From: Erika Bach
To: Police Civilian Oversight Board; All Alders
Subject: Request to Reject OIPM & PCOB Ordinance Amendments
Date: Wednesday, April 1, 2026 5:52:41 PM

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Hello members of the PCOB Executive Committee and Madison Alderpeople,

I write in advance of the PCOB Executive Committee meeting on Wednesday, April 1, 2026 and as a follow up from the last meeting of 3/25/26. I request that Madison city alders withdraw their sponsored proposed amendments that have the result of infantilizing the OIPM/PCOB and to acknowledge the dedicated and consistent work the office and board have well underway. As many of you know, the PCOB now has many accomplishments to share and is a body of largely community volunteers, thus making it critical for the City to rise to the national standard and fund an equitable percentage of the annual operating budget to secure records access, technology, claimant's legal counsel or fees and to provide full staffing salaries and stipends for the OIMP/PCOB at livable wage rates.

Please reject all current amendments to the OIPM/PCOB ordinance(s), and any future amendments that erode the independence of said entities, as defined by the current ordinance. To postpone report writing requirements until the office is appropriately funded according to the national standard is a reasonable request for accommodation and will enhance the work product both quantitatively and qualitatively.

Reminiscent of the 9/1/2020 attempts to remove independence from the original ordinance, the most recent rush of amendments would negate the independence of the OIPM/PCOB. Madison has done the difficult work of forging opportunities to be a leader in police civilian oversight, just as each member of the PCOB has proven yourselves/themsleves to be. Rather than becoming a cautionary tale of NACOL's cases of resistance to independent oversight, we rally behind their staff and board to continue this charge with confidence and fidelity.

In keeping with the impassioned sentiments from recent meetings and out of respect for the concomitant effort that the OIPM/PCOB have put forth thus far, I respectfully ask the executive committee and all common council members to reject all amendments to the ordinance.

It is with deep gratitude for your service and the ways you endeavor for elected officials to be fully accountable, to make governance and policing transparent, and to keep local communities as safe as possible with the independence necessary to thrive. Rejecting these ordinance amendments will serve to do exactly that.

Thank you for considering this request and for all you do!

--

Best,
Erika

Erika Bach
erikambach@gmail.com
612.735.3404

From: Lizzie
To: All Alders
Subject: Oppose 5.19 and 5.20
Date: Friday, April 17, 2026 6:54:51 AM

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

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Dear Members of the Madison Common Council,
Thank you for your service and the time you take to listen to your constituents!
I am writing to oppose Ordinances 5.19 and 5.20 which are set for the agenda of next tuesdays meeting.

Madison took a bold and critical step by forming the Office of the independent police monitor and the civilian oversight board. These institutions provide a critical role in protecting the civil liberties and safety of our population and their ability to function independently is essential to the role.

Accountability for the police department is absolutely critical. Police are human beings who have emotions and past experiences that effect the current moment - they real people who have good and bad days, can be loving and hateful or careless and they are people who live in a society filled with prejudice. Mistakes are inevitable, acting from prejudice is real, and there are times civilians need protection from the very institution said to protect them.

These independent monitoring systems, OIPM and PCOB, are in place to protect human life. Their work is critical in revealing hard truths that must be faced. The work of the OIPM and PCOB is powerful in its independence from the city. Access to information from police records is critical for uncovering truths. Independence from the City Attorney is also important because the mission of the city attorney greatly differs from these boards.

Taking away independence and access of these boards is a form of avoiding the real issues.
Avoidance is a very smart response of the body, but our responsibility as civil adults is to face truths.
We need to find answers to complex problems that hold multiple truths, not limit freedoms.

Please vote no on Ordinance 5.19 and 5.20

thank you for your time,
Elizabeth Bruno

4209 Maher Ave
Madison WI
53716

--
"The totally awakened warrior can freely utilize all elements contained in heaven and earth. The true warrior learns how to correctly perceive the activity of the universe and how to transform martial techniques into vehicles of purity, goodness, and beauty. A warrior's mind and body must be permeated with enlightened wisdom and deep calm."

