Oversight Board, Transportation Commission, Affirmative Action Commission, Economic Development Committee, Alcohol License Review Committee, Disability Rights Commission

# New: Additional General Expected Conduct Language

- Individuals with a wide variety of backgrounds, personalities, values, opinions, lived experiences and goals participate in the democratic process in Madison, whether on the Council, on a board, commission, or committee, or providing public comment at a Council meeting or City event.
- It is vital to recognize that all Council members and BCC members choose to serve in public office and, therefore, have the obligation to preserve and protect the well-being of the community and its residents.
- Governance of the City relies on the cooperative efforts of elected and appointed officials who set and recommend policy and the City staff who implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each other for the good of the community.

# New: Conduct Toward City Staff

- Council and BCC members should refer to staff by their title or formal salutation followed by the individual's last name in public meetings when first introduced.
- All employee performance issues shall be forwarded to the Mayor, the Human Resources Director or the employee's Department/Division Head through professional, private correspondence or conversation.

# New: Conduct Toward Members of the Public

- Elected and appointed officials are expected to treat members of the public with care and respect during public meetings by committing full attention to the speakers or any materials relevant to the topic at hand.
- Questions directed to members of the public testifying should seek to clarify or expand information, not to insult or interrogate.
- All elected and appointed officials should convey to the public their respect and appreciation for the public's participation, input, and opinions.

# New: Conduct Toward the Media

- When communicating with the media, elected and appointed officials should clearly differentiate between personal opinions and the official position of the City.
- Until a vote on any issue is taken, Council members' positions are merely their own.
- Council or BCC members should not discuss personnel issues or other matters regarding individual City staff in the media.

# New: Guidance on Using Point of Order

- In an instance where a member of the public addressing the body strays from the topic under consideration, exceeds their allotted speaking time, or exhibits behavior or language a Council or BCC member finds inappropriate, they may call point of order and request the issue be addressed.
- The Council President or Chair of the meeting shall rule on the point of order, which does not need a second and is not debatable.
- The Chair's decision shall stand unless challenged and reversed by a majority vote of the members present and voting as an open session of the Common Council or BCC.

## **New:** Conflict Resolution

- Any Council or BCC member who feels a violation of this policy has occurred during or outside of a public meeting may raise the issue privately with the other relevant member.
- If unsuccessful, either member may ask for the assistance of the Common Council Chief of Staff or other appropriate City staff in mediating the issue or conflict.

# New: Process for Council Censure of an Alder

- If the matter remains unresolved, the complaining alder, City employee or community member may file a sworn written complaint with the City Clerk. The Clerk shall provide a copy of the complaint to the party alleged to be in violation. The Clerk shall provide a copy of the complaint to the Department of Civil Rights and Human Resources for review and possible further investigation or mediation, which will then provide a report on their findings to the Common Council Executive Committee.
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- If the Censure resolution is sponsored by at least two alders, it shall be considered by the Common Council. Censure shall only be made upon a majority vote of the entire Common Council.

### Discussion Questions for BPW Members



In your experience as a BCC member, what are the most common conduct-related challenges in committee meetings?



Are there any topics related to members of boards, commissions, and committees that you would like covered in this policy?



Do you have any questions or comments about the existing policy?



## Thank you!



# Elected and Appointed Official Code of Ethical Conduct

Dr. Karen Kapusta-Pofahl
Common Council Chief of Staff
Kkapusta-pofahl@cityofmadison.com

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- If the Censure resolution is sponsored by at least two alders, it shall be considered by the Common Council. Censure shall only be made upon a majority vote of the entire Common Council.

### Discussion Questions



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## Thank you!

## Elected and Appointed Official Code of Ethical Conduct

Dr. Karen Kapusta-Pofahl

Common Council Chief of Staff

KKapusta-Pofahl@CityOfMadison.Com

Elected and Appointed Official Code of Ethical Conduct adopted by the Council in January of 2023

Sexual Harassment Appendix adopted by Council in July of 2024

### **Existing Policy**

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BCCs are required by resolution to put the code on their agenda annually for discussion

FYI: City staff are governed by APMs (Administrative Procedure Memoranda), including APM 3-5 and APM 2-33

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### **Existing Policy**

Prohibits bullying, harassment (including sexual harassment), and discrimination

Encourages informal conflict resolution

Describes process for reporting and investigating sexual harassment complaints

Outlines possible sanctions for violation

## Seeking Recommendations



#### Referrals

Board of Public Works, Plan Commission, Board of Park Commissioners, Landmarks Commission, Madison Public Library Board, Equal Opportunities Commission, Police Civilian Oversight Board, Transportation Commission, Affirmative Action Commission, Economic Development Committee, Alcohol License Review Committee, Disability Rights Commission

Additional General Expected Conduct Language

#### Including:

- Individuals with a wide variety of backgrounds, personalities, values, opinions, lived experiences and goals participate in the democratic process in Madison.
- It is vital to recognize that all Council members and BCC members choose to serve in public office and, therefore, have the obligation to preserve and protect the well-being of the community and its residents.
- [E]very effort should be made to be cooperative and show mutual respect for the contributions made by each other for the good of the community.

## Conduct Toward City Staff

#### Including:

- Council and BCC members should refer to staff by their title or formal salutation followed by the individual's last name in public meetings when first introduced.
- All employee performance issues shall be forwarded to the Mayor, the Human Resources Director or the employee's Department/Division Head through professional, private correspondence or conversation.

### Conduct Toward Members of the Public

#### Including:

- Elected and appointed officials are expected to treat members of the public with care and respect during public meetings by committing full attention to the speakers or any materials relevant to the topic at hand.
- Questions directed to members of the public testifying should seek to clarify or expand information, not to insult or interrogate.
- All elected and appointed officials should convey to the public their respect and appreciation for the public's participation, input, and opinions.

## Conduct Toward the Media

 When communicating with the media, elected and appointed officials should clearly differentiate between personal opinions and the official position of the City.

 Council or BCC members should not discuss personnel issues or other matters regarding individual City staff in the media.

# Guidance on Using Point of Order

- In an instance where a member of the public addressing the body strays from the topic under consideration, exceeds their allotted speaking time, or exhibits behavior or language a Council or BCC member finds inappropriate, they may call point of order and request the issue be addressed.
- The Council President or Chair of the meeting shall rule on the point of order, which does not need a second and is not debatable.
- The Chair's decision shall stand unless challenged and reversed by a majority vote of the members present and voting as an open session of the Common Council or BCC.

Additional Conflict Resolution Guidance  Any Council or BCC member who feels a violation of this policy has occurred during or outside of a public meeting may raise the issue privately with the other relevant member.

If unsuccessful, either member may ask for the assistance of the Common Council Chief of Staff or other appropriate City staff in mediating the issue or conflict.

# Process for Council Censure of an Alder

- If the matter remains unresolved, the complaining alder, City employee or community member may file a sworn written complaint with the City Clerk. The Clerk shall provide a copy of the complaint to the party alleged to be in violation. The Clerk shall provide a copy of the complaint to the Department of Civil Rights and Human Resources for review and possible further investigation or mediation, which will then provide a report on their findings to the Common Council Executive Committee.
- Complaints shall first be heard by the Common Council Executive Committee, giving each party to the dispute the opportunity to be heard. If the Common Council Executive Committee, by a majority vote, so recommends, a Censure resolution shall be prepared by the City Attorney stating the findings as directed by the Committee.
- If the Censure resolution is sponsored by at least two alders, it shall be considered by the Common Council. Censure shall only be made upon a majority vote of the entire Common Council.

### **Discussion Questions**



In your experience as a BCC member, what are the most common conduct-related challenges in committee meetings?



Are there any topics related to members of boards, commissions, and committees that you would like covered in this policy?

P Do you have any questions or comments about the existing policy?



## Thank you!

#### **Major Themes:**

- Questions about how to formally refer to others under the Updated Code of Conduct.
  - o BPW, BPC, EOC, ALRC
- Questions or comments about the yearly review of the Code of Conduct
  - o MPLB, TC
- Similarly, questions or requests for training on the Updated Code of Conduct
  - o MPLB, TC
- Questions about reporting procedures and if this can be clarified/expanded.
  - o MPLB, EOC
- Multiple BCCs wanted more time to think about the Updated Code of Conduct and provide feedback. Some BCCs referred to a future meeting and others committed to following up with feedback.
- General appreciation and support for the Updated Code of Conduct, with minor additions or changes being requested.

#### **Notes From BCCs:**

#### Board of Public Works: May 7, 2025

Feedback: Question about referring to City Staff by their title because they do not typically know their titles. Communication with media is one thing but communication with the general public is another. Wasn't sure how to handle the communication with the general public. Question about whether that is something that is in the BPW handbook or is it in the updated Code of Conduct?

Response: Chair saying that he has directly responded to the person once previously but wasn't sure if that was appropriate.

Second Response: This situation isn't directly addressed in the Code of Conduct, though it has a general approach that can be adopted. This is typically determined by practice or in the BCC handbook.

Question: Asking for guidance about responding to the general public when they reach out to BPW members.

Response: Committee staff would be best resource in this regard. Want to try and avoid Open Meetings violation.

Follow up Question: Would responding to an email and copying everyone on it is an open meetings violation.

Response: Not in the City Attorney's Office so doesn't want to speak out of turn. Says it depends on the topic and what is in the email. Says that we are extra careful with alders and recommend caution. Offers to follow up on this.

Question: Disseminating between public information and proprietary information. Is there something in the Updated Code of Conduct that defines one versus another?

Response: No, not in this code.

Question: Have we ever gotten to the point of censuring an alder on the Common Council?

Response: Yes, December of 2024.

Question: Big issue of illegal quorums when previously served on the Common Council. Does this talk about illegal quorums?

Response: This code does not, though the Office of the City Attorney sends out information on this.

Question: When addressing people with their title and last names, is this just staff or is it extended to people on the same body? References differences between Plan Commission and Transportation and wonders if that should be considered. Concerned that people do not always know what others' titles are and may then resort to things like "Mr." and "Ms." and that can get tricky with assuming how people want to be addressed. Could people be encouraged to put that in their zoom name?

Response: Emphasis on informal conflict resolution. Thinks this makes sense. On the other hand, maybe there should be language that reassures that it is okay to seek a more formalized assistance as well.

Question: Is this a code or a policy? Says it is referred to both and wants some clarification to avoid confusion.

Question: Is there a similar process for censuring a BCC member?

Response: There are legal nuances but understanding is that the Council can remove someone from a Board for cause according to information in state law. The Mayor has different obligations and abilities as the Mayor can appoint and change that configuration. Not encountered a situation where we have been asked to see if a Board can remove a member themselves. Hunch that it would have some Mayor/Council involvement.

#### Plan Commission: May 12, 2025

Unanimous approval, no notable feedback beyond thanking Karen for presenting and alders chiming in.

Landmarks Commission: May 19, 2025

No questions or comments beyond thanks to Karen and Alder Duncan explaining why it was before them.

#### Madison Public Library Board Meeting: June 5, 2025

#### Feedback:

Want to discuss the dynamic between alders and BCC members as well for potential conflict.

Discussion about whether or not they feel comfortable voting tonight

Appreciate the point of order conversation in the updated Code of Conduct because public comment in other BCCs has gotten out of hand

Ask that the sexual harassment example list be applied judiciously due to people's use of humor, etc. Says that the list is rather exhaustive

#### Questions:

What was the history / lead up to the updated code of conduct?

What is the window for review of the updated Code of Conduct?

What is the purpose of the current requirement for the current Code of Conduct to be reviewed yearly by BCCs? Is there a specific date in which BCCs are supposed to review the Code of Conduct? Or is it up to the discretion of the Board on when to review it?

Want to know if the City would provide training on the Code of Conduct or if it would be up to BCCs?

Could there be an option for someone to report directly to the Department of Civil Rights? That way it can avoid situations where someone may be uncomfortable reporting to the Office of the Common Council due to alders.

BCC Code of Conduct Feedback Notes

Board of Parks Commissioners: June 11, 2025

Question: Can you confirm this new policy would apply to Board of Parks Commissioners since they are appointed? Then, the requirement that you refer to staff by their title or formal salutation, how does that work with respect to virtual meetings where we put full name and pronouns but not titles? Would we refer to someone as a Ms. or Mr., etc?

Answer: Requires a little bit of homework to ensure people have everyone's titles, etc. Some BCCs already call everyone Commissioner \_\_\_\_ or something similar. Could have first time referring to someone as using formal name and ensuing ones using informal.

Response: Says they can learn to pronounce everyone's last name and title.

Response: Would be great if Commissioners can get a cheat sheet with everyone's title and last name. Also generally thought this was a great reminder of the Code of Conduct.

Response: Agree that having a list of potential speakers with their names and titles would be great. Will miss being informal but appreciates the intent behind it.

Question: When will this be in effect?

Answer: Scheduled to come back to the Council on August 5<sup>th</sup>. Have a feeling that the Council will be thinking about tweaks as we move through this. This will be communicated to BCC staff so they are aware.

Question: Will this also apply to subcommittees?

Answer: Yes, this will apply to all elected and appointed officials, including subcommittee members.

Question: In a meeting where all members know each other and there are no public registrants, do you only need to refer to person by their title when referring to staff?

Answer: Becomes a little challenging and can be a little awkward, so this feedback is good food for thought in developing this and what the titles look like.

Transportation Commission: June 25, 2025

*Pre-meeting emails:* 

(1)

I spent quite a bit of time reviewing the materials on the Updated Elected and Appointed Official Code of Ethical Conduct. I apologize for sending you these comments so close to the TC meeting, but I wasn't aware of this item until Monday. And to further complicate things, we lost power for several hours Monday night. So, I am behind on a number of things.

Much thought and work has gone into creating the updated Code, which is really appreciated. These are excellent reminders for members of the CC and members of BCCs.

I often connect with staff on an item prior to the TC meeting, so I thought I would share some observations. As background, I acquired my eye for detail in my job as a Senior Credit Officer and Risk Manager for a bank. I used to draft policies, guidelines and procedures, and implement them as well. I also reviewed complex legal documents for consistency and accuracy. Many people find this attention to detail annoying – I hope you don't! U I included sections from the updated Code for reference, to try and make it easier to follow.

TC special rules allow the Chair to make comments after others have made their comments. However, I don't plan on sharing all of this at TC – especially the technical comments.

I plan to mention something shown on slide 2 of your deck: "BCC's are required by resolution to put the code on their agenda annually for discussion."

