



City of Madison

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

Meeting Minutes - Approved PUBLIC SAFETY REVIEW COMMITTEE

*Consider: Who benefits? Who is burdened?
Who does not have a voice at the table?
How can policymakers mitigate unintended consequences?*

Wednesday, October 14, 2020

5:00 PM

Virtual Meeting

CALL TO ORDER / ROLL CALL

Present: 8 - Christian A. Albouras; Patrick W. Heck; Brenda K. Konkel; Matthew D. Mitnick; Mary T. Anglim; Allen M. Rickey; Barbara Harrington-McKinney and Charles Myadze
Excused: 1 - Gideon W. Amoah

APPROVAL OF MINUTES

Anglim made a motion to approve the September 16, 2020 minutes. Mitnick seconded the motion. Alder Heck indicated that Gideon Amoah was absent at the September meeting and on item number 2, it should be changed to reflect in the roll call vote as Amoah being absent instead of an aye vote. The text indicates the correct vote. There was a unanimous vote for approval of the minutes based on this correction.

PUBLIC COMMENT

No other public comment in addition to those registered for a specific agenda item. Public comment listed under the specific agenda item.

DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

NEW BUSINESS/ACTION ITEMS

1. [61968](#) Approving the acceptance of CPR/AED Training Equipment (valued at \$5,017.43) from Firehouse Subs Public Safety Foundation, Inc.
A motion was made by Anglim, seconded by Heck, to Return to Lead with the Recommendation for Approval to the FINANCE COMMITTEE. The motion passed by voice vote/other.
2. [62393](#) Rescinding Emergency Order #2 and Directing City Staff to Enforce Ordinances Against Encampments in the City Parks and to Investigate Other Temporary Housing Options for the Unsheltered Homeless Population

Attachments: [RegistrantsReport-733PM CDBG 11-5-20.pdf](#)
[Park Commission Public Comment Leg File 62393 TPE Resolution-10.14.20 Karen Anduro 2020-10-14 Karen Andro letter appealing for emergency camp Park Commission Public Comment Leg File 62393 TPE Resolution-11.04.20. Version 1](#)
[CDC Interim Guidance on Unsheltered Homelessness and COVID-19](#)
[McPike Pictures](#)
[Robert Christl In support of confirming mayoral emergency #2.pdf](#)
[Public Comment from October 14, 2020.docx](#)
[RegistrantsReport-PriorMeetings.pdf](#)
[12/1/20 CCEC Email 62393.pdf](#)

A motion was made by Heck, seconded by Anglim, to Return to Lead with the Recommendation to Place on File to the COMMON COUNCIL EXECUTIVE COMMITTEE.

ERIK LINDBERG-WYSOCKI
1036 Williamson Street
Madison WI 53703
Oppose, Yes, I want to speak.

Bad time to move individuals during COVID. Police would need to assist with only 3 park rangers. Still exploring options and encampments are better than the streets with COVID as it is a personal place to store belongings. For those living in an encampment it is a community and provides relationship building. Before going forward and moving people there needs to be a plan for Winter and there are tents that can be made to get through the Winter.

MICHAEL HOROWITZ
5922 South Hill Drive
Madison WI 53705
Oppose, Yes, I want to speak.
More and more community members are experiencing homelessness. Forcing people into shelters and off of private land is forcing people into city/county jails.

CHARLIE RYAN
649 Tamarack Way
Verona WI 53593
Neither support nor oppose, Yes, I want to speak.
Understands concerns and is aware of issues going on at encampments. Concerned if the resolution proceeds then what, where are people going to go to shelter. COVID is not going away and not having an alternative plan in place this is not the time to do this and there is still a lot of work to do. Unfortunately, there is going to be more and more homeless on the streets.

ELIZABETH M BRUNO
4109 Drexel Ave
Madison WI 53716
Oppose, Yes, I want to speak
Not Present

KAREN ANDRO
203 Wisconsin Avenue

Madison WI 53703
Oppose, Yes, I want to speak
Encampments are a place to provide food, supplies, and is less harm for COVID for shelter workers, businesses, etc. Do not criminalize an opportunity to help people.

YANNETTE FIGUEROA COLE
4327 Milford RD
Madison WI 53711
Oppose, I do not want to speak, but I am available to answer questions.

OLIVIA WILLIAMS
2841 Moland St
Madison, WI 53704
Oppose, No, I do not want to speak

STACEY WILLIAMS
2441 Hoard St
Madison WI 53704
Oppose, No, I do not want to speak

ADRIENNE PAGAC
3322 Ridgeway Ave. Apt. 2
Madison WI 53704
Oppose, No, I do not want to speak

PHILIPPA BERGMANN
27 Anniversary Ct.
Madison WI 53704
Oppose, No, I do not want to speak

MARILYN FEIL
3634 Alpine Road
Madison WI 53704
Oppose, No, I do not want to speak

SKYLER VAN DE WEERD
121 Lakewood Gardens Lane
Madison WI 53704
Oppose, No, I do not want to speak.