Morihei Ueshiba (Translated by John Stevens)

From: Nicholas Davies
To: All Alders
Cc: Martinez-Rutherford, Dina Nina
Subject: OIM needs resources, not just addl responsibilities (92386)
Date: Sunday, April 19, 2026 9:14:18 PM

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Dear alders,

Recently Bill Lueders uncovered via records request that MPD closed over a hundred internal investigations in just Q1 of 2026, and only two of them led to disciplinary action.

The list included:
25 investigations regarding police vehicles
14 regarding use of force
11 regarding legal authority
3 about weaponry
1 domestic abuse
1 sexual assault

Over a hundred cases, and all but 2 were dismissed? This is what non-independent accountability looks like.

Compared to the OIM, how many FTE staff did it take MPD to conduct and close over a hundred "investigations" per quarter?
How many other ancillary/admin roles contributed to their ability to do that, while at the same time being part of a compliant, fully-functioning city department?

While the goal of the changes to the Office of the Independent Monitor and Police Civilian Oversight Board may be well-intentioned, they will only further strain the scant resources provided to the OIM by...you all yourselves. You all put the OIM in an untenable situation, and now you're trying to blame them for it.

The OIM is a 2.6 FTE city department, and yet one of the "inconsistencies" identified was that the Data Analyst doesn't always clock out after working 0.6 FTE. This is just one example of how enforcing consistency between this tiny department vs. other departments with much greater resources would leave the OIM further under-resourced.

On their own, the proposed changes would have the OIM's 2.6 FTEs spending more of their time publishing reports more frequently, maintaining their website, and navigating MPD's arbitrary hurdles to get access to data, and less time doing their important work.

Therefore, if you're going to do this, then offset this burden. Finally bring the Data Analyst position up to 1 FTE, to account for all the additional work it's going to take, to connect to MPD systems the right way: securely yet independently. Make sure they have the administrative and IT support they need. Otherwise you're making the situation only more untenable.

Regarding the other proposed changes:

* I actually support having the city attorney handle administrative litigation so that the IM doesn't have to. It's not clear to me whether that'll actually be new, vs. what is already happening today.

* I do not support adding an alder to the PCOB. That will add a politicized seat to it, weakening its autonomy, and the attempt to do so seems like opportunism.

Thank you,

Nick Davies
3717 Richard St

From: Lucy Gibson
To: All Alders
Subject: Asking you to oppose amendments to Ordinance 5.19 and Ordinance 5.20
Date: Saturday, April 18, 2026 4:23:47 PM

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

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My name is Lucy Gibson and I live on the east side of Madison on Angel Crest Way. Sean O'Brien is my alder, but I'm making this appeal to all alders in Madison.
The Police Civilian Oversight Board and the Office of the Independent Police Monitor are important Madison agencies that can and should protect the rights of all citizens and help to ensure that Madison police are upstanding and accountable to all citizens. Madison ordinances 5.19 and 5.20 are meant to provide increased independence, transparency and accountability to investigations into officer conduct and community safety.
The PCOB and the OICM are meant to be independent of the influence of City politics and politicians. Placing an Alder on the PCOB, as provided in the proposed amendments, would directly damage that independence.
Further, requiring the OIPM to use the City attorney rather than an independent attorney, as proposed in the amendments, would create a conflict of interest, since the OIPM's purpose is to examine and critique the actions of City personnel.
The proposed change to the ordinances gives the Mayor the right to create policies with regard to the OIPM and PCOB which would be equal in weight to city ordinances. That would allow the Mayor to interfere with the independence of the OIPM and PCOB without any input from our elected Council, violating the idea of the original ordinances.
Because the PCOB and OIPM are supposed to investigate complaints against MPD, restricting their access to police records would hamstring their ability to do what they're supposed to do. But the proposed amendments include doing that. Where there's a concern about confidentiality, it would make sense to have an amendment state that release of information to the OIPM and PCOB will be handled in accordance with all State and Federally mandated confidentiality laws. But allowing arbitrary restriction of release of police records to the two agencies allows for the possibility of corruption and secrecy about police actions, obstructing the ability of the agencies to do the investigation they are supposed to do.
I was relieved, some years ago, that the PCOB and OIPM were established, because I thought they would improve our police force. I hope they will not be restricted in ways that damage their ability to do that. I ask that you not allow these amendments, so that the PCOB and OIPM can operate independently and thoroughly, protecting our citizenry and the integrity of our police department.
Thank you,
Lucy Gibson
1610 Angel Crest Way