- I had to search to find the resolution from 1/3/23 which includes the language: "BE IT FURTHER RESOLVED that each City Board, Commission, and Committee shall discuss the Code of Ethical Conduct as an item on its agenda annually."
- I believe it would be helpful to have this included in the Code. It would make it easier for folks to find; and it would clearly set the expectations for BCCs in the Code.
- Language something like "Each BCC shall discuss this policy as an item on its agenda annually" could be placed right after the section on p. 4 which reads: "Elected or appointed City officials, upon entering office or being appointed as a BCC member, shall be provided a copy of this policy and shall acknowledge receipt. Failure to acknowledge receipt does not exempt an individual from the requirements of this policy."
- Is the staff for each BCC supposed to be reminding us to discuss the Code at our BCC annually? It's really hard for BCC members to keep track of everything that goes through the Common Council. I scan the Council agenda for each meeting, but I don't catch everything.
- I cannot recall TC having this Code on its agenda in 2023 or 2024. TC members may ask about this, as they may not recall having seen this on the agenda either. At least we can count the 6/25/25 TC as the annual discussion for 2025.

• I plan to add the annual discussion of the Code to our TC Annual Work Plan, so TC has that reminder in place.

In the third paragraph on p. 2, it indicates: "Council and BCC members should refer to staff by their title or formal salutation followed by the individual's last name in public meetings when first introduced."

- TC members may comment on this.
- We have a group of managers we work with often and know well and I know their titles. I am not certain if all TC members know their titles.
- Some of the other staff that appear before us are better known by name and generally what they do, but often not by title. Titles are included in the minutes, which we don't see until the next meeting.
- I would be happy to try and do this; however, I don't always even know the names of presenters until they attend TC. When they introduce themselves, they often give their name and their job function but not their actual title. And it can be hard to know how to properly pronounce some names, so I think people avoid it if they can. They figure it's better to skip the name than make a mistake and and not get their name right.
- I believe it's very important to follow the rules. However, in this case it would often not seem possible unless first facilitated by staff. I just want to make you are aware that this would not be easy for us to do, except for the better known City staff with commonly known titles (like the City Attorney or Director of Transportation). So, I see logistical issues with implementing this part of the proposed updated Code.

In the first paragraph on p. 3 it says: "In an instance where a member of the public addressing the body strays from the topic under consideration, exceeds their allotted speaking time, or exhibits behavior or language a Council or BCC member finds inappropriate, they may call point of order and request the issue be addressed."

- I am firmly supportive of the last two, but I have not seen the need for the first: "strays from the topic under consideration."
- I and other TC members have always been flexible when listening to comments from the public. This is also true of other BCCs on which I have served over the years.
- TC has an item on each of our agendas for topics not on the current agenda. Sometimes people get confused and they think what they are talking about is under a different agenda item when it's sort of related but not really the topic. We just listen and take note of their comments. Since the public could register under our item #1 and speak to us regarding items not on the agenda we try and stay flexible.
- Registrants may stray a bit, but we figure it's their 3 minutes and they must see how it relates to the topic.
- As the Code points out, I think we should be very tolerant, since many residents are not very familiar with the process of speaking at the CC or at a BCC.

• There may be an excellent reason for including this in the policy, I just wanted to give you my experience.

Following are some technical comments.

- On p. 1 at the end of the first paragraph it reads: "Individuals with a wide variety of backgrounds, personalities, values, opinions, lived experiences and goals participate in the democratic process in Madison, whether on the Council, on a board, commission, or committee, or providing public comment at a Council meeting or City event." Does a member of the public making comments to a BCC fall under "City event?" Otherwise, should it be added? Elsewhere in the policy there is much discussion about members of the public speaking at the CC or at a BCC.
- On p. 1 in the beginning of the second paragraph it reads: "It is vital to recognize that all Council members and BCC members." However, "BCC" is not defined until p. 2 in the beginning of the third paragraph: "Council members and members of boards, commissions, and committees (BCCs)." Typically, you would see it defined first before you start using "BCC."
- On p. 2 at the bottom of the page it reads: "speaking in front of the Council or a committee." Should "committee" be "BCC?"

(2)

Much thought and work has gone into creating the updated Code, which is really appreciated. These are excellent reminders for members of the CC and members of BCCs.

On slide 2 of your deck it mentions: "BCC's are required by resolution to put the code on their agenda annually for discussion."

- I found the resolution from 1/3/23 which includes the language: "BE IT FURTHER RESOLVED that each City Board, Commission, and Committee shall discuss the Code of Ethical Conduct as an item on its agenda annually."
- I believe it would be helpful to have this requirement for an annual discussion at all BCCs included in the Code. It would make it easier for folks to find; and it would clearly set the expectations for BCCs in the Code.
- Language something like "Each BCC shall discuss this policy as an item on its agenda annually" could be placed right after the section on p. 4 which reads: "Elected or appointed City officials, upon entering office or being appointed as a BCC member, shall be provided a copy of this policy and shall acknowledge receipt. Failure to acknowledge receipt does not exempt an individual from the requirements of this policy."
- TC will be scheduling this annual discussion of the Code of Ethical Conduct by adding it to its Annual Work Plan. Updated Annual Work Plan has been prepared for review and approval at the next TC meeting.

• In addition, since new BCC members should become familiar with this Code, "Elected and Appointed Official Code of Ethical Conduct" is proposed for addition to the TC Handbook section on Orientation and Training for Transportation Commissioners. Updated TC Handbook has been prepared for review and approval at the next TC meeting. We also plan to add a link to the Elected and Appointed Official Code of Ethical Conduct on the Member Training and Information page of the TC website.

In the third paragraph on p. 2, it indicates: "Council and BCC members should refer to staff by their title or formal salutation followed by the individual's last name in public meetings when first introduced."

- I believe it's very important to follow the rules. However, unless staff helps facilitate this process, it might not be easy for BCC members to do. It's easy to know the Mayor's title, the City Attorney's title, the Director of Transportation's title, etc. It's not so easy to know the correct titles for all staff. I see potential logistical issues with implementing this part of the proposed updated Code.
- TC has a group of managers we work with often and know well. While I am familiar with their titles, I am not certain if all TC members know their titles. Some of the other staff that appear before TC are known by name and generally what they do, but usually not by title. Titles are included in the minutes, which we don't see until the next meeting.

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- There may be an excellent reason for including this in the policy, I just wanted to give you my experience.

Following are some technical comments.

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- On p. 2 at the bottom of the page it reads: "speaking in front of the Council or a committee." Should "committee" be "BCC?"

### Feedback at TC Meeting

Question: What is the intent for having the Code of Conduct on the agenda on a yearly basis?

Answer: This is the standing policy today. This serves as a training or discussion opportunity for each BCC to talk about things that may be relevant and refamiliarize. Currently don't have a required training for BCC members so, in the meantime, this sort of serves the purpose of that.

Response: Would like to see some sort of training around the Code of Conduct for BCC members.

Feedback: Thinks an addition should be made that says that each BCC should discuss this policy as an item on the agenda in addition to getting it when you are appointed or elected.

### Equal Opportunities Commission: July 10, 2025

### Feedback at the EOC Meeting

Feeback: How do we address each other on the Commission? EOC is much more informal than other BCCs. However, do like addressing staff by their formal title. Same with alders. Think the portion about media is important. Does not believe that EOC should discuss personnel issues so appreciates having this point outlined as well. One small issue is that the PDF refers to the protected classes and refers to the Affirmative Action ordinance, not the Equal Opportunities ordinance. This hyperlinks to a list of protected classes but does not include the full list of equal opportunities.

Feedback: Wants to wait to make a decision. Grateful for this effort and thinks it is a long time coming.

Question: If we do refer this to the next meeting in August, would that prevent our input in the final Common Council consideration or review?

Answer: It will not. Will be able to incorporate additional feedback at the next meeting. Would be happy to return in the case that they refer it.

Question: Why is there a difference in the protected classes between Affirmative Action ordinance versus the EOC ordinance.

Answer: Going to take a look and see. That is the current existing Code of Conduct. Will let the alders know that this is something they can consider (adding a second hyperlink).

Feedback/Questions: Reporting chart is not clear. Wants more clarity in who they can report to. Should there be a form? What protections are there for the person reporting? [audio a bit unclear here, so I don't think I got every comment] Again reiterates desire to refer it to next EOC.

Answer: Helpful for notetaking purposes if you can refer to where you are discussing. Believe the reporting structure referenced above was from the current Code of Conduct.

Feedback: Focused primarily on what proposals and what issues would impact EOC.

Feedback: In the proposed one, want a stronger reporting structure. Will reach out directly to Karen.

Feedback Received After EOC Meeting

Public portal/landing page with information about the Code and a way for the public to submit complaints online

Anonymous reporting feature

Retaliation protections for complainants (public, alders, etc)

Should Code be in ordinance instead of resolution/policy?

Prohibit alcohol and other drugs while carrying out City business

Send a press release about updates to Code and where to apply (public awareness)

Instructions for public about what happens after a complaint is filed

Equal Opportunities Commission: August 14, 2025

Feedback at the EOC Meeting

Want BCC as a term to be defined early in the document

Inconsistent language between appointed official and BCC member

Want this to live in a clear space on the City of Madison's website

Feedback before and after the EOC Meeting

The Code refers to the AAO, but the footnote describes the protected classes. The AAO has only 10 protected classes. Most of these classes cited in the Code are in the EOO, of which 3 are missing:

- the fact that the person declines to disclose their social security number
- status as a victim of domestic abuse, sexual assault, or stalking
- receipt of rental assistance

and of which 3 don't appear to be in the MGO anywhere:

- use or nonuse of lawful products off the employer's premises during non-work hours
- HIV status,
- military/veteran status,

Which set of protected classes are we working with? Does it agree with the MGO?

Then there is editing of the document for clarity. Would it be appropriate for me to suggest editing of the text? Most of this involves using "appointed official" and "BCC member" interchangeably.

BCC – define this term at beginning of document,

Elected and Appointed Official Conduct Toward Participants in Public Meetings

• inconsistent language: appointed vs. BCC member.

Elected Official Conduct with the Media When communicating with the media, elected and appointed officials should clearly differentiate between personal opinions and the official position of the City. Until a vote on any issue is taken, Council members' positions are merely their own

• include appointed official/BCC members?

Elected Official Conduct with the Media When communicating with the media, elected and appointed officials should clearly

• BCC members?

Censure – Complaint Process and Action by Common Council If the matter remains unresolved, the complaining Alder, City employee or community member

• should this include BCC members/appointed officials?

it'd be great to clarify which ordinance's protected classes are referred to in the Code document. The link on page 1, para 5 goes to the AAO, which does not agree with the list in the footnote on p. 4. Maybe that link should go to the EOO.

### Economic Development Committee: July 16, 2025

Feedback: Should hold vendors to the same code of conduct. Believes this is well written and makes sense for BCC members to sign it on a yearly basis to signal that they are aware of it and will abide by it.

Question: Was there a critical incident that inspired this?

Answer: Not on Council when initial piece was put together. Then in 2023 alders decided to create a team to update it, inspired by how Council members should treat and speak to each other. Then in 2024 there was a discussion about sexual harassment and prompted the 2024 edits. Then the new edits are not necessarily inspired by anything, as far as the alder can tell.

Second Answer: While 99% of interactions have been positive, there had been negative interactions between elected officials and City staff that inspired the initial portion.

Question: Was the draft itself using a template so that it followed a certain framework? Or was it a collected thoughts from a group of people?

Answer: Understanding is that the original Code of Conduct was developed with help from City Attorney's Office using references from other Wisconsin municipalities. Edits have also been inspired by other Wisconsin municipalities.

Feedback: No conduct related challenges observed in EDC meetings.

Feedback: Second that. Though there can be times where power dynamics can emerge between alders, staff, BCC members, the public. Think prevention is always good. Believe this being an expectation is a good thing.

Feedback: Important that this continues to be a living document and not necessarily defined by the most recent incident. Wants this to be a living document.

Question: Will the Updated Code of Conduct be available publicly? That way people interested in becoming an elected official or appointed member of a BCC can see what is expected of them.

### Alcohol License Review Committee: July 16, 2025

Feedback: Wants to see a reference towards derogatory statements regarding culture. Example of an alder saying "You people are always crying about something." Appreciate everything else in the Updated Code of Conduct but would like to see that specific example included. Question the governing authority of CCEC rather than going to either Civil Rights for mediation or the Ethics Commission. Just food for thought on that. Appreciate the part about the media, but there needs to also be respect for constituents when talking to the media.

Question: Question about referring to officials by their title and last name. How to avoid making assumptions about gender identity when you don't know how to pronounce their last name or what their title is?

Answer: This has been a common question. Think best thing to do is have committee staff help you with that. Staff should be able to reach out to relevant staff to know their title and how to pronounce their last name. After that, you are free to use their first names.

### Disability Rights Commission: July 24, 2025

Feedback: Think it all seems pretty straightforward. Especially being welcoming to community members. Think DRC has set a high bar for that.

Feedback: First amendment issue about not sharing your opinion with the media.

Feedback: Want to give people more time to process this information.

Police Civilian Oversight Board: August 20, 2025

Feedback: Appreciate the effort to codify this and feel like it is straightforward

Disability Rights Commission: August 28, 2025

Hope that this is a continuous process and want this document to be continually reflected upon.

Appreciate the work that was done on it.

Think it is pretty straightforward.

Must uplift the vulnerability of being in this position while being disabled BCC Staff Feedback

There is a lack of clarity regarding what actions will be taken if an official violates APM 3-5 or APM 2-33. Will they be automatically removed? I think this should be clearly stated rather than left open for interpretation.

"Council and BCC members should refer to staff by their title or formal salutation followed by the individual's last name in public meetings when first introduced."

- I appreciate the intention here. I also want to acknowledge that many City of Madison staff have long and complicated titles that are difficult to remember. I would like to avoid a BCC member choosing not to introduce a city staff because they can't remember their full title.
- There are also a variety of different type of public meetings. For ranging from formal presentations where this seems appropriate, to community events where staff may or may not be directly involved with the event. I'm imagining, say attending Parks Alive or a Library event and a BCC member might introduce me as Rebecca who works for Department of Civil Rights or Rebecca who does Disability work for the City. Would this be permissible?

All employee performance issues shall be forwarded to the Mayor, the Human Resources Director or the employee's Department/Division Head through professional, private correspondence or conversation.

• Can this be re-ordered? Department/Division Head, Human Resources, or the Mayor. Listing the Mayor first seems unduly influential.

I would also like to see clarification regarding limiting requests of City staff during non-work hours. I am connected with BCC members via social media and some have my personal cell. Occasionally, I receive inquiries or work-related requests outside of work hours. I generally ask folks to email my city email so I can respond during the work week, but I would appreciate

### BCC Code of Conduct Feedback Notes

clarifying that City staff are not expected to respond to work related requests during non-work hours and these should be limited to urgent maters only.