The motion passed by voice vote/other.

3. [62413](#) Creating Section 23.63 of the Madison General Ordinances establishing a Ban on the Use of Face Surveillance Technology.

Attachments: [Novmember 18, 2020 PSRC Registrants.pdf](#)
[62413 Version 1.pdf](#)
[62413 Version 2.pdf](#)
[62413 Version 3 - 2nd Substitute.pdf](#)
[62413 Version 4 - Alternate.pdf](#)
[12/1/20 Email Comments_62413.pdf](#)

Alder Heck made a motion to refer this item to the November meeting. Rickey

seconded the motion. Mitnick asked for clarification on why it would be referred. Acting Chief Wahl indicated it was introduced the week prior from the Council and to be able to provide clarification there would need to be more time. Mitnick objected the referral. Anglim indicated she would like to hear additional clarification from the police department. Alder Prestigiacomo indicated he would be okay with the referral if the police department feels it is necessary. Alder Heck encouraged the committee to contact Chief Wahl with any questions before the next meeting and for the police department to facilitate discussion at the November meeting. There was unanimous consent to refer to the November PSRC meeting.

Public Comment -
ELIZABETH M BRUNO
4109 Drexel Ave
Madison WI 53716
Support, No, I do not want to speak.

4. [62417](#) Repeal and recreate Section 23.20 and amending Section 1.08(3)(a) of the Madison General Ordinances to update regulations concerning cannabis and revise bail deposits for violations thereof.

Attachments: [62417 Schedule of Deposits.pdf](#)

Mitnick made a motion to approve all three items together. (62413, 62417, 62420) Myadze seconded the motion. There was unanimous consent from the committee to take all three items together with the motion for approval.

Public Comment -

ERIK LINDBERG-WYSOCKI
1036 Willy
Madison WI 53703
Support, Yes, I want to speak
Not Present

STACY HARBAUGH
336 Norris Court Apt 3
Madison WI 53703
Support, No, I do not want to speak

5. [62420](#) Amending Section 23.201(1) of the Madison General Ordinances to create an exception for possession of drug paraphernalia for cannabis and cannabis derivatives use.

Mitnick made a motion to approve all three items together. (62413, 62417, 62420) Myadze seconded the motion. There was unanimous consent from the committee to take all three items together with the motion for approval.

6. [62422](#) Amending Subsection (1) of Section 23.05 of the Madison General Ordinances to create a definition of cannabis and cannabis derivative and includes these terms in the definition of smoke-free and smoking.

Mitnick motion to approve all three items together. (62413, 62417, 62420) Myadze seconded the motion. There was unanimous consent from the committee to take all three items together with the motion for approval.

Public Comment -
STACY HARBAUGH
336 Norris Court Apt 3
Madison WI 53703
Support, No, I do not want to speak.

7. [62606](#) PSRC Recommendations for the Police Department budget

Attachments: [PSRC Budget Subcommittee Items to Consider \(002\).docx](#)

Mitnick shared an overview on the budget recommendations chart for the PSRC to consider that were discussed at the budget subcommittee meetings (document attached). Alder Heck asked two questions; will the PSRC let the subcommittee continue to have discussions on future budgets and getting the public involved and two; are there specific items in the table that is of interest from the PSRC. Alder Heck responded to Rickey's question on the authority of the Chief and the Council as it pertains to the police budget. City Attorney Haas followed-up with a little more detail in terms of the process and indicated at this level, the committee is free to make any recommendations they would want to the council and it would be up to the council to decide whether they can be enacted in the way that it has the authority to. Acting Chief Wahl shared his position from the police department. Mitnick made a motion to forward the report to council. Myadze seconded the motion. Anglim inquired which document is being referred the chart or the written report. Konkel shared the chart as the budget document has already been submitted to council. Anglim indicated she would not be supportive of sending the chart report as is indicating for those that have not been following the subcommittee work may not know what is being talked about and added there may be examples and additional information that is missing. Alder Heck agreed it could be confusing for council to receive the information in its current form however there were some items that could have impacts on the current ongoing budget discussions. He felt the subcommittee could meet again to fix those areas missing however discussed the budget timelines as a potential issue. Konkel inquired if the committee would oppose to the subcommittee meeting again and make the updates to the report and send to the council without coming back to the PSRC. Acting Chief Wahl reiterated his sentiments with the police department maintaining control with staff/units and expressed his issues with the subcommittee not reaching out to him for information beyond the basics. He spoke about the chart and the suggested elimination of units and positions and he would have liked to be able to share more detailed information before the report is given to council on a short timeline. Konkel shared they are not recommendations but the subcommittee identified areas of interest to be considered. Myadze made a motion to table until the November with the areas of concern being discussed and felt the subcommittee could allow time to meet with the Chief. Anglim seconded the motion. Alder Harrington McKinney expressed her opinion indicating it is a great document, however it is not complete and felt the subcommittee should work along with the Chief to allow the PSRC to have a better understanding on the recommendations and could be forwarded to the council at some point. Alder Heck agreed the document needs more work in its current form and may be overwhelming if forwarded to council and suggested there may need to be 5 or 10 roles on the table that could be presented to council on the manner the PSRC wants them to be presented. He shared if it is tabled it would mean the