Madison
608-332-3466

From: jhirsch@chorus.net
To: All Alders
Subject: 92386 - Support Amendments
Date: Sunday, April 19, 2026 2:22:46 PM

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Alders:

Item #55, Legistar 92386 - Amendments for OIM & PCOB

I ask you to **SUPPORT** the amendments.

For too long, these groups have disregarded the common practices and procedures that we all expect of our City staff, boards, committees and commissions. The reporting expectations are clearly outlined. They will provide the OIM and PCOB with significant opportunities to update everyone about their activities, performance and progress.

I applaud the work of Alders Vidaver and Govindarajan in their decision to make the OIM and PCOB more accountable to the residents of Madison. And, to Alder Mayer for proposing an additional avenue for communication with the Common Council.

Thank you for your work on this issue. Please vote "Yes".

Janet Hirsch
District 9

From: Eric Howland
To: All Alders
Subject: Regarding April 21, 2026 amendments to Madison General Ordinances 5.19 and 5.20
Date: Monday, April 20, 2026 11:24:28 AM

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To Madison Common Council

I am writing to support the Office of the Independent Police Monitor (OIPM) and the Police Community Oversight Board (PCOB). Specifically, I am asking you to vote against all amendments to Madison General Ordinances 5.19 and 5.20.

Police are given extensive life changing power in our society. It is critical that our legal system is operating in the way that, as a society, we intend it to operate. This requires oversight. The OIPM and PCOB are essential in providing a window into Madison's policing using an independent community lens. A lens which includes full participation by impacted community members. This is a perspective that is not often heard in policy discussions. This missing perspective makes it more difficult to address tough legal issues, including the extreme racial disparities in our legal system.

The OIPM and PCOB alone will not ensure our legal system operates the way we want, but these entities provide key information that will ground the kind of multi-dimensional solutions needed to address complex and interconnected social issues.

The current amendments are part of a long series of attempts to defund and/or weaken the OIPM and PCOB. However, the recent annual report demonstrates the utility of the OIPM and PCOB. It contains important information that Madison and the Common Council needs. Do not weaken the independence of the PCOB and OIPM.

Let these important organizations continue to find their feet and continue to develop as the asset they were designed to be. I ask that you do not let a set of last minute amendment weaken this voice.

For these reasons, I ask that you vote down the proposed amendments to Office of the Independent Monitor and Police Community Oversight Board.

Eric Howland
Resident of District 13
Madison WI 53711

From: Maryanne Huttleston
To: All Alders
Subject: Amendments to legislation 9286 item 55
Date: Sunday, April 19, 2026 5:06:42 PM

[Some people who received this message don't often get email from maryannehuttleston@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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To All Alders

Re: item 55

Please support the amendment to add increased accountability and oversight of OIC and PCOB.

Maryanne Huttleston
7 Honeylocust trail

Sent from my iPhone

From: Sunshine Jones
To: All Alders
Subject: Vote No on all amendments to the OIPM ordinance 5.19 and PCOB ordinance 5.20
Date: Tuesday, April 14, 2026 3:59:34 PM

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

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Sunshine Jones
4333 Crawford Drive
Madison, Wisconsin
53711

To : Yannette Figueroa Cole

I am writing to ask you to protect the independence of civilian oversight of MPD.

I request that you vote against all amendments to proposed amendments to the Office of the Independent Police Monitor (OIPM) ordinance 5.19 and Police Civilian Oversight Board (PCOB) ordinance 5.20. Rather than threatening the independence of the office, I ask that you seek to meet national recommendations for funding independent oversight and fully fund and staff the office and board next year.

I feel concerned that the main goal of the City Attorney is to prevent successful lawsuits and, if need be, they will do so at the expense of civil rights, and the health and safety of city residents. Given their mission, they have to deny that civil rights violations ever occur.