# Elected and Appointed Official Code of Expected Conduct

# Proposed Revision, Govindarajan Alternate

### **Purpose and Guiding Principles**

The City of Madison and its elected and appointed officials, including the mayor, alders, and members of City boards, commissions, and committees ("BCC"), share a fundamental responsibility to serve the community with integrity, respect, and accountability. Guided by the City's vision of being inclusive, innovative, and thriving, and its mission to provide exceptional service to residents and visitors alike, officials are expected to uphold the highest standards of ethical behavior in all aspects of public service.

The City's democratic process depends on participation from individuals with diverse backgrounds, perspectives, and experiences. To sustain public confidence and ensure effective governance, City elected and appointed officials must conduct themselves with honesty, fairness, and civility, avoiding impropriety and refraining from any behavior that undermines trust in public service.

### Scope

The Code of Expected Conduct applies to all elected and appointed City officials. It governs any conduct or interaction that occurs in the workplace or in any setting reasonably considered an extension of the workplace, including but not limited to communications via telephone, voicemail, text message, video conferencing, social media, or other online platforms.

# Standards of Expected Conduct

City elected and appointed officials shall create and maintain a welcoming, respectful, and inclusive environment in the performance of their duties. They shall not engage in abusive, violent, bullying, harassing, discriminatory, or other threatening or intimidating behavior or language.

- **Bullying** is repeated, unwanted, aggressive physical or verbal behavior which hurts another individual, physically, mentally, or emotionally
- Harassment is repeated or egregious unwelcome, intimidating, hostile or offensive actions, words, jokes, or comments based on any <u>city protected class status or</u> <u>statuses</u><sup>1</sup>.

<sup>&</sup>lt;sup>1</sup> City protected classes: age, arrest record, citizenship status, color, conviction record, credit history, disability, domestic partners, familial status, gender identity, genetic identity, HIV status, homelessness, less than honorable discharge from military, marital status, military/veteran status, national origin/ancestry, non-religious, physical appearance, political beliefs, race, religion, sex, sexual orientation, source of income, student status, unemployment, use or non-use of lawful products off the employer's premises during non-work hours

• **Discrimination** is unfair treatment of an individual or members of a group based on their protected class status.

Bullying, harassment, and discrimination diminish public trust, damage relationships, and hinder effective governance. When concerns arise, individuals are encouraged to seek timely, respectful resolution. Informal resolution and self-correction should be pursued whenever possible; formal action may be taken when other approaches are unsuccessful.

### **Conduct with City Staff**

The effective governance of the City depends on the collaboration between elected and appointed officials who set policy and the City staff who implement it. Mutual respect, professionalism, and clear communication are essential to this relationship.

- City elected and appointed officials shall treat all staff as professionals and demonstrate respect for their expertise, experience, and contributions.
- Communication should be clear, honest, and professional
- Concerns about employee behavior or performance must be raised privately and professionally with the employee's direct supervisor. If unresolved, concerns may be referred to the Human Resources Director. Personnel matters shall not be made public or gossiped about.

Nothing in this section prohibits open discussion of City affairs by the Common Council or a BCC in a duly convened meeting.

### **Conduct Toward Participants in Public Meetings**

Public participation is a cornerstone of democracy. Elected and appointed officials play a key role in fostering an environment where all individuals feel welcome to engage.

- City elected and appointed officials shall treat members of the public with respect and attentiveness during public meetings.
- Questions to speakers should be used to seek clarification or expand on information, not to demean or interrogate.
- City elected and appointed officials should express appreciation for public input and ensure that meeting environments remain orderly and inclusive.
- If a participant strays from the topic, exceeds allotted time, or uses inappropriate language, any Common Council or BCC member may request the issue be addressed using appropriate parliamentary procedures.

### **Conduct with the Media and Press**

When speaking with the media, elected and appointed officials must:

- Identify when they are speaking in their official role and avoid misrepresenting City actions or decisions.
- When speaking in a personal capacity, officials should make clear that their views are their own and not those of the City, while ensuring such statements do not undermine public trust or create a perception of acting in an official capacity. This is to avoid misrepresentation, not limiting opinions of officials.
- Avoid discussing personnel matters or the performance of individual staff members.

• Ensure statements do not misrepresent City policy or undermine public trust in City governance.

### **Enforcement and Accountability**

Violations of this Code of Expected Conduct may result in formal sanctions, including:

- **Censure** by the Common Council or a BCC.
- **Removal** of a BCC member from their body by the appointing authority, or the Common Council for cause.
- Removal from office of a Common Council member in accordance with Wis. Stat. §
  17.001 for cause (inefficiency, neglect of duty, official misconduct, or malfeasance in
  office).

### **Points of Order During Meetings**

Violations occurring during a public meeting may be addressed by raising a point of order. The Chair shall rule on the point of order, subject to challenge and reversal by a majority of the members present.

### **Communication and Reconciliation**

Outside of meetings, City elected and appointed officials who believe a violation has occurred should first attempt to resolve the matter privately and professionally. If unresolved, either party may seek assistance from the Common Council Chief of Staff or appropriate City personnel for mediation.

### **Complaint and Censure Process**

If informal efforts fail, a sworn written complaint may be filed with the City Clerk. Complaints will be reviewed by the Department of Civil Rights and Human Resources, which may provide recommendations to the Common Council President, Common Council Vice President and the Mayor.

Any alder or BCC member may draft and introduce a censure resolution on the agenda, however such a resolution must be sponsored by at least two members for a vote to be in order. Adoption of a censure requires a majority vote of all Common Council or BCC members.

# **Implementation**

All elected and appointed City officials will receive the Code of Expected Conduct upon taking office and must acknowledge its receipt. Lack of acknowledgment does not exempt an official from its requirements. Anytime the Code of Expected Conduct is amended, the updated version shall be emailed to all city elected and appointed officials.

The City will provide ongoing training and resources to support compliance with the Code of Expected Conduct and to promote an inclusive, respectful, and effective City government.

Officials are also subject to the City's **Code of Ethics (MGO 3.35)**, which governs conflicts of interest, use of public office, political activity, and the acceptance of gifts or favors.

### **Appendix A - Sexual Harassment Complaints**

If a person has experienced or witnessed sexual harassment by an alder or member of a City boards, commissions or committees while such official is on City business, whether on or off City premises, including at City-sponsored events or other events which the alder or appointed individual attends in their official capacity, the common Council encourages the following steps:

- If the person feels comfortable and safe, the person can address the matter informally with the alder or appointed individual.
- The person can report the matter to another alder; the alder will connect the person with the Common Council Chief of Staff.
- The person can contact the Common Council Chief of Staff; the Chief of Staff will connect the person with the appropriate personnel to report their claim.

### **Prohibited Conduct Examples**

Examples of actions that could constitute sexual harassment include, but are not limited to:

- Preferential treatment in return for submitting to or engaging in sexual conduct
- Making derogatory or demeaning comments about someone's sexual orientation or gender identity (including but not limited to consistently misgendering an individual)
- Name-calling or using slurs with a gender/sexual connotation
- Making sexual comments about appearance, clothing or body parts
- Rating a person's sexuality
- Asking for sex or sexual conduct
- Asking a person for dates in a coercive manner, or repeatedly asking for a date after having been turned down
- Staring in a sexually suggestive manner
- Unwelcome touching, including pinching, patting, rubbing, or purposefully brushing up against a person, making inappropriate sexual gestures
- Unwelcome sharing of sexual or lewd anecdotes or jokes
- Unwelcome sending of sexually suggestive communications in any format
- Sharing or displaying sexually inappropriate images or videos in any format not necessary for work purposes
- Attempted or actual sexual assault

### **Reporting and Investigation**

A person who feels that they have been harassed by an alder or an appointed individual while acting in their official capacity may report the matter to the organizer of the event or relevant meeting authority or the Common Council Office Chief of Staff. The organizer of the event or the meeting authority will be expected to take appropriate action by its applicable policies, regulations, and rules and shall notify the Common Council Office Chief of Staff.

Examples of appropriate action may include, but are not limited to:

- Requesting the perpetrator to stop the offending behavior immediately
- Conveying the complaint to the Common Council Office Chief of Staff

The Common Council Office Chief of Staff will connect the individual reporting the conduct with the Department of Civil Rights, Human Resources, and the City Attorney. After talking to the complainant and, if different, the person who was the alleged subject of the sexual harassment, the Department of Civil Rights, the Human Resources Department, and the City Attorney will decide if an investigation or referral to any other agency is needed. Any action taken as a result of an investigation shall be under the applicable Federal, State or City law or applicable City procedure.

### **Debriefing**

If the Department of Civil Rights, Human Resources, and the City Attorney complete an investigation upon completion of their investigation they shall debrief the complainant, the respondent, the Common Council President and the Common Council Office Chief of Staff on the findings of the investigation.

### **Release of Summary of Findings or Related Documents**

After consideration of safety-related concerns and confidentiality needs related to the investigation, the Common Council President may issue a public summary of findings.

The City will ensure compliance with Wisconsin's Public Records Laws in release of any required documents, redacting such information as required by law.

### Retaliation

Threats, intimidation, or any other form of retaliation against a person who has made a complaint or provided information supporting a complaint are prohibited. An alder or appointed individual or any other entity responsible for Common Council events will take any reasonable and appropriate action to prevent and respond to retaliation per its applicable policy, regulations, and rules.

From: <u>Travis Robert Austin</u>

To: Common Council Executive Committee
Subject: Missed Public Comment re: 87483
Date: Friday, September 19, 2025 4:43:06 PM

You don't often get email from travis.austin@chrr.wisc.edu. Learn why this is important

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

Hello,

My name is Travis Austin. I'm a Master of Public Affairs student at UW-Madison and a member of the City of Madison Ethics Board. The views I'm expressing here are my own and not an official position of the City Ethics Board. I was registered to speak earlier this week on Legistar file 87483 - Adopting the Updated Elected and Appointed Official Code of Ethical Conduct; however, the CCEC decided to re-refer the item due to a lack of time before the Common Council meeting that was starting at 6:30. I wanted to provide what I would have been my comments in person had that item been discussed:

I wanted to state my support for the Govindarajan Alternate that is being proposed for discussion. The structure and wording of the Alternate best help to clarify a distinction between MGO 3.35 and the Code of Conduct. When I initially read the first proposed update, there was still some confusion on how to draw a distinction between the Code of Conduct and MGO 3.35. I am also wholly in support of the changes that are proposed to capture and clearly define more forms of conduct than what is currently present in the Code of Conduct.

This confusion was present earlier this year, when former Alder Myadze filed ethics complaints that contained many allegations that did not appear to fall under MGO 3.35, but likely the code of conduct. While Alder Myadze chose to withdraw his complaints at the jurisdictional meeting, there was one aspect of the complaints that, had we gotten to a discussion of jurisdiction, I might have been inclined to take up. Improper use of the official City Blog was one allegation that I likely would have voted to give jurisdiction for, as it is a resource that is not available to the general public. If an alder were to request an advisory opinion from the Ethics Board, I would welcome that consideration and discussion of the proper use of that resource. I would also welcome the chance for the Ethics Board to give feedback on the Code of Conduct at our next meeting. The Ethics Board has a meeting scheduled for late October.

When it comes to the enforcement of the Code of Conduct, I would like to suggest an alternative enforcement mechanism for your consideration. Under its current structure, the Common Council Executive Committee hears complaints that cannot be resolved by other means. Currently, the Ethics

Board meets very infrequently to address MGO 3.35 complaints, and the likelihood that a complaint under the Code of Conduct would require a hearing is also fairly low. Violations of the Code of Conduct that require a hearing could be tense, heated, or controversial. It could be effective to seek guidance and recommendations from an outside body like the Ethics Board, rather than the Common Council Executive Committee holding a hearing. The Ethics Board is more insulated from political tensions and could make its considerations insulated from those tensions. It is also just as valid to keep the jurisdiction of the Ethics Board narrow, only dealing with financial conflicts and conflicts of interest, so the Ethics Board can maintain select expertise on those types of violations. The decision on which method of enforcement is the best course of action will be up to you; each has pros and cons that should be weighed and considered.

I welcome any discussion Alders might wish to have regarding either the Code of Conduct or an advisory opinion regarding the use of the City Blog.

Thanks, Travis Austin



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

### Master

File Number: 89605

File ID: 89605	File Type: Discussion Item	Status: Discussion Items

Version:1Reference:Controlling Body:POLICE CIVILIAN

OVERSIGHT BOARD

File Created Date: 08/19/2025

File Name: Final Action:

Title: Subcommittee Scheduling and Work Plans

Notes:

Sponsors: Effective Date:

Attachments: Enactment Number:

Author: Hearing Date: Entered by: cnjoku@cityofmadison.com Published Date:

**History of Legislative File** 

 Ver- Acting Body:
 Date:
 Action:
 Sent To:
 Due Date:
 Return
 Result:

 sion:
 Date:

### **Text of Legislative File 89605**

Title

Subcommittee Scheduling and Work Plans



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

Return

Date:

Due Date:

Result:

### **Master**

File Number: 89606

File ID:	89606	File Type: Dis	scussion Item	Status:	Discussion Items
Version:	1	Reference:	•	Controlling Body:	POLICE CIVILIAN OVERSIGHT BOARD
			F	ile Created Date :	08/19/2025
File Name:				Final Action:	
Title:	OIM Status Update				
Notes:					
Sponsors:				Effective Date:	
Attachments:			En	actment Number:	
Author:				Hearing Date:	
Entered by:	cnjoku@cityofmadison.com	lison.com Published Date:			
listory of Legis	lative File				

Sent To:

### **Text of Legislative File 89606**

Date:

Action:

Title

sion:

Ver- Acting Body:

**OIM Status Update** 



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

### **Master**

File Number: 89607

File ID:89607File Type:Discussion ItemStatus:Discussion	on Items

Version:1Reference:Controlling Body:POLICE CIVILIAN

OVERSIGHT BOARD

File Created Date: 08/19/2025

File Name: Final Action:

Title: Adding Stephanie Rearick to the Executive Subcommittee

Notes:

Sponsors: Effective Date:

Attachments: Enactment Number:

Author: Hearing Date:

Entered by: cnjoku@cityofmadison.com Published Date:

### **History of Legislative File**

 Ver- Acting Body:
 Date:
 Action:
 Sent To:
 Due Date:
 Return
 Result:

 sion:
 Date:

### **Text of Legislative File 89607**

Title

Adding Stephanie Rearick to the Executive Subcommittee



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

### Master

File Number: 89608

File ID: 89608	File Type: Discussion Item	Status: Discussion Items
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Version: 1 Reference: Controlling Body: POLICE CIVILIAN

OVERSIGHT BOARD

File Created Date: 08/19/2025

File Name: Final Action:

Title: MPD Training Session Scheduling

Notes:

Sponsors: Effective Date:

Attachments: Enactment Number:

Author: Hearing Date:

Entered by: cnjoku@cityofmadison.com Published Date:

### **History of Legislative File**

 Ver Acting Body:
 Date:
 Action:
 Sent To:
 Due Date:
 Return
 Result:

 sion:
 Date:

### **Text of Legislative File 89608**

Title

MPD Training Session Scheduling



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

### Master

File Number: 89609

File ID:	89609	File Type: Discussion It	em Status:	Discussion Items
Version:	1	Reference:	Controlling Body:	POLICE CIVILIAN OVERSIGHT BOARD

File Created Date: 08/19/2025

File Name: **Final Action:** 

Title: PCOB Attorney List - Timeline for Interviews

Notes:

Sponsors: **Effective Date:** 

Attachments: **Enactment Number:** 

Author: **Hearing Date:** Entered by: cnjoku@cityofmadison.com **Published Date:** 

**History of Legislative File** 

Return Ver- Acting Body: Action: Sent To: Due Date: Result: Date: sion: Date:

### **Text of Legislative File 89609**

Title

PCOB Attorney List - Timeline for Interviews



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

### Master

File Number: 85327

File ID: 85327 File Type: Ordinance Status: Passed

Controlling Body: Attorney's Office Version: 2 Reference:

File Created Date: 09/19/2024

File Name: PCOB Appointments Final Action: 09/02/2025

Title: ALTERNATE: Amending Section 5.20(3)(a)3. of the Madison General Ordinances

to modify the nomination process to the Police Civilian Oversight Board to align

with current procedures for seeking applications.