PSRC has no input on the budget this year. Mitnick wanted to introduce an alternative motion. Konkel shared there has already been a motion to refer to council and then a second motion to table until November. Mitnick inquired if he could uphold the original motion to refer to council. There were no objections. Konkel shared now there are no motions on the table. Attorney Haas provided clarification on the process of the motions. Konkel inquired if there would be any objections to record unanimous consent to vote no to the motion on the table and allow Mitnick to withdraw his motion. Konkel shared the motion is to table and all of those in favor to table say aye and those opposed say no. A roll call vote was taken; Konkel – No, Rickey –Aye, Mitnick – No, Anglim – No, Myadze – Aye, Heck – No, Harrington McKinney – Aye, Albouras – Aye. There was a tie vote, the motion failed and will not be tabled. Mitnick made a motion to withdraw his first motion to send to council. Myadze seconded the motion to withdraw the motion. There was no objection from the committee. Mitnick made a motion to have the subcommittee meet one more time within a time period that has been stated to reflect the comments made at the PSRC tonight and if any PSRC members want to have input to attend the subcommittee meeting and the document would go to council from the subcommittee meeting and not come back to the PSRC. Anglim seconded the motion. Rickey inquired on the suggestion of inviting Acting Chief Wahl for his review. Mitnick indicated that the Chief would be invited to the subcommittee meeting. Albouras inquired if the PSRC would be delegating authority to the subcommittee to submit something on the PSRC's behalf and the final product would be developed at the subcommittee level to be submitted to the council. Mitnick shared that is correct. Alder Heck shared the language within the document should be neutral and not recommendations but rather available for council to look closer at the items considered and other items that are not important for this budget cycle could wait. There was discussion on the police department being present at the subcommittee meetings and their input. Captain Winter expressed she is at most meetings however doesnt know her place when to jump into the conversation to provide information or wait to be asked a question. A roll call vote was suggested on the motion for the subcommittee to reconvene again and send a report to council. There was discussion on the chair voting and tie situations. Myadze and Rickey were concerned with the previous motion regarding the chair voting and a tie vote. Attorney Haas shared information on voting procedures and in the future the chair should be the last to vote and Konkel agreed. Rickey – No, Mitnick – Aye, Anglim – Aye, Mydaze – Abstain, Heck – Aye, Harrington-McKinney – No, Albouras – No, Konkel – Aye. Motion passes.

Ayes: 4 - Patrick W. Heck; Brenda K. Konkel; Matthew D. Mitnick and Mary T. Anglim

Noes: 3 - Christian A. Albouras; Allen M. Rickey and Barbara Harrington-McKinney

Abstentions: 1 - Charles Myadze

Excused: 1 - Gideon W. Amoah

UNFINISHED BUSINESS

8. [62160](#) Madison Fire Department Budget Discussion

This item was referred given the timing of the budget discussion.

9. [61570](#) "8 can't wait policy review"

Attachments: [PSRC Eight Can't Wait Analysis final draft.docx](#)
[PSRC Eight Can't Wait Analysis 2nd draft 8 12 20.docx](#)

Anglim made a motion to refer to the November meeting. Rickey seconded the motion. There was unanimous consent from the committee.

This Discussion Item was Refer to the PUBLIC SAFETY REVIEW COMMITTEE due back on 11/18/2020

REPORTS

10. [61227](#) Update from Anglim on further research efforts - Our response to other community demands and initiatives (Breonna's law, 8 to abolition, NAACP and WSJ article)

Attachments: [searchWarrantservice.pdf](#)
[#8toAbolition.htm](#)
[NAACP letter.pdf](#)
[Wisconsin State Journal Article summarizing community demands.docx](#)
[Copy of Black Lives Matter Movement Demands WK 3 62420.xlsx](#)
[Daily Round Up 702.docx](#)

Anglim made a motion to refer to the November meeting. Rickey seconded the motion. There was unanimous consent from the committee.