The main goal of the OIPM/PCOB is to ensure the civil rights, health, and safety of city residents and police officers through community engagement, independent investigation and review, transparency, and recommendations. By default, this reduces the need for lawsuits.

The City Attorney does not offer the same level of respect and client/collaboration privileges to the OIPM/PCOB as they do other city entities. Some in key leadership positions have repeatedly demonstrated this by violating their ordinance and Roberts Rules, talking down to the OIPM/PCOB, and surprising them with debilitating amendments that were in the works for weeks, sometimes months, without ever once reaching out to express concerns or collaborate. They do not do this to MPD.

The City Attorney's mission is in direct conflict with that of the OIPM/PCOB and they act like it and therefore, the City Attorney must not serve as their source of legal oversight, advice, and representation.

Thank you for your consideration.

Sunshine Jones

From: Joseph Keyes
To: All Alders
Subject: Please Vote in Favor of Common Council Agenda Item #55 - Reporting Requirements for the OIM and PCOB
Date: Sunday, April 19, 2026 8:09:46 PM

Some people who received this message don't often get email from jkeyes1a1@gmail.com. Learn why this is important

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Dear Alders,

I am asking you to vote in favor of Common Council agenda item #55, file 92386 to amend Madison ordinances and add public reporting requirements for the Office of Independent Monitor and Police Civilian Oversight Board. As noted in the April 18, 2026 WI State Journal article (linked here: Madison watchdog stored police data on personal device) there needs to be checks and balances in place to ensure state laws are not broken and that there is integrity in the Madison IT systems and data. These are simple, common-sense ordinance changes which are overdue. Again, please vote in favor of ordinance changes.

Respectfully submitted,

Joseph Keyes
District 11

From: Aaron Konkol
To: All Alders
Cc: Police Civilian Oversight Board
Subject: Request to reject all amendments to the OIPM/PCOB ordinance
Date: Wednesday, March 25, 2026 8:40:28 PM

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Dear alders & PCOB,

Please reject all current amendments to the OIPM/PCOB ordinance, and any future amendments that take away their independence, as defined by the current ordinance, and to postpone the report writing requirements until the office is appropriately funded according to the national standard.

These attacks waste life and tax dollars.

Again, please reject all amendments to the ordinance.
Thank you,

Aaron J. Konkol
2303 Hollister Ave
Madison, WI 53726

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From: Aaron Konkol
To: All Alders
Subject: PROTECT THE INDEPENDENCE OF THE OIPM & THE PCOB
Date: Monday, April 13, 2026 7:53:25 PM

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Dear Alder Mayer,

Before reading the proposed amendments to the Office of the Independent Police Monitor (OIPM) ordinance 5.19 and Police Civilian Oversight Board (PCOB) ordinance 5.20, and reasons why we urge you to oppose them all, it is important to acknowledge 4 facts that frame the relationship between the OIPM/PCOB and the driving force behind these amendments: the City Attorney's Office.

The main goal of the City Attorney is to prevent successful lawsuits and, if need be, they will do so at the expense of civil rights, and the health and safety of city residents. Given their mission, they have to deny that civil rights violations ever occur.

The main goal of the OIPM/PCOB is to ensure the civil rights, health, and safety of city residents and police officers through community engagement, independent investigation and review, transparency, and recommendations. By default, this reduces the need for lawsuits.

The City Attorney does not offer the same level of respect and client/collaboration privileges to the OIPM/PCOB as they do other city entities. Some in key leadership positions have repeatedly demonstrated this by violating their ordinance and Roberts Rules, talking down to the OIPM/PCOB, and surprising them with debilitating amendments that were in the works for weeks, sometimes months, without ever once reaching out to express concerns or collaborate. They do not do this to MPD.

The City Attorney's mission is in direct conflict with that of the OIPM/PCOB and they act like it and therefore, the City Attorney must not serve as their source of legal oversight, advice, and representation.

OIPM ordinance 5.19
https://library.municode.com/.../codes/code_of_ordinances...

PCOB ordinance 5.20 https://library.municode.com/.../codes/code_of_ordinances...