Notes: 6904PCOBAppointments

MAYORAL APPROVAL DATE: 09/05/25

Sponsors: Sabrina V. Madison **Effective Date:** 09/12/2025

Attachments: 021825-022025\_CC\_public\_comments.pdf, Enactment Number: ORD-25-00056

PCOB-Changes.pptx,

022625-022725\_CC\_public\_comments.pdf,

062725-070125 CC public comments.pdf, 85327

Figuero Cole amendment.pdf,

070125 CC public comment.pdf, 85327 - Version 1,

090225 CC public comments.pdf, 090325\_CC\_public\_comments.pdf

Author: Andrew Schauer

**Hearing Date:** 

Entered by: mglaeser@cityofmadison.com Published Date: 09/11/2025

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	09/19/2024	Referred for Introduction				
	Action Text:	This Ordinance was Refe					
	Notes:	Police Civilian Oversight Bo	ard (9/26/24), Common Coun	cil (10/8/24)			
1	COMMON COUN	ICIL 09/24/2024	Refer	POLICE CIVILIAN OVERSIGHT BOARD		02/26/2025	Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Refer to the POLICE CIVILIAN OVERSIGHT BOARD. The motion passed by voice vote/other.						
1	COMMON COUN	ICIL 10/08/2024	Re-refer	POLICE CIVILIAN OVERSIGHT BOARD		02/26/2025	Pass
	Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Re-refer to the POLICE CIVILIAN OVERSIGHT BOARD. The motion passed by voice vote/other.						
1	COMMON COUN	ICIL 11/26/2024	Re-refer	POLICE CIVILIAN OVERSIGHT BOARD		02/26/2025	Pass

A motion was made by Figueroa Cole, seconded by Conklin, to Re-refer to the POLICE CIVILIAN

OVERSIGHT BOARD. The motion passed by voice vote/other.

POLICE CIVILIAN 12/19/2024 RECOMMEND TO 02/27/2025

COUNCIL TO OVERSIGHT BOARD RE-REFER -

REPORT OF **OFFICER** 

Helyn Luisi Mills made a motion to discuss, seconded by Stephanie Rearick. Motion passed Action Text:

> unanimously. After Discussion, Helyn Luisi-Mills made a motion to refer the item back to the Common Council with a recommendation to refer the item to the Policy and Procedure subcommittee of the PCOB. This motion was seconded by Stephanie Rearick and passed unanimously by the board.

Re-refer to Police Civilian Oversight Board - Policy and Procedure Subcommittee (2/27/25), Common Council Notes:

(3/11/25)

COMMON COUNCIL 01/14/2025 Re-refer POLICE CIVILIAN

**OVERSIGHT BOARD** 

02/26/2025

Pass

**Pass** 

A motion was made by Figueroa Cole, seconded by Duncan, to Re-refer to the POLICE CIVILIAN Action Text:

OVERSIGHT BOARD - Policy and Procedure Subcommittee. The motion passed by voice vote/other.

Notes: Police Civilian Oversight Board - Policy and Procedure Subcommittee (2/26/25), Common Council (3/11/25)

POLICE CIVILIAN 02/26/2025 RECOMMEND TO **OVERSIGHT BOARD COUNCIL TO** 

PLACE ON FILE WITHOUT **PREJUDICE** -REPORT OF

**OFFICER** 

Action Text: This Ordinance was RECOMMEND TO COUNCIL TO PLACE ON FILE WITHOUT PREJUDICE

-REPORT OF OFFICER

Police Civilian Oversight Board - Policy and Procedure Subcommittee recommended to place on file without Notes:

prejudice by the following roll call vote: Ayes (4): Snyder, Rearick, Luisi-Mills, Calmese

No (1): Nelson

Abstain (1): Salgado Altamirano

COMMON COUNCIL 03/11/2025 Re-refer POLICE CIVILIAN 06/25/2025 Pass

**OVERSIGHT** 

**BOARD** 

Action Text: A motion was made by Figueroa Cole, seconded by Duncan, to Re-refer to the POLICE CIVILIAN

OVERSIGHT BOARD. The motion passed by voice vote/other.

There were 3 registrants in opposition.

Notes: Police Civilian Oversight Board (4/16/25); Common Council (7/1/2025)

POLICE CIVILIAN 06/25/2025 RECOMMEND TO

**OVERSIGHT BOARD** COUNCIL TO

PLACE ON FILE -REPORT OF **OFFICER** 

Rearick made a motion to recommend to the Common Council to place Item 85327 on file with Action Text:

> prejudice. The motion was seconded by Snyder. It passed unanimously with a roll call vote of 9-0. Police Civilian Oversight Board recommended to place on file with prejudice by a unanimous roll call vote of 9-0

Notes:

Absent: 3 Tarah Stangler; Stephanie Salgadoand Carlotta Calmese

Stephanie A. Rearick; Hope Vang; Helyn Luisi-Mills; Brandice Hatcher;

Vanessa Statam; Devon Snyder; Maia E. Pearson; Rodney D. Saunders,

Jr and Michelle F. Miller

Katherine Nelson Excused: 1

COMMON COUNCIL 07/01/2025 Re-refer POLICE CIVILIAN 08/20/2025 Pass

> **OVERSIGHT BOARD**

A motion was made by Evers, seconded by Madison, to Re-refer to the POLICE CIVILIAN Action Text:

OVERSIGHT BOARD meeting of 8/20/25 returning to Common Council 9/2/25. The motion passed by

the following vote:

Ayes: 15 Will Ochowicz; Derek Field; Michael E. Verveer; Davy Mayer; Badri Lankella; Joann Pritchett; Bill Tishler; Julia Matthews; Tag Evers; Sean O'Brien; Sabrina V. Madison; Carmella Glenn; John P. Guequierre;

Barbara Harrington-McKinneyand John W. Duncan

Noes: 4 MGR Govindarajan; Yannette Figueroa Cole; Isadore Knox Jr.and Dina

Nina Martinez-Rutherford

Excused: 1 Satya V. Rhodes-Conway

Non Voting: 1 Regina M. Vidaver

1 POLICE CIVILIAN OVERSIGHT BOARD 08/20/2025 RECOMMEND TO

COUNCIL TO ADOPT WITH THE FOLLOWING RECOMMENDATIO NS - REPORT OF

**OFFICER** 

Action Text: Rearick made a motion to recommend that the Common Council make the following change to MGO

Section 5.20(3)(a)3 as follows: "The Office of the Independent Monitor, in conjunction with the Police Civilian Oversight Board, shall seek nominations from a designated set of nine (9)...."; and to make no other changes to the Ordinance. Nelson seconded the motion. After discussion, the motion passed

unanimously.

Notes: Rearick made

Rearick made a motion to recommend that the Common Council make the following change to MGO Section 5.20(3)(a)3 as follows: "The Office of the Independent Monitor, in conjunction with the Police Civilian Oversight Board, shall seek nominations from a designated set of nine (9)...."; and to make no other changes to the

Ordinance. Nelson seconded the motion. After discussion, the motion passed unanimously.

COMMON COUNCIL 09/02/2025 Adopt

Pass

Pass

Action Text: A motion was made by Vidaver, seconded by Figueroa Cole, to Adopt. The motion passed by voice

vote/other with Pritchett and Harrington-McKinney abstaining.

### **Text of Legislative File 85327**

### **Fiscal Note**

No appropriation required.

#### **Title**

ALTERNATE: Amending Section 5.20(3)(a)3. of the Madison General Ordinances to modify the nomination process to the Police Civilian Oversight Board to align with current procedures for seeking applications.

### **Body**

DRAFTER'S ANALYSIS: Under the current ordinance, each appointment to the Police Civilian Oversight Board ("PCOB") must be nominated by a local community organization on a designated list created by the Common Council. While still encouraging the involvement of local community organizations, this Ordinance Amendment removes this requirement, instructs the Office of Independent Monitor to collect applications for membership to the PCOB into a pool of applicants from whom the Mayor and Common Council Leadership will appoint new PCOB members, and otherwise streamlines the process. The Ordinance Amendment also makes other changes to the election of PCOB leadership.

The ALTERNATE forgoes most of the changes suggested in the original ordinance amendment, and instead makes only one change to the ordinance, to align the ordinance with the current procedure for seeking applications, specifically that the Office of the Independent Monitor collects nominations and applications to the PCOB.

The Common Council of the City of Madison do hereby ordain as follows:

1. Paragraph 3. entitled "Nominated by Community-Based Organizations" of Subdivision (a) entitled "Members" of Subsection (3) entitled "Board Composition" of Section 5.20 entitled "Police Civilian Oversight Board" of the Madison General Ordinances is amended as follows:

"3. Nominated by community-based organizations. The Mayor and Common-Council, in collaboration with the Department of Civil Rights, Office of the Independent Monitor, in conjunction with the Police Civilian Oversight Board, shall seek nominations from a designated set of nine (9) community-based organizations that have an interest in civil rights, immigrant rights, disability rights/mental health, racial equity and social justice, and that also have an interest in the safety of the city and criminal justice reform. Priority shall be given to organizations with budgets under \$1 million. The designated set of organizations shall be initially created in conjunction with the adoption of this Ordinance and the Monitor, Board, and Common Council shall ensure that it is updated at least every two (2) years. Each community-based organization shall submit two (2) names and applications to the Mayor and Common Council, except that an organization may re-nominate a member whose term is expiring without submitting three names. The Mayor and Common Council shall appoint one (1) person nominated by each organization. In the event that a community organization or organizations does not submit two (2) nominations when requested or does not re-nominate a current member, the Mayor and Council Leadership shall make an appointment from the pool of any eligible applications to submit for confirmation to the Common Council."

#### **EDITOR'S NOTE:**

**TITLE:** Amending Section 5.20(3)(a)3. of the Madison General Ordinances to modify the nomination process to the Police Civilian Oversight Board appointment process to align with current procedures for seeking applications.

From: <u>e blessing</u>

To: Police Civilian Oversight Board

Cc: All Alders

**Subject:** Public comment for 2/19 PCOB meeting **Date:** Wednesday, February 19, 2025 2:06:23 PM

Some people who received this message don't often get email from emfblessing@gmail.com. Learn why this is

<u>important</u>

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

Hello to members of the Police Civilian Oversight Board and Common Council,

I am writing with concerns about the amendment written by Attorney Andy Schauer and sponsored by Alder Yanette Figueroa-Cole. This is not a critique of Alder Figueroa-Cole, who has a commendable history of advocating for the needs of Madison's community members. I trust that she had only good intentions when agreeing to sponsor the amendment.

Unfortunately, amending the PCOB ordinance with Attorney Schauer's suggestions would threaten the independence of the oversight board which is central to its function. This amendment would negatively impact community representation on the board and contradicts the ACLU's recommendations for police oversight.

The administrative issue this amendment was written to address was resolved when the OIM hired Chioma Njoku, who is implementing a system to facilitate timely nominations from community-based organizations. The ordinance currently outlining the PCOB's composition and function needs no further amendments at this time. In addition, any efforts to exert political influence over members of the PCOB or its processes violate the current ordinance.

Ensuring the independence of the oversight board is of the utmost importance. Please maintain the integrity of this tool for police oversight by voting against this amendment.

Thank you, Jamie Blessing District 6 Madison, WI From: PJ Chamberlain

To: Police Civilian Oversight Board

Cc: All Alders

Subject: Opposing the proposed PCOB change

Date: Thursday, February 20, 2025 8:02:30 AM

[You don't often get email from pjchamb@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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

Hello.

In August of last year, my friend Kevin Price was killed by a Fitchburg police officer in his own home. He was shot 3 times in the chest in August 12th, and died alone in the hospital 3 days later. No one contacted his family until after it was too late.

When they told the public about Kevin, Fitchburg Police lied, omitted, and chose to hide a staggering amount of information. We are still trying to uncover what really happened.

They withheld that Kevin was the one that called 911. They withheld that Kevin wasn't engaging with officers until they forced him to at gunpoint, despite having a number of other options. They told the public that he was in stable condition, despite his description at the scene clearly showing otherwise.

The groups who have been designated and entrusted with selecting candidates for the board were given their roles for a reason. They know the direct impact police violence has on families and on our communities. Just last week, my friend Kevin's brother Alex died of a heart attack at age 29. He was devastated and heartbroken over what happened to his brother.

The negligence of the police officer involved in Kevin's shooting has indirectly caused the death of one of their own, as Alex was a corrections officer. Despite Kevin being in such a close proximity to be a threat, the officer who shot him missed, and a fourth bullet was never recovered from the scene. Well, the bullet may have taken its time, but six months later it struck Alex right in the heart. Their family devastated, to say the least, and the impact of Kevin's shooting has grown exponentially.

