92386 Govindarajan Amendment 1

DRAFTER'S ANALYSIS: This amendment clarifies the extent to which records of the Police Department may be shared with the Office of the Independent Police Monitor. It requires the Independent Monitor, Police Department and City Attorney to execute a memorandum of understanding regarding access to specific types of records, which is the current practice. The ordinance also removes computer databases from the type of records that may be shared with the Office of the Independent Monitor to ensure security and confidentiality of such databases.

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1. Subdivision (i) entitled "Access MPD Records" of Section (7) entitled "Powers and Duties of the OIM and Monitor" of Section 5.19 entitled "Office of the Independent Police Monitor" of the Madison General Ordinances is amended as follows:

(i) Access MPD Records. The OIM shall, to the extent permitted by law, have unfettered access to all MPD records, policies, Standard Operating Procedures, data, ~~computer databases,~~ and other information necessary to fulfill the duties of the OIM. The OIM, Police Department and City Attorney shall execute a written memorandum of understanding to define the degree of access to specific MPD records consistent with applicable state and federal law and MPD policies and procedures as necessary to protect the confidentiality of records when required by law."

2. Subdivision (d) of Subsection (10) entitled "Relationship of Monitor and MPD" of Section 5.19 entitled "Office of the Independent Police Monitor" of the Madison General Ordinances is amended as follows:

"(d) As provided in sub. (7)(i). above, to the extent permitted by law, the Monitor shall have unfettered access to MPD records, policies, Standard Operating Procedures, data~~, computer databases~~ and other information necessary to fulfill the duties of the OIM, and the MPD and Chief of Police shall ensure the Monitor's requests for such documents are fulfilled as soon as possible."