THE AMENDMENTS:
The most recent amendments to OIPM/PCOB ordinance are summarized below along with why we believe they are harmful. The amendments discussed in A-C are sponsored by Alders MGR and Sabrina Madison. The amendment discussed in D is sponsored by Alder Davy Mayers.

1.) Restricting data and records access:

- No access to computer databases
This is obstructive and incongruent with the national standard for police oversight.

- Play with confidentiality to restrict access.

- Arbitrary definition of key records as confidential could, in combination with this ordinance

amendment, end up greatly restricting the ability of OIPM to carry out its functions.

2.) Reducing access to MPD Records:

- In contrast with current ordinance language, which requires that MPD provide absolutely "unfettered access" to its records (to the extent permitted by law), the amendment would require negotiation "to define the degree of access to specific MPD records". And it mandates insertion of the City Attorney's Office, which has a structural conflict of interest with OIPM, into the execution of any negotiated agreement.

3.) Requiring that OIPM must follow all city rules and procedures, without exception.

- Adding this language to ordinance is unnecessary, because the city rules and procedures (on hiring, budgeting and purchasing, information technology systems, etc.) are already being followed by the OIPM/PCOB.

- This addition might seem harmless, but the added language undercuts the Independence provision within the OIPM ordinance.

- Under the existing ordinance language, a new Mayoral policy that targets the OIPM/PCOB would be without effect, because ordinances (laws) supersede policies (that can be written by a single person). Because the amendment would effectively give all policies the weight of law, mandating compliance without exception, it would allow a Mayor to write policies that infringe on OIPM/PCOB function and independence, or an administration, via the City Attorney, to interpret and enforce policies in a manner that infringes on OIPM/PCOB function and independence.

- This is a particular problem because of an underlying structural conflict of interest. Elected officials, such as mayors, often depend on the support of police officials, police unions, etc. in elections, and want to avoid embarrassing revelations, and thus tend to compromise the function and independence of civilian police oversight agencies. This has occurred repeatedly with civilian police oversight agencies across the country, crippling those agencies.

4.) Requiring that OIPM/PCOB use the City Attorney for most legal work, rather than an independent attorney:

- As stated at the start, this creates a severe problem, given the inherent conflict of interest.

- It allows use of an independent attorney only for a very restricted set of functions, mandating that the City Attorney be used for all else. This includes use of the City Attorney for four specific areas where city attorney offices and civilian police oversight offices are most often in conflict.

- For example, it mandates use of the City Attorney for all public records work. But the primary clients of city attorneys are elected officials (especially mayors) and police departments (with whom they necessarily have a close working relationship). City attorneys strive to prevent records that would embarrass elected officials or police departments from becoming public, undercutting transparency.

- Placing the amendment in the ordinance would greatly expand the City Attorney's power over OIPM/PCOB, and make it much more difficult for OIPM/PCOB to challenge the City Attorney's opinion, undermining OIPM/PCOB INDEPENDENCE.

- Because of the same inherent conflict of interest, the Police & Fire Commission uses an

independent attorney for all its functions, rather than the City Attorney. It makes no sense to, in contrast, require OIPM/PCOB to use the City Attorney.

5.) Adding an alder to the PCOB:

- Putting an elected official on a police oversight board directly curtails independence and contradicts universally recognized best principles for police oversight.

- As the National Association for Civilian Oversight of Law Enforcement (NACOLE) states: "One of the most important and defining concepts of civilian oversight of law enforcement is independence. In its broadest sense, it refers to an absence of real or perceived influence from law enforcement, political actors, and other special interests looking to affect the operations of the civilian oversight agency."

- As noted above, there is a fundamental structural conflict of interest between elected officials and civilian police oversight.

- For the very same reason, elected officials are not given seats on the Police & Fire Commission.

These proposed changes in ordinance language violate the letter and legislative intent of the original ordinance. Contrary to claims the City Attorney has made, they are the opposite of what Alders Kemble, Moreland and Bidar wrote and intended when the council passed the original ordinance.