It would be a total violation of this board's mission to open membership up to those who would push their own outside agenda. Keeping the groups designated to nominate representatives is one of the few ways to ensure that the mission of the board stays true.

It is clear this is why a former lawyer for a police union would push this resolution to change the nomination process so strongly. Outside influence would weaken the board's ability to cohesively come together as an informed community to evaluate police actions. Bringing in an agitating influence is a long standing tactic to disrupt an organization's agenda.

As someone whose life has been impacted greatly by police violence, I implore you to keep the protection of the nomination process in place. This board is a critical component of the community, and opening it up to disruption and dissolution would be a horrible mistake at a vital juncture in local, state, and national politics. A board like this may be one of the last protections people in the community have from the corruption threatening our livelihoods.

Thank you,

PJ Chamberlain
On behalf of the family of
Kevin Price and Alex Mork

From: Esty Dinur

To: All Alders; Police Civilian Oversight Board

Subject: PCOB & OIM

**Date:** Wednesday, February 19, 2025 12:59:55 PM

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important

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

Dear alders,

The PCOB and OIM's role is to independently look at honest data and conduct unbiased investigations. With the Schauer/Figueroa ordinance, members and former members of the police force are sure to be included in the PCOB. In turn, that assures severely biased investigations. This must not happen.

I urge you to vote against this change. I am a Madison resident but will be out of town when this is debated. Hence, this plea by email for you to do what's right.

Thank you,

### **Esty Dinur**

...for, truly, I am not a website and my name is not Etsy.

From: <u>Larissa Duncan</u>

To: Police Civilian Oversight Board

Cc: All Alders

Subject: Re: Police Civilian Oversight Board (PCOB) and Office of the Independent Monitor (OIM)

**Date:** Wednesday, February 19, 2025 5:51:24 PM

Some people who received this message don't often get email from larissaduncan@yahoo.com. <u>Learn why this is important</u>

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Dear PCOB members and Alders,

As a resident and voter in the City of Madison I am writing to urge you to please leave the Police Civilian Oversight Board (PCOB) ordinance as it is. Please do not adopt Andy Schauer and Alder Figueroa-Cole's ordinance. The administrative problem was fixed when the Office of the Independent Monitor hired an excellent administrator. The changes in this new ordinance will take the power and representation away from the community and open the PCOB up to political corruption.

Thank you, Larissa Duncan 41 Farwell St. Madison, WI 53704 From: Shel Gross

To: Police Civilian Oversight Board

Cc: <u>All Alders</u>

**Subject:** PCOB Item on Tonight"s Public Comment Agenda **Date:** Wednesday, February 19, 2025 9:51:19 AM

Some people who received this message don't often get email from shelgross3@gmail.com. <u>Learn why this is important</u>

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

I am writing in opposition to the change to the PCOB appointment process proposed by Ald. Figueroa-Cole. The original appointment process was designed, based on recommendations from the ACLU, to maximize the political independence of the Board. Giving the Mayor broad authority to appoint members will make the PCOB dependent upon and beholden to the Mayor. My understanding is that the "problem" this proposal was designed to address, that PCOB members are appointed on time, has been addressed administratively. I also understand that there was no discussion with the PCOB Chair to discuss any concerns prior to putting this amendment forward.

I urge you to reject this proposed amendment and support discussion directly with the PCOB to address any concerns that may exist.

Thank you.

Shel Gross 145 Jackson St. Madison WI From: Sam Hamer

To: Police Civilian Oversight Board

Cc: <u>All Alders</u>
Subject: Agenda Item #1

Date: Wednesday, February 19, 2025 2:40:57 PM

Some people who received this message don't often get email from samantha\_hamer@outlook.com. <u>Learn why</u> this is important

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

Dear board members,

The administrative issue of concern (agenda item #1) has been solved and the ordinance needs to be left as is.

Politicians who meddle with the PCOB for political currency or attempt to exert their political influence over members or the processes are violating the current ordinance which is grounds for an ethics complaint. Please uphold the ordinance and resist.

Please, I am urging you all to NOT adopt Andy Schauer and Alder Figueroa-Cole's ordinance and to leave the PCOB ordinance as is. The administrative problem was fixed when the OIM hired an excellent administrator.

The changes in this new ordinance will take the power and representation away from the community and open the PCOB up to political corruption by whomever the mayor or alders might be any given term.

Please. Do the right thing. The impacts of changing this ordinance would be extremely harmful and would create direct harm to many people and families.

Thank you for your time, Sam

From: Barbie Jackson

To: Police Civilian Oversight Board
Cc: All Alders; Barbie Jackson

Subject:2/19 PCOB Virtual Meeting - Public CommentDate:Wednesday, February 19, 2025 5:08:46 PM

Some people who received this message don't often get email from barbie.g.jackson@gmail.com. <u>Learn why this</u> is important

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

#### Dear PCOB:

I am writing to express my strong urging that you do not adopt Andy Schauer's and Alder Figueroa-Cole's ordinance, which would change the process and source of populating the PCOB and to urge you to leave the PCOB ordinance as is.

Currently, most PCOB seats are held by representatives of nine designated community organizations (Urban Triage, Nehemiah, Outreach LGBTQ Center, NAMI Dane County, Community Response Team, UNIDOS, Freedom Inc., Just Dane, and YWCA). Tonight's proposed measure seeks to do away with the community organization-based step in the process of seating the PCOB and to have all PCOB applicants apply directly to the city, with the Mayor then appointing choices out of that single pool. This would do away with the structural independence of the PCOB and would go directly against the recommendations of the ACLU, the Council on Criminal Justice Task Force on Policing, and the Ad Hoc Committee, which spent four long years developing the recommendations that resulted in the formation of the PCOB.

Please vote to support the representation on the PCOB according to the recommendations that formed this committee.

Thank you for your consideration.
Barbie Jackson, Madison resident since 1967
6441 Dylyn Drive
Madison, WI 53719
barbie.g.jackson@gmail.com
608-234-8118

From: Norm Littlejohn

To: <u>Police Civilian Oversight Board</u>; <u>All Alders</u>

**Subject:** NO on agenda item #1

Date: Wednesday, February 19, 2025 7:44:26 AM

Some people who received this message don't often get email from norm.littlejohn@gmail.com. Learn why this is important

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

Hello, I'm writing to urge you to reject the amendment to the PCOB ordinance proposed to "solve" an administrative problem which has already been solved. The amendment would weaken the independence and effectiveness of the PCOB, and should be rejected.

Thank you. Norm Littlejohn 225 E. Lakelawn Pl. #405 Madison 53703 From: <u>Connie Shaw</u>

To: <u>Police Civilian Oversight Board; All Alders</u>

**Subject:** pcob virtual meeting

**Date:** Wednesday, February 19, 2025 5:09:56 PM

Some people who received this message don't often get email from consternational@gmail.com. <u>Learn why this is important</u>

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

### Hello, all,

It seems to me that there is a definite structural conflict of interest for elected officials to have unconstrained power of selection of PCOB members. That makes NO sense!! NONE! They should have NOTHING to do with that process, being that elected officials may depend on the support of the police, their unions, and also members of the public affiliated with police for re-election. These elected officials are always so afraid they'll look bad if a police oversight body exposes wrongdoing in their police department. So naturally, out of fear, they would tend to try and appoint "police friendly" members, so as to not make any waves. That is the EXACT OPPOSITE of what the core mission of the PCOB calls for, which is holding the police accountable for their actions, and promoting reform in the face of resistance. Let the PCOB do their job!! STOP TRYING TO INTERFERE!!

Connie Shaw 1954 E. Washington Ave. #25 Madison, WI 53704 From: <u>Erin Skarivoda</u>

To: Police Civilian Oversight Board; All Alders

Subject: Do not change the PCOB ordinance

Date: Tuesday, February 18, 2025 12:08:36 PM

Some people who received this message don't often get email from erin.skarivoda@gmail.com. <u>Learn why this is</u> important

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

Hello all,

I am writing about the Police Civillian Oversight Board (PCOB), which is an important part of our justice system. An amendment to the ordinance had been proposed to change the process for nominating members to the PCOB; please uphold that ordinance as it exists and resist any changes to the ordinance.

During the last PCOB term, the foundational term during which the office and mechanism were built, there was no plan yet in place to contact the community groups that nominate new members for a new term. The fact is, the PCOB and OIM didn't have enough help. This was an administrative problem that has since been solved with the hiring of administrator, Chioma Njoku who now has a system for outreach and prepping community groups to nominate PCOB applicants on time. Problem solved.

When this problem was still a problem, it appears that former police union attorney/now city attorney, Andy Schauer, decided to use it as an opportunity to give some control of the PCOB to the police union by way of the Mayor. Currently, most PCOB seats are held by representatives of nine designated community organizations (Urban Triage, Nehemiah, Outreach LGBTQ Center, NAMI Dane County, Community Response Team, UNIDOS, Freedom Inc., Just Dane, and YWCA). He sought to do away with the community organization-based nature of the PCOB and to have all PCOB applicants apply directly to the city, with the Mayor then appointing choices out of that single pool. That means, people who wish to be on the PCOB but who are against police oversight and wish to see the PCOB weakened or fail would have a much easier time getting appointed. It would do away with the structural independence of the PCOB and would go directly against the recommendations of the ACLU, the Council on Criminal Justice Task Force on Policing, and the Ad Hoc Committee.

Andy and two members of the public asked Alder Yannette Figueroa-Cole to sponsor this amendment under the guise that it was to ensure PCOB members are appointed on time. That administrative problem was solved but they persist because the reason given was only a vehicle for Andy's intent to strip power from the community and while Alder Figueroa-Cole's intent might have been good in the beginning, the impact of her amendment is pure harm.

Please leave the ordinance as is. Politicians who meddle with the PCOB for political

currency or attempt to exert their political influence over members or the processes are violating the current ordinance, which is grounds for an ethics complaint.

Please do right by Madison and uphold that ordinance as it exists.

Best, Erin

#### Erin Skarivoda

she/her 1252 Spaight St. #2 Madison, WI 53703

email: erin.skarivoda@gmail.com

phone: 920-606-1849

From: <u>Lisa Zwart</u>

To: Police Civilian Oversight Board

Cc: All Alders

**Subject:** Leave the PCOB as it is

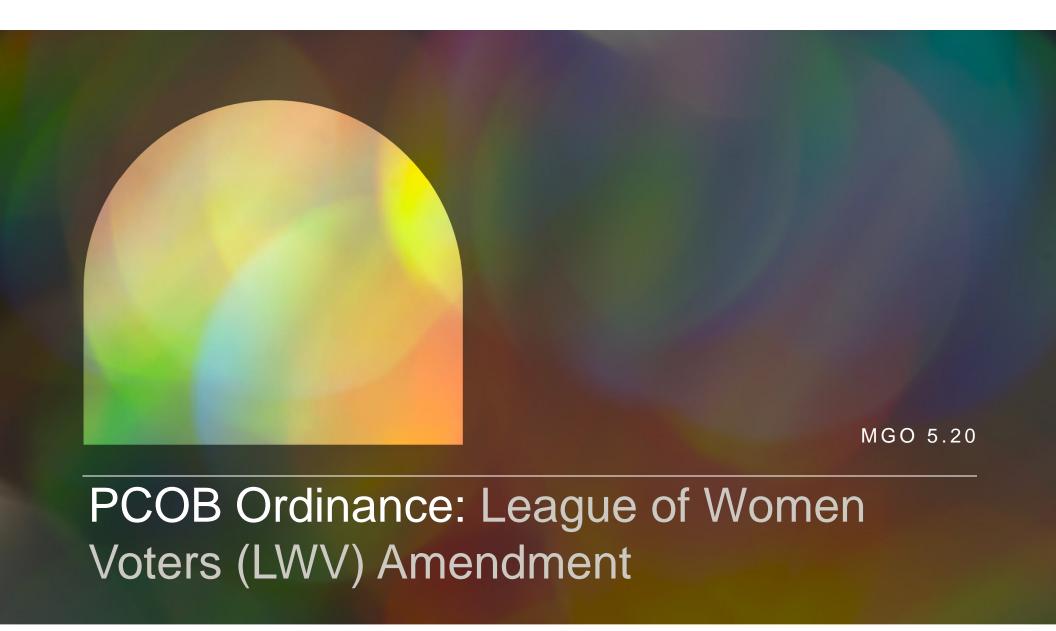
**Date:** Wednesday, February 19, 2025 5:06:46 PM

Some people who received this message don't often get email from zwart.lisa@gmail.com. <u>Learn why this is important</u>

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

Changing it's structure would be a complete conflict of interest. Elected officials should not have unconstrained power of selection of PCOB members, as they would under the Figueroa Cole amendment. Elected officials rely on police, police unions and police-affiliated people for election (or at least they depend on an absence of opposition from them). And elected officials are afraid of looking bad if problems in the police department are exposed. So allowing elected officials unconstrained selection power fundamentally undermines the mission of the PCOB, which requires holding police accountable and pushing police reform against resistance. In general, unconstrained selection by elected officials leads to ineffective police friendly oversight boards.

Kind regards, Lisa Zwart





### The Board

- •11 voting members and 2 alternates
- •All required to file an application which indicates if supported by an org
- •Members shall meet a combination of the following criteria:
- •Lived Experience
- Diverse Background
- •Affiliated with relevant service organizations
- Plus other diversity, equity and inclusion aspects

#### **Current Language**

(3)Board Composition.

#### (a)Members.

1.Number. The Board shall have eleven (11) voting members and two (2) alternate members. Alternate members shall act with full power when any other member of the Board is absent or is unable to act because of a conflict of interest. The second alternate member shall so act only when the first alternate member is absent or unable to act because of a conflict of interest or when two Board members are absent or unable to act because of a conflict of interest. Alternates may not serve on the Board's Executive Subcommittee.

#### Diverse Composition. In considering the nomination and

applicants of the Board, the Common Council shall strive to consider members who have lived experience with homelessness, mental health, substance abuse and/or arrest or conviction records and shall further strive to include members from a diverse background, including but not limited to:

a.Members who are:

i.African American:

ii.Asian;

iii.Latinx;

iv.Native American; and

v.From the LGBTQ community.

b.Members affiliated with an organization in the field of: i.Mental Health:

ii.Youth Advocacy; and

iii.AODA.

c.Members with an arrest/conviction record.

d.In constituting the Board as outlined above, the Mayor and Council shall ensure that members represent a diversity of age, socioeconomic status, gender, geographic residence, and work experience.

Individual members may represent more than one of the categories listed.

#### **Proposed Changes**

(3)Board Composition.