This Discussion Item was Refer to the PUBLIC SAFETY REVIEW COMMITTEE due back on 11/18/2020

11. [62225](#) OIR recommendations subcommittee report

Konkel reported the subcommittee met once and went over the recommendations and got to item number 43. At the next subcommittee meeting there will be an election of a chair and to continue working through the recommendations.

12. [61534](#) Report from the Chair of the Budget Subcommittee

Attachments: [PSRC Subcommittee Meeting on June 22, 2020.pdf](#)
[Budget Workgroup for June 22, 2020.pdf](#)
[PSRC Subcommittee Agenda for July 3 2020.doc](#)
[Draft July 3 2020 Budget Subcommittee Minutes .docx](#)
[PSRC Budget Subcommittee Agenda for July 15 2020.docx](#)
[Draft PSRC Budget Subcommittee Minutes for July 15 2020.docx](#)
[PSRC Budget Subcommittee Agenda for July 29 2020.pdf](#)
[Draft PSRC Budget Subcommittee Minutes for July 29 2020.docx](#)
[7-29 PSRC Briefing \(Police Officer Costs Cap Budget Overview\).pdf](#)
[PSRC Budget Subcommittee Agenda for August 19 2020.pdf](#)
[Public Safety Review Committee Budget Subcommittee Minutes from August](#)
[PSRC Budget Subcommittee Agenda for August 25 2020.pdf](#)
[Draft August 25, 2020 Public Safety Review Committee Budget Subcommitte](#)
[PSRC Budget Report Outline.pdf](#)
[Police Presentation.pdf](#)
[MPD Staffing Overview-3.docx](#)
[Finance Presentation.pdf](#)
[2021 Police Operating Budget Transmittal Memo - Final.pdf](#)
[LESO Inventory.pdf](#)
[PSRC Inventory August 2020.pdf](#)
[Copy of 2021 MPD Projected Cost of Budgeted Civilian Positions.pdf](#)
[PSRC Budget Report.docx](#)
[PSRC Budget Report-Draft for Public Comment.docx](#)
[PSRC Budget Report- October Revised.docx](#)
[PSRC Items to Consider Final Version.docx](#)
[PSRC Budget Report- Final Version.pdf](#)
[PSRC Budget Report- Final Version.pdf](#)

Mitnick indicated he has nothing further to report.

13. [61585](#) Report from Chair of the Policy Subcommittee

Chair Myadze reported there was a scheduled meeting on October 15, however given not all of the work is completed the meeting will be canceled and rescheduled to another date to allow time to complete the work.

14. [50877](#) Report from the Madison Fire Department

Attachments: [Covid-19 Surveillance with 2019 data.xlsx](#)
[PSRC - Q3 2020.pdf](#)
[PSRC - Sep 2020.pdf](#)

Assistant Chief (AC) Price shared the importance of the burn towner that is used to conduct training and improve efficiencies and inquired if there is an Alder that could work on adding the burn tower back to the horizon list. Alder Albouras indicated he would send an e-mail to include AC Price and Laura Larsen from the Finance Department to start the process.

AC Price inquired if there are any questions from the documents attached to the report. There were no questions.

15. [62156](#) Report from the Police Department

Captain Winter reported with two Captain retirements in the East and North District there were six recent promotions. Command shift change will take place at the end of December and Officers, Detectives, Sergeants, and Investigators will change in early February. The recruits are in there last month of training and will go into field training on November 17. Due to promotions and personnel reassignments there will be a few new closed positions. Staffing plans are underway for Halloween and a non-sanctioned Freakfest event. There will be extra staff for the elections. The department is waiting on the outcome of the budget in the coming weeks and the process on hiring a new Chief is moving forward.

16. [61715](#) Recent gun violence

Attachments: [2021-04 PSRC Meeting Notes.pdf](#)

Captain Winter reported there has not been as many shot fired incidents. The Violent Crime Unit and the Task Force unit are working together to get a handle on it. The police department is working on utilizing a machine from the ATF, a federal agency that is used to track gun fired casings which can provide investigative leads and connections.

Acting Chief Wahl shared the number of shots fired is a disturbing trend with higher year to date totals. There is a lot of time, effort, and resources being used in investigating. There was a question regarding the response to overdoses. The Chief shared there was a grant earlier this year to respond to overdoses which would provide full funding for a police officer, a full or partial position from the fire department, and a community service worker from Journey Mental Health that will team up for a multi-disciplinary approach to overdoses and opioids.

17. [62154](#) Alder Report

Nothing to report at this time.

18. [62155](#) Chair/Co-Chair Report

Nothing to report at this time.

ADJOURNMENT

Albouras made a motion to adjourn. Mitnick seconded the motion. The meeting adjourned at 8:43 p.m.