(a)Members.

1.Number. The Board shall have eleven (11) voting members and two (2) alternate members. Alternate members shall act with full power when any other member of the Board is absent or is unable to act because of a conflict of interest. The second alternate member shall so act only when the first alternate member is absent or unable to act because of a conflict of interest or when two Board members are absent or unable to act because of a conflict of sterest. Alternates may not serve on the Board's Executive Subcommittee.

#### 2. Diverse Composition. In considering the

applicants of the Board, the Common Council shall strive to consider members who have lived experience with homelessness, mental health, substance abuse and/or arrest or conviction records and shall further strive to include members from a diverse background, including but not limited to:

a.Members who are:

i.African American;

ii.Asian;

iii.Latinx;

iv.Native American; and

v.From the LGBTQ community.

b.Members affiliated with an organization in the field of: i.Mental Health;

ii.Youth Advocacy; and

iii.AODA.

c.Members with an arrest/conviction record.

d.In constituting the Board as outlined above, the Mayor and Council shall ensure that members represent a diversity of age, socioeconomic status, gender, geographic residence, and work experience.

Individual members may represent more than one of the

categories listed.

# Nomination vs Applicants

Legistar 84431 (08/06/2024): WHEREAS, eight (8) of the nine (9) community-based organizations responded to the letter: Urban Triage, YWCA, Freedom Inc., Community Response Team, JustDane, NAMI, Outreach and UNIDOS; and,

WHEREAS, the Board has several vacancies in 2024 that need to be filled for the Board to remain operational; and,

WHEREAS, the Board met on July 25, 2024, and approved a ranked choice selection of a pool of community-based organizations, listed in order of the Board's preference, for the Common Council's consideration for this and future substitutions of designated organizations: The Beacon Catholic Charities of Madison ("The Beacon"), Urban League of Greater Madison, Nehemiah Center for Urban Leadership Development, and EXPO Wisconsin;

BE IT RESOLVED that the Common Council designates The Beacon Catholic Charities of Madison ("The Beacon") as the ninth designated community-based organization, replacing NAACP Dane County.

BE IT FURTHER RESOLVED that, in the event that The Beacon does not accept its placement in the designated set, that the Common Council designates Urban League of Greater Madison as the ninth designated community-based organization, replacing NAACP Dane County.

## organiz Our Partners. The List

BE IT FURTHER RESOLVED that, in the event that The Beacon and Urban League do not accept their placement in the designated set, that the Common Council designates Nehemiah Center for Urban Leadership Development as the ninth designated community-based organization, replacing NAACP Dane County.

BE IT FINALLY RESOLVED that, in the event that The Beacon, Urban League, and Nehemiah Center for Urban Leadership Development do not accept their placement in the designated set, that the Common Council designates

#### **Current Language Proposed Changes** 3. Nominated by community-based organizations. 3.Applications The Mayor and Common Council, in collaboration with The Office of the Independent Monitor the Department of Civil Rights. shall seek applications from the public and a shall seek nominations from a designated set of nine (9) designated list of community-based organizations community-based organizations See Legistar 84431 for current list that have an interest in civil rights, immigrant rights, that have an interest in civil rights, immigrant rights, disability rights/mental health, racial equity and social disability rights/mental health, racial equity and social justice, and that also have an interest in the safety of the justice, and that also have an interest in the safety of the city and criminal justice reform. city and criminal justice reform. Priority shall be given to organizations with budgets under \$1 million. The designated set of organizations shall be initially created in conjunction with the adoption of this Ordinance

A list of community-based organization

Proposed change: a designated <u>list</u> of <u>nine (9)</u> community-based organizations

## Current tools

Nominated by a partner org	Lived Experience			AND THE RESIDENCE OF THE PROPERTY OF THE PROPE				Background	
Org Name	Homelessnes s	Mental Health	Substance abuse and/or Arrest/Conviction Record	Dlack	Asian	Latinx	Native American	LGBTQ	

Affiliated with org in the field of						Other	
Mental Health	Youth Services	AODA	Diversity of age	Socioeconomic status	Gender	Geographic residence	Work experience

Form referral details	F-Mail notes
City Website	1. Community Response Team
CRT-City Website	<ol> <li>Community Response Team</li> </ol>
United Way of Dane County	2. YWCA
YWCA Madison	2. YWCA
Just Dane/Isidore	3. JUST Dane
Just Dane	3. JUST Dane
OutReach LGBTQ+ Community Center	4. Outreach LGBTQ+
OutReach LGBTQ+ Community Center/Flores	4. Outreach LGBTQ+
Community response team	5. Urban Triage
Urban Triage	5. Urban Triage
Friend told me about it	Public Pool
Community response team posting	Public Pool
Public Pool	Public Pool
Public Pool Current members of PCOB	Public Pool
Public Pool S.Flores	Public Pool
Public Pool Keetra	Public Pool
Unidos	Unidos
Unidos	Unidos

## Needs to be updated

• This needs to be reverted to the original, the intent is to keep the responsibility on the board and the monitor. This is an error.

Current Language	Proposed Changes
and the Monitor, Board, and Common Council	The Office of Independent Monitor, in consultation with
	the Mayor and Common Council,
shall ensure that it is updated at least every two (2) years	shall update the list at least every two (2) years.

Proposed & in Agreement: The designated list is updated by OIM in consultation with PCOB and Council, but not the Mayor

## Ownership & Flexibility

Furthermore, the community-based organizations are not required to put up more than one application nor are they limited to putting up only two.

#### **Current Language**

Each community-based organization shall submit two (2) names and applications to the Mayor and Common Council, except that an organization may re-nominate a member whose term is expiring without submitting three names.

The Mayor and Common Council shall appoint one (1) person nominated by each organization. In the event that a community organization or organizations does not submit two (2) nominations when requested or does not re-nominate a current member,

the Mayor and Council Leadership shall make an appointment from the pool of any eligible applications to submit for confirmation to the Common Council.

#### **Proposed Changes**

The Office of Independent Monitor is charged with collecting applications from the community-based organizations and the public, and with creating a pool of eligible applicants for Board membership.

The application for Board membership shall have a place for listing the support of a community-based organization from the list.

Upon any vacancy of the Board,

the Mayor and <u>Common</u> Council Leadership shall make an appointment from the pool of any eligible applications to submit for confirmation to the Common Council, <u>as provided in sub. (3)(b)1."</u>

Proposed Change: Replaced "creating" with "maintaining" in regards to OIM's duty with the pool. This is both a stylistic change and a way to reserve space for PCOB to pass policies over OIM so as to tackle the conflict of interest issue.

## Applications

Current Language	Proposed Changes
1. Appointment.	1. Appointment.
a. Nine (9) Members, one (1) from each community-	
based organization and who have been selected as	
outlined in sub. (3)(a)3,	
	Upon any vacancy on the Board, new members and
	alternates to the Board
shall be appointed by the Mayor and the Common	shall be appointed by the Mayor in consultation with
Council and confirmed by the Common Council.	Common Council leadership from the pool of
	applicants described in sub. (3)(a)3 and confirmed by
	the Common Council.
b. One (1) Member and one (1) alternate Member shall	
be appointed by the Mayor and confirmed by the	
Common Council.	
c. One (1) Member and one (1) alternate Member shall	
be appointed and confirmed by the Common Council.	

**Appointments** 

Current Language	Proposed Changes
1. <u>Appointment</u> .	1. <u>Appointment</u> .
a. Nine (9) Members, one (1) from each community-	
based organization and who have been selected as	
outlined in sub. (3)(a)3,	
	Upon any vacancy on the Board, new members and
	alternates to the Board
shall be appointed by the Mayor and the Common	shall be appointed by the Mayor in consultation with
Council and confirmed by the Common Council.	Common Council leadership from the pool of
	applicants described in sub. (3)(a)3 and confirmed by
	the Common Council.
b. One (1) Member and one (1) alternate Member shall	
be appointed by the Mayor and confirmed by the	
Common Council.	
c. One (1) Member and one (1) alternate Member shall	
be appointed and confirmed by the Common Council.	

Proposed Change: In appointing new members and alternates from the pool of applicants described in sub. (3)(a)3, the Mayor and Common Council shall ensure that nine (9) of the eleven (11) total seats on the Board are filled by applicants nominated by the community based organizations, each filling no more than one (1) seat, and no more than two (2) seats out of the total eleven (11) seats on the Board filled by applicants without a nomination by a community-based organization.

120

## Further Streamlining:

Current Language	Proposed Changes
(c) <u>Terms and vacancies</u> .	1.Terms. Notwithstanding the terms of Sec. 33.01,
1. Terms. Members shall have staggered four-year terms,	MGO, members shall have staggered four-year term.
except that when the Board is initially created and filled,	
five (5) members shall be appointed for four-year terms,	
three (3) Members shall be appointed for three-year	
terms, and five (5) Members, including the two (2)	
alternate Members, shall be appointed for two-year	
terms.	

## Further Streamlining:

#### **Current Language Proposed Changes** 6)Executive Subcommittee. 6)Officers and Executive Subcommittee. Notwithstanding the provisions of M.G.O. § 33.01(7)(a), the Board shall elect from its membership a Board Chair and a Board Vice Chair in January of every odd numbered vear. After such election. The Board shall create a five-member Executive The Board shall create a five-member Executive Subcommittee, consisting of the Board Chair, the Board Subcommittee, consisting of the Board Chair, the Board Vice Chair, and three (3) additional members selected by Vice Chair, and three (3) additional members selected by the Board. Members shall serve two-year terms on the the Board. Members shall serve two-year terms on the Executive Subcommittee. Members may serve on the Executive Subcommittee. Members may serve on the Executive Subcommittee for a maximum of two (2) Executive Subcommittee for a maximum of two (2) Executive Subcommittee terms. The Chair of the Board Executive Subcommittee terms. The Chair of the Board shall serve as Chair of the Executive Subcommittee and shall serve as Chair of the Executive Subcommittee and the Vice Chair of the Board shall serve as Vice Chair of the the Vice Chair of the Board shall serve as Vice Chair of the Executive Subcommittee. Executive Subcommittee. Upon any permanent vacancy of the Executive Subcommittee, the Board Chair shall be able to select a temporary replacement from the Board membership until the Board is able to choose a replacement. The Executive Subcommittee shall meet at least monthly The Executive Subcommittee shall meet at least monthly

in order to provide feedback and direction to the Monitor

in between Board meetings. At all times, the Executive

Subcommittee shall keep the Board informed of the

Monitor's work."

in order to provide feedback and direction to the Monitor

in between Board meetings. At all times, the Executive

Subcommittee shall keep the Board informed of the

Monitor's work.

## Timeline: League of Women Voters (LWV) Amendment

- 8/29/2024:
- Ms. Fullin emailed me directly as a representative of the League of Women Voters to let me know they were going to propose changes to at the PCOB meeting and to ask for a meeting. I sent the information to Attorney Haas to provide feedback and stated that I felt the changes were reasonable, and to work on changes. (email was forwarded to Atty Schauer)
- PCOB Meeting:
- o I was not at this meeting, watched recording 02/23/2025
- o Ms. Fullin, who identified herself as a representative of the League of Women Voters, presented to the board an ordinance change.
- Chair Kilfoy Flores shared appreciation for the League's work
- "I wholeheartedly agree with everything you just mentioned. I
  think that limiting nine organizations creates a roadblock that is
  unnecessary", Ms. Burnett
- A motion was passed

#### 09/04/2024:

- Call came in with LWV to discuss changes, I was traveling and asked for a second meeting date
- Ms. Fullin contacted Attorney Schauer to invite him to the meeting. The
  attorney included me on the reply indicating that it was up to me to
  request his presence at the meeting. I asked for attorney to be in the
  call.
- As per my 8/29 request, the attorney emailed the ordinance draft and included Ms. Kilfoy Flores in the email.
- <u>09/11/2024</u>: Met with Ms. Fullin, Mary Aglin and attorney. The changes suggested at the 8/29 meeting were presented.
- Between 9/4 and 9/18 additional input was collected
- 09/19/2024: Legistar file was created
- 09/21/2024: PCOB Chair Flores reached out with concerns about discussions happening without her. This is the first time the chair reached out, three weeks after the 8/29 meeting and two and half weeks after the draft was shared via email. She let me know that the CRT will be reaching out to advocate against the changes.

From: Amy Owen

To: Police Civilian Oversight Board

Cc: <u>All Alders</u>

**Subject:** Vote no on Amendment 2

**Date:** Wednesday, February 26, 2025 4:14:10 PM

Some people who received this message don't often get email from amydowen@hushmail.com. <u>Learn why this is</u>

<u>important</u>

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

#### Dear Alders,

I am writing to urge you to vote NO on Amendment 2 at tonight's PCOB meeting, and allow the selection of members on the PCOB to proceed as originally intended. This amendment would remove the critical voice of leadership from organizations who serve those impacted by the justice system and who are well positioned to represent the views, needs, and solutions from these communities. Oversight only works when it remains independent, and essential community trust will be lost without independence.

Thank you,

Amy Owen 3129 Buena Vista Street Madison WI 53704 From: Parmentier, Genevieve M

To: Police Civilian Oversight Board

Cc: All Alders

Subject: Urging the Subcommittee to Vote Against Tonight"s Amendment, Agenda item #2

**Date:** Wednesday, February 26, 2025 7:20:14 PM

#### Good evening,

I am writing to voice my concern about the proposed amendment, and with the hope that the ordinance amendment be withdrawn. Specifically, it is critical to the success of the PCOB that that nine group nominating step and the budget cap stays as is.

I have confidence in the OIM admin to fully develop and actualize a handbook of best practices to guarantee regular quorum and timely transition, along with their many other tasks and I urge the committee to support the OIM in developing their administrative handbook and best practices and vote "no". I do not think it is in the best interest of the OIM and the community it serves to give the mayor full power to appoint without community group nominations. This is not viable or effective as a solution to quorum and transition issues.

Sincerely,

Gen Parmentier

From: <u>Amelia Royko Maurer</u>

To: Police Civilian Oversight Board; All Alders

**Subject:** Please vote NO to Council President's amendment to the PCOB ordinance

Date: Wednesday, February 26, 2025 6:00:42 PM

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

Dear Members of the Police Civilian Oversight Board and Common Council,

I am writing to urge you to vote against the Council President's amendment to the PCOB ordinance and, Council President, please withdraw the ordinance amendment so that this wastes no more time or taxpayer dollars. The amendment isn't needed for admin development. It solves nothing, it only opens the PCOB to political and police capture and again, it wastes time and money.

Please do not remove the nine group nominating step nor the \$1 million operational budget cap for nominating community groups from the ordinance. The nine group step is critical for safeguarding the PCOB from political and police capture and groups with smaller budgets are historically left out of these important positions. Neither address the administrative gaps the Council President has used to justify her amendment.

Council Members specifically, the OIM Admin is already developing and implementing a handbook of best practices to guarantee regular quorum and timely transition among their many other tasks. These admin gaps existed because the office was brand new, being built from scratch through extraordinary circumstances including a pandemic, having to hire two IMs, hired IM went on extended leave before admin and data analyst were hired, lawsuit, attempted murder of PCOB chair, political jockeying and meddling for 6 months which has wasted valuable time and tax dollars! There is no prefab OIM Department Kit one can order! They are doing the work! Please, let's get out of their way and help them in ways that are helpful!

Giving the mayor full power to appoint w/out community group nominations as a solution to quorum and transition issues is senseless.

1. Over the past 4 years, the majority of the mayor's appointees attended meetings the least. This isn't a judgement but there is no evidence that giving the mayor power to appoint without the nine group step will solve quorum issues.

- 2. The mayor's own appointees were not ready for transition on time.
- 3. There are committees throughout the city that have vacant seats. Where is the amendment to take nominating power from the mayor?
- 4. There are other city committees that have poor attendance records. Where is the amendment to take nominating power from the mayor?
- 5. Giving the mayor full appointment power will not solve administrative issues that the mayor already suffers from.
- 6. This ordinance amendment represents nothing but harm and double standards.

Additionally, no IM should be sculpting a list of applicants who will serve as the IM's bosses (PCOB). That's like having the chief sculpt a list of applicants for the Police and Fire Commission who are charged with hiring, firing and reprimanding the chief. An obvious conflict of interest. It doesn't belong in the ordinance.

When politicians use manipulative tactics to divide and conquer within the OIM and PCOB, that is not only in violation of their ordinance but it also a version of systemic cruelty. No one has the bandwidth for that. I have been hearing that this is going on. Please stop. If it continues, then it will have to be made public and no one has time for that!

Finally, I write this all out of the utmost respect for the members of the OIM and PCOB. You have signed up to do the honest, courageous and harrowing work of police oversight that few others are willing to do in large part because they are afraid. That includes this city's most powerful people.

- The District Attorney refuses to do this honest work of police accountability because if he does, he will be a target of police union ire, he will be without police cooperation in investigations and unelectable.
- Most officers refuse to do this honest work of police accountability or oversight because it will subject them to police union ire, they will be

- alienated or bullied out of a job and too often, have reason to fear for their safety. I work with such former and current police officers.
- The Police and Fire Commission has never done this honest work in response to civilian complaints in the entirety of its existence. Not even in the most egregious cases. They are appointed by the mayor and include a retired officer.

The PCOB and OIM deserve our respect and support in doing the honest work of their mission. They deserve to work without targets on their backs. They are doing what those lauded as the most courageous in American culture are afraid to do.

Thank you for your time,

Amelia Royko Maurer Core Member, the CRT

.

From: Connie Shaw

To: <u>Police Civilian Oversight Board</u>; <u>All Alders</u>

**Subject:** PCOB Ordinance amendment

**Date:** Wednesday, February 26, 2025 5:05:16 PM

Some people who received this message don't often get email from consternational@gmail.com. Learn why this is important

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

As far as I can tell, there is absolutely NO NEED for any amendment to the ordinance. I am especially opposed to any ordinance amendment that would undermine the independence of the PCOB!! Stop trying to "fix" something that isn't broken! Matter of fact, it works real well. All PCOB seats are now filled. And mechanisms have already been enacted that have effectively eliminated the issues with vacancies and tardy nominations. Stop...trying....to "fix" it!!

The independence of the PCOB MUST be preserved! Preserve the nine community partner backbone of the PCOB!! Stop...trying...to "fix" it! Do NOT take power away from the community. Power that has taken WAY TOO LONG to establish. Elected politicians should NOT have unconstrained power to select the members of the PCOB, since what's in the interest of elected politicians is most likely at odds with what is needed for effective police oversight! STOP TRYING TO "FIX" IT!!

Sincerely, Connie Shaw 1954 E. Washington Ave. #25 Madison, WI 53704 SHAW V. LEATHERBERRY From: <u>Lisa Zwart</u>

To: Police Civilian Oversight Board

Cc: All Alders

Subject: Please do not approve the ordinance ammendment to change the PCOB structure

**Date:** Wednesday, February 26, 2025 4:38:39 PM

Some people who received this message don't often get email from zwart.lisa@gmail.com. <u>Learn why this is important</u>

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Hello,

My name is Lisa Zwart and I am opposed to the referendum that would allow any resident of Madison to self nominate themselves and be chosen by the Mayor to sit on the PCOB and potentially have a very real conflict of interest to the meaning of what the PCOB was created for in the first place.

Independent community oversight should be without any influence or politics from city leaders. Or being able to hand pick who will be chosen as their preference.

By design, the PCOB and OIM is the first real progressive thing Madison has accomplished in my eyes. By the people, for the people. It's something that should not be changed and potentially contaminated by opening up to that possibility.

While I currently live in Cottage Grove, I was born and raised in Madison, WI and lived there for decades. I have many family members and friends who are residents, business owners and tax payers in Madison.

Please don't amend this ordinance in such a way that sabotages its very reason for existence in the first place.

Sincerely, Lisa Zwart 1002 St John St Cottage Grove, WI 53527

zwart.lisa@gmail.com 608-695-1124 From: KRISTIN MATHEWS

To: All Alders

Subject: PCOB Ordinance Amendment

Date: Tuesday, July 1, 2025 7:42:30 AM

Some people who received this message don't often get email from imkrzy4mm@att.net. Learn why this is

important

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

#### Dear Alders,

I am writing in support of the PCOB recommendation to place on file with prejudice the proposed ordinance amendment altering the PCOB appointment process in tonight's Common Council meeting. The PCOB made this recommendation in a unanimous vote. This ordinance amendment would undermine the crucial independence of the PCOB, and even in an amended version would be unhelpful and unnecessary. It attempts to address a perceived problem that no longer exists, having been successfully dealt with by other means. The current iteration of the PCOB is functioning very well and has never failed to make quorum. Please respect PCOB independence and vote to take the action recommended by the PCOB, leaving the ordinance as it is.

Thank you for your time,

Kristin Mathews

District 18, Madison

From: <u>Bill Newman</u>
To: <u>All Alders</u>

**Subject:** PCOB appointment process ammendment **Date:** Sunday, June 29, 2025 9:59:17 AM

Some people who received this message don't often get email from newmanwj@gmail.com. <u>Learn why this is</u>

<u>important</u>

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Dear Alders -

I am writing in support of the PCOB recommendation to place on file with prejudice the proposed ordinance amendment altering the PCOB appointment process (see Council agenda item #77 for your July 1 meeting).

The PCOB made this recommendation in a unanimous vote. This ordinance amendment would undermine the crucial independence of the PCOB, and even in an amended version would be unhelpful and unnecessary. It attempts to address a perceived problem that no longer exists, having been successfully dealt with by other means. The current iteration of the PCOB is functioning very well and has never failed to make quorum. Please respect PCOB independence and vote to take the action recommended by the PCOB, leaving the ordinance as it is.

 From:
 Amy Owen

 To:
 All Alders

 Subject:
 PCOB composition

**Date:** Thursday, June 26, 2025 9:05:55 AM

Some people who received this message don't often get email from amydowen@hushmail.com. <u>Learn why this is</u> important

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

#### Dear Alders,

I am writing again to ask you to please vote to keep the nomination process for the PCOB the way it is and not vote for the proposed changes to the nomination and composition to the board. This committee has resolved the issue of needing to make quorum already, making this proposal unnecessary (which leaves me wondering why it has not been withdrawn already to better respect all your time). The work of the PCOB is even more valuable right now as community trust in law enforcement agencies is fracturing across the nation, and the trust and credibility of this committee are inherently tied to its perceived independence. Please retain the PCOB as it is now.

Thank you, Amy Owen 3129 Buena Vista Street Madison WI 53704

P.S. Thank you also for investing in the Imagination Center at Reindahl Park.

From: Jake Rodgers
To: All Alders

**Subject:** Oppose Agenda Item 77 Tomorrow **Date:** Monday, June 30, 2025 8:42:10 PM

Some people who received this message don't often get email from jjrodgers1994@gmail.com. Learn why this is

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

#### Dear Alders,

I am writing in support of the PCOB recommendation to place on file with prejudice the proposed ordinance amendment altering the PCOB appointment process (see Council agenda item #77 for your July 1 meeting). The PCOB made this recommendation in a unanimous vote. This ordinance amendment would undermine the crucial independence of the PCOB, and even in an amended version would be unhelpful and unnecessary. It attempts to address a perceived problem that no longer exists, having been successfully dealt with by other means. The current iteration of the PCOB is functioning very well and has never failed to make quorum. Please respect PCOB independence and vote to take the action recommended by the PCOB, leaving the ordinance as it is.

Sincerely,

Jake Rodgers

2518 East Johnson Street

From: Jake Winkler
To: All Alders

**Subject:** Amendment to change the PCOB appointment process

**Date:** Tuesday, July 1, 2025 3:25:17 PM

Some people who received this message don't often get email from trappedinink@gmail.com. Learn why this is

<u>important</u>

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

I am staunchly opposed to the amendment, which would gut PCOB's community representation, which is precisely what it needs to be effective.

The PCOB itself and its Policy subcommittee have both unanimously voted against this amendment. Honor the PCOB's recommendation.

Jake Winkler MSW candidate '25 District 15

#### 85327 Figuero Cole amendment

3. Nominated by community-based organizations. The Office of the Independent Monitor Mayor and Common Council, in collaboration with the Department of Civil Rights, shall seek nominations from a designated set of nine (9) community-based organizations that have an interest in civil rights, immigrant rights, disability rights/mental health, racial equity and social justice, and that also have an interest in the safety of the city and criminal justice reform. Priority shall be given to organizations with budgets under \$1 million. The designated set of organizations shall be initially created in conjunction with the adoption of this Ordinance and the Monitor, Board, and Common Council shall ensure that it is updated at least every two (2) years. Each community-based organization shall submit two (2) names and applications to the Mayor and Common Council, except that an organization may re-nominate a member whose term is expiring without submitting three names. The Mayor and Common Council shall appoint one (1) person nominated by each organization. In the event that a community organization or organizations does not submit two (2) nominations when requested or does not re-nominate a current member, the Mayor and Council Leadership shall make an appointment from the pool of any eligible applications to submit for confirmation to the Common Council. (Am. by ORD-22-00118, 11-11-22; Am. by ORD-24-00006, 1-17-24)

From: <u>Lisa Zwart</u>
To: <u>All Alders</u>

**Subject:** Opposition of agenda item 77 **Date:** Tuesday, July 1, 2025 4:17:57 PM

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<u>ımportan</u>

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

#### Dear Alders,

I am writing in support of the PCOB recommendation to place on file with prejudice the proposed ordinance amendment altering the PCOB appointment process (see Council agenda item #77 for your July 1 meeting). The PCOB made this recommendation in a unanimous vote. This ordinance amendment would undermine the crucial independence of the PCOB, and even in an amended version would be unhelpful and unnecessary. It attempts to address a perceived problem that no longer exists, having been successfully dealt with by other means. The current iteration of the PCOB is functioning very well and has never failed to make quorum. Please respect PCOB independence and vote to take the action recommended by the PCOB, leaving the ordinance as it is.

Sincerely,

Lisa Zwart 1002 St John St Cottage Grove, WI



File ID: 85327

#### **City of Madison**

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

#### Master

File Number: 85327

File Type: Ordinance Status: Council New

**Business** 

Version: 1 Reference: Controlling Body: Attorney's Office

File Created Date: 09/19/2024

File Name: PCOB Appointments Final Action:

Title: Amending Section 5.20 of the Madison General Ordinances to modify the Police

Civilian Oversight Board appointment process.

Notes: 6904PCOBAppointments

Sponsors: Satya V. Rhodes-Conway And Yannette Figueroa Effective Date:

Cole

Attachments: Enactment Number:

Author:Andrew SchauerHearing Date:Entered by:mglaeser@cityofmadison.comPublished Date:

#### **History of Legislative File**

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	09/19/2024	Referred for Introduction				
	Action Text:	This Ordinance was Ref	erred for Introduction	on			
	Notes:	Police Civilian Oversight Bo	ard (9/26/24), Comm	on Council (10/8/24)			

#### **Text of Legislative File 85327**

#### **Fiscal Note**

[Enter Fiscal Note Here]

#### Title

Amending Section 5.20 of the Madison General Ordinances to modify the Police Civilian Oversight Board appointment process.

#### **Body**

DRAFTER'S ANALYSIS: Under the current ordinance, each appointment to the Police Civilian Oversight Board ("PCOB") must be nominated by a local community organization on a designated list created by the Common Council. While still encouraging the involvement of local community organizations, this Ordinance Amendment removes this requirement, instructs the Office of Independent Monitor to collect applications for membership to the PCOB into a pool of applicants from whom the Mayor and Common Council Leadership will appoint new PCOB members, and otherwise streamlines the process. The Ordinance Amendment also makes other changes to the election of PCOB leadership.

The Common Council of the City of Madison do hereby ordain as follows:

- 1. Paragraph 2. entitled "Diverse Composition" of Subdivision (a) entitled "Members" of Subsection (3) entitled "Board Composition" of Section 5.20 entitled "Police Civilian Oversight Board" of the Madison General Ordinances is amended as follows:
  - "2. <u>Diverse Composition</u>. In considering the nomination and applicants of the Board, the Common Council shall strive to consider members who have lived experience with homelessness, mental health, substance abuse and/or arrest or conviction records and shall further strive to include members from a diverse background, including but not limited to:
    - a. Members who are:
      - i. African American;
      - ii. Asian;
      - iii. Latinx;
      - iv. Native American; and
      - v. From the LGBTQ community.
    - b. Members affiliated with an organization in the field of:
      - Mental Health;
      - ii. Youth Advocacy; and
      - iii. AODA.
    - c. Members with an arrest/conviction record.
    - d. In constituting the Board as outlined above, the Mayor and Council shall ensure that members represent a diversity of age, socioeconomic status, gender, geographic residence, and work experience.

Individual members may represent more than one of the categories listed. "

- 2. Paragraph 3. entitled "Nominated by Community-Based Organizations" of Subdivision (a) entitled "Members" of Subsection (3) entitled "Board Composition" of Section 5.20 entitled "Police Civilian Oversight Board" of the Madison General Ordinances is amended as follows:
  - "3. Nominated by community-based organizations Applications. The Mayorand Common Council, in collaboration with the Department of Civil-Rights, Office of the Independent Monitor shall seek nominations applications from the public and a designated list set of nine (9) community-based organizations that have an interest in civil rights, immigrant rights, disability rights/mental health, racial equity and social justice, and that also have an interest in the safety of the city and criminal justice reform. Priority shall be given to organizations with budgets under-\$1 million. The Office of Independent Monitor, in consultation with the Mayor and Common Council, shall update the list designated set of organizations shall be initially created in conjunction with the adoption of this Ordinance and the Monitor, Board, and Common Council shall ensure that it is updated at least every two (2) years. Eachcommunity-based organization shall submit two (2) names and applications to the Mayor and Common Council, except that anorganization may re-nominate a member whose term is expiring withoutsubmitting three names. The Mayor and Common Council shall appoint

one (1) person nominated by each organization. In the event that a community organization or organizations does not submit two (2) nominations when requested or does not re-nominate a current member, The Office of Independent Monitor is charged with collecting applications from the community-based organizations and the public, and with creating a pool of eligible applicants for Board membership. The application for Board membership shall have a place for listing the support of a community-based organization from the list. Upon any vacancy of the Board, the Mayor and Common Council Leadership shall make an appointment from the pool of any eligible applications to submit for confirmation to the Common Council, as provided in sub. (3)(b)1."

- 4. Paragraph 1. entitled "Appointment" of Subsection (b) entitled "Appointment and Residency of Members" of Subsection (3) entitled "Board Composition" of Section 5.20 entitled "Police Civilian Oversight Board" of the Madison General Ordinances is amended as follows:
  - "1. Appointment. Upon any vacancy on the Board, new members and alternates to the Board shall be appointed by the Mayor in consultation with Common Council leadership from the pool of applicants described in sub. (3)(a)3, and confirmed by the Common Council.
    - a. Nine (9) Members, one (1) from each community-basedorganization and who have been selected as outlined in sub. (3) (a)3, shall be appointed by the Mayor and the Common Counciland confirmed by the Common Council.
    - b. One (1) Member and one (1) alternate Member shall be appointed by the Mayor and confirmed by the Common Council.
    - c. One (1) Member and one (1) alternate Member shall be appointed and confirmed by the Common Council."
- 5. Paragraph 1. entitled "Terms" of Subdivision (c) entitled "Terms and Vacancies" of Subsection (3) entitled "Board Composition" of Section 5.20 entitled "Police Civilian Oversight Board" of the Madison General Ordinances is amended as follows:
  - "1. <u>Terms. Notwithstanding the terms of Sec. 33.01, MGO, Members members</u> shall have staggered four-year terms, except that when the Board is initially created and filled, five (5) members shall be appointed for four-year terms, three (3) Members shall be appointed for three-year terms, and five (5) Members, including the two (2) alternate Members, shall be appointed for two-year terms."
- 6. Subsection (6) entitled "Executive Subcommittee" of the Madison General Ordinances is amended as follows:
- "(6) Officers and Executive Subcommittee. Notwithstanding the provisions of M.G.O. §
  33.01(7)(a), the Board shall elect from its membership a Board Chair and a Board Vice
  Chair in January of every odd numbered year. After such election, The the Board shall create a five-member Executive Subcommittee, consisting of the Board Chair, the Board Vice Chair, and three (3) additional members selected by the Board. Members shall serve two-year terms on the Executive Subcommittee. Members may serve on the

Executive Subcommittee for a maximum of two (2) Executive Subcommittee terms. The Chair of the Board shall serve as Chair of the Executive Subcommittee and the Vice Chair of the Board shall serve as Vice Chair of the Executive Subcommittee. <u>Upon any permanent vacancy of the Executive Subcommittee, the Board Chair shall be able to select a temporary replacement from the Board membership until the Board is able to choose a replacement. The Executive Subcommittee shall meet at least monthly in order to provide feedback and direction to the Monitor in between Board meetings. At all times, the Executive Subcommittee shall keep the Board informed of the Monitor's work."</u>

From: Barbie Jackson
To: All Alders

Cc: MOSES Executive Committee; JPTF - Justice and Policing Task Force; Barbie Jackson

**Subject:** 9/2 Common Council, Agenda Item 66: I support PCOB Recommendation

**Date:** Tuesday, September 2, 2025 1:27:33 PM

Some people who received this message don't often get email from barbie.g.jackson@gmail.com. <u>Learn why this</u> is important

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

#### Dear Alders:

This is my personal statement regarding the September 2, 2025 Common Council <u>Agenda</u>, Item 66: Amending Section 5.20 of the Madison General Ordinances to modify the Police Civilian Oversight Board appointment process, ref: <u>File # 85327</u>.

Although an active member of <u>MOSES</u> and its <u>Justice and Policing Task Force</u>, my statements are my own and do not represent the organization.

I support the August 20, 2025 recommendation of the Police Civilian Oversight Board (PCOB):

to make the following change to MGO Section 5.20(3)(a)3: "The Office of the Independent Monitor, in conjunction with the Police Civilian Oversight Board, shall seek nominations from a designated set of nine (9)...."; and to make no other changes to the Ordinance.

This recommendation excludes the Mayor and Common Council, in collaboration with the Department of Civil Rights, from the appointment process specified in the Ordinance. I support that change, which is in the spirit of a portion of the 85327 Figuero Cole amendment. Although I would support that noted exclusion in the Figuero Cole amendment, I oppose the remainder of the amendment, which excludes the PCOB from the appointment process and which eliminates the existing provision of the Ordinance to give priority to organizations with budgets under \$1 million.

The intended purpose of the Police Civilian Oversight Board is to directly represent impacted communities, especially disproportionately impacted Black and brown people in our community. As such, it is inappropriate for the Mayor and Common Council to have a role in the appointment process. Additionally, community organizations with larger budgets are part of the institutional power structure of the city and are more centrist, while organizations with smaller budgets are closer to the grassroots this body was formed to represent.

I urge the Common Council to amend the Ordinance to comply with the recommendations of the PCOB, to cease re-referrals to the PCOB, and to dispense with any future amendment proposals.

Sincerely,

Barbie Jackson, MOSES Vice President and 58 Year Resident of Madison 6441 Dylyn Drive
Madison, WI 53719
<a href="mailto:barbie.g.jackson@gmail.com">barbie.g.jackson@gmail.com</a>
608-234-8118



2025-09-02 Statement re: Police Civilian Oversight Bo...

From: <u>Helyn Luisi-Mills</u>

To: All Alders; Figueroa Cole, Yannette

**Subject:** Agenda item 85327

**Date:** Tuesday, September 2, 2025 2:27:48 PM

Some people who received this message don't often get email from luisimills@gmail.com. Learn why this is

<u>importan</u>

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Hello,

I am writing to say that I would like to Common Council to vote on the agenda item 85237 based on the language from the PCOB and not on any other changes. I am in favor of the proposed language.

Thank you,

Helyn Luisi-Mills 1805 Kenneth St.

From: Nicholas Davies
To: All Alders

Cc:Martinez-Rutherford, Dina NinaSubject:Yes to alternate on item 66 (85327)Date:Tuesday, September 2, 2025 5:50:26 PM

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

Dear alders,

Ahead of your meeting tonight, I just want to express my support for Alder Madison's alternate for item 85327 (66 on tonight's agenda).

This item has gone through a long process and it has taken dedication to keep working on it, so thanks to Alder Figueroa Cole as well.

Thanks,

Nick Davies 3717 Richard St 
 From:
 Amy Miller

 To:
 All Alders

 Subject:
 agenda item # 66

**Date:** Tuesday, September 2, 2025 7:50:10 PM

Some people who received this message don't often get email from ajmille2@uwalumni.com. <u>Learn why this is</u> important

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

#### Dear Alders,

I am writing in support of Alder Madison's alternate PCOB ordinance amendment version, which matches what the PCOB unanimously recommended, and in opposition to Alder Figeroa Cole's amendment version. The latter would eliminate prioritization of smaller community organizations for seats on the PCOB. Eliminating this provision would tend to effectively consolidate power in organizations that already have access and a voice, at the expense of smaller, more grassroots organizations. This would tend to reduce the PCOB's potential as a platform for more marginalized voices and as a vehicle for substantial meaningful change. Please vote for Alder Madison's amendment version

Sincerely, Amy J Miller 1507 Rutledge St. From: Amy Owen
To: All Alders

**Subject:** Please support Alder Madison's Amendment for the PCOB

Date: Tuesday, September 2, 2025 4:55:28 PM

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

#### Dear Alders,

I am writing to request that you vote in support of Alder Madison's alternate ordinance amendment for the PCOB, in reference to item #66 on the Common Council meeting agenda. Please allow organizations that would be good candidates to serve our city participate in this role, regardless of size or budget. Alder Figuero-Cole's version seems to continue excluding smaller organizations from being allowed to serve on the PCOB, but I as a city resident really want to ensure that organizations focused on serving their communities and not just fundraising for big bucks are given an equal chance to be a part of building community safety. Often smaller organizations have more credibility among communities disproportionately targeted by the justice system, and are better positioned to bring concerns and solutions to the work of this Board, resulting in higher community trust and better policies and practices. Let's ensure these small organizations have the same chance large ones do, there's really no argument that we will have better community safety when we exclude them, and there have not been attendance issues for months. Let the PCOB proceed with the role it has been given and stop holding up their work with one thing or another. Thank you,

Amy Owen 3129 Buena Vista Street Madison WI 53704 From: Amelia Royko Maurer

To: All Alders

Cc: Duncan, John; Ochowicz, William; Field, Derek; Verveer, Michael; Vidaver, Regina; Mayer, Davy; Lankella, Badri;

Govindarajan, MGR; Pritchett, Joann; Figueroa Cole, Yannette; Tishler, Bill; Matthews, Julia; Evers, Tag; Knox Jr., Isadore; Martinez-Rutherford, Dina Nina; O"Brien, Sean; Madison, Sabrina; cdbechen@gmail.com; Glenn, Carmella;

Guequierre, John; Harrington-McKinney, Barbara

**Subject:** Alder Madison's alternate Police Civilian Oversight Board amendment

 Date:
 Tuesday, September 2, 2025 6:11:24 PM

 Attachments:
 Screenshot 2025-08-20 at 1.45.56 PM.png

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

Dear Alders,

I am writing in support of Alder Madison's alternate Police Civilian Oversight Board (PCOB) ordinance amendment version, which matches what the PCOB unanimously recommended, and in opposition to Alder Figueroa Cole's amendment version. The latter would eliminate prioritization of smaller community organizations for seats on the PCOB. Eliminating this provision would effectively allow organizations that already have political access and a civic voice to consolidate power at the expense of smaller more grassroots organizations.

This would tend to reduce the PCOB's potential as a platform for more marginalized voices and as a vehicle for substantial, meaningful change.

I would also like to point out how much time this amendment has wasted during PCOB meetings and encourage you to remember that during budget season.

Additionally, some have pointed to the legitimate challenges faced by the Independent Monitor (IM), as described in a recent *Isthmus* article, as justification for this amendment and a reduction in the mechanism's funding. However, the article has no relevance to the current PCOB — its members, their work, or their progress. The current PCOB has consistently met quorum and is addressing its responsibilities as promised. Yet since the start of this year, their efforts have been obstructed by this unnecessary and distracting amendment, compounded by the disrespect shown by its author, who has refused to take seriously the board's formal decision to file the amendment with prejudice.

Finally, I want to clarify that when I've spoken or written to you about this amendment — its origins and how I believe it reflects upon its author — my words have been wrongly attributed to other members of the Community Response Team. Unless I or another member explicitly state that a message represents the views of the entire team, it should not be assumed to do so. So please be clear: this message represents my views alone, regardless of what others may claim.

Thank you, Amelia Royko Maurer

## IN SELECTING PCOB MEMBERS, WHY IS IT IMPORTANT TO PRIORITIZE NOMINATING GROUPS WITH BUDGETS UNDER 1 MILLION?

#### PRIORITIZE (PCOB COMMUNITY ARCHITECTS)

#### DO NOT PRIORITIZE (ALDER FIGUEROA COLE)

- The current ordinance language does not exclude larger organizations from holding seats on the PCOB, but helps ensure seats for smaller community organizations.
- Smaller grassroots community organizations that depend less on large budgets cannot be silenced with threats to their funding.
- Smaller grassroots community organizations do much of the actual political work of defending those who are often ignored, of fomenting change, and are more likely to be adversarial to the power structure.

- Larger organizations connected to influential donors have more political sway and are, by default, prioritized.
- The PCOB would be recapitulating the usual setup of institutional power in Madison with organizations that already have access (while ignoring broader and more marginalized voices).
- Large organizations that depend on public funding tend to be more centrist and careful when challenging power.
- The only group on the current list without any funding is the Community Response Team making this 8 month, timeconsuming, public \$-wasting effort seem targeted.



#### **City of Madison**

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

**Effective Date:** 

#### Master

File Number: 89610

File ID:	89610	File Type: Discussion Item	Status:	Discussion Items
Version:	1	Reference:	Controlling Body:	POLICE CIVILIAN OVERSIGHT BOARD
			File Created Date :	08/19/2025
File Name:			Final Action:	
Title	Discussion of Pa	COB priorities and values it wishes to se	so in the payt MDD C	hiof

Attachments: Enactment Number:

Author: Hearing Date:

Entered by: cnjoku@cityofmadison.com Published Date:

#### **History of Legislative File**

Sponsors:

 Ver- Acting Body:
 Date:
 Action:
 Sent To:
 Due Date:
 Return
 Result:

 sion:
 Date:

#### **Text of Legislative File 89610**

Title

Discussion of PCOB priorities and values it wishes to see in the next MPD Chief



#### **City of Madison**

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

Return

Date:

Due Date:

Result:

#### Master

File Number: 89611

File ID:	89611	File Type:	Discussion Item	Status:	Discussion Items
Version:	1	Reference:		Controlling Body:	POLICE CIVILIAN OVERSIGHT BOARD
				File Created Date :	08/19/2025
File Name:				Final Action:	
Title:	NACOLE Confere	nce Last Call			
Notes:					
Sponsors:				Effective Date:	
Attachments:				Enactment Number:	
Author:				Hearing Date:	
Entered by:	cnjoku@cityofmadis	son.com		Published Date:	
listory of Legis	lative File				

Sent To:

#### **Text of Legislative File 89611**

Date:

Action:

Title

sion:

Ver- Acting Body:

NACOLE Conference Last Call