The proposed amendments are being promoted based on past issues that are long since resolved or alleged issues that never actually occurred. They represent a failure to acknowledge that a new IPM, who started only four months ago, managed to already process multiple cases and put out an annual report with novel, important data analyses. They also represent a failure to acknowledge improvements, and how the volunteer board and understaffed/underfunded office are exceeding past goals and functioning effectively with excellent attendance. Such actions by alders cause frustration, exhaustion and burnout.

Misinformation and accusations of rule violations without evidence are driving repeated attempts to amend the ordinance in ways harmful to the OIPM/PCOB's ability to conduct independent police oversight. This pattern demonstrates a high level of unwarranted scrutiny that is disproportionately applied to this body when other groups that are violating rules experience no such attention. This behavior is the antithesis of collaboration. It demonstrates harmful biases and disrespect, and it harms the relationship between the OIPM/PCOB, staff, and Council.

Please leave the ordinances 5.19 and 5.20s as they are and instead focus your attention on meeting the funding and staffing needs of the OIPM and PCOB.

Sincerely,

Aaron J. Konkol
1334 Jenifer St, Apt 2
Madison, WI 53703

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From: Carol Eunmi Lee
To: All Alders; ellenfordistrict8@gmail.com; noah@noahforcouncil.com
Cc: Glass, Aeiramique
Subject: Madison Police Oversight
Date: Monday, April 20, 2026 1:59:06 AM

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

Dear Madison Alders,

I would first like to thank you for your productive and effective service. Your concerted efforts make this city a wonderful place to live. I have lived in Madison for 26 years and have really enjoyed the collegial community at my workplace and neighborhood. I have interacted with thousands of collegues in many different communities within Madison and am truly impressed with the vibrant and rich experiences that this city offers.

One of the great contributions to our community is the safety and accountability offered by the efforts of some exemplary members of our community. Unfortunately, shortly after my arrival here, many of my close colleagues departed from the University of Wisconsin, in part because of their encounters with Madison police. One distinguished faculty member that left for Harvard University complained about being repeatedly stopped by Madison police. He and several of my other colleagues have complained about "driving while Black," and their unfortunate encounters with Madison police.

More alarmingly, prior to the creation of our police oversight agency (PCOB/OIM), police shootings of unarmed civilians were once a common occurrence in Madison. Each year, there were needless shootings of multiple civilians, including Paulie Heenan (2012), Charles Carll (2013), Brent Brozek (2013), Ashley DiPiazza (2014), Tony Robinson (2015), and Michael Schumacher (2016). These and many additional shootings have been a traumatic and unfortunate part of Madison history. Paulie was a beloved member of the near East side community who was shot by police when he took a step forward while unarmed.

***Note that these shootings have now stopped, with the efforts of many members of our community and with the creation of the PCOB/OIM. In general, interactions between Madison police and the community have greatly improved. We should not take the current calm and lack of shootings for granted, given the recent history of Madison and the once frequent shootings. In this context, current proposals that would dilute the power and independence of the PCOB/OIM provide serious cause for concern.

I have noticed that my colleague Dr. Gregory Gelembiuk has been receiving negative press and his work has been critiqued. As a scientific colleague of Dr. Gelembiuk, I can state with utmost confidence that he is a first rate scientist who has generated research results of the highest quality. Dr. Gelembiuk has published excellent studies in the fields of ecology, evolution, virology, and cancer biology in top scientific journals, such as *Nature Communications*, *Journal of Virology*, *Nucleic Acids Research*, and *Molecular Ecology*. Dr. Gelembiuk has studied statistics from the top statisticians at the University of Wisconsin, and his statistical and computational analyses are impeccable. His approach is highly rigorous, applying the best principles when analyzing a data set. Greg is known to say what people do

not want to hear, but he has proven to be correct most of the time.

We should avoid going backwards, to the recent past when police shootings of multiple unarmed civilian shootings per year was the normal occurrence.

Feel free to reach out to me if you have any questions.

Professor Carol Lee

Carol Eunmi LEE, Ph.D.
Professor

Department of Biology
430 Lincoln Drive, Birge Hall
University of Wisconsin
Madison, WI 53706
carollee@wisc.edu

http://carollee.labs.wisc.edu

From: Erin Lemley
To: All Alders
Subject: Please OPPOSE Amendments to the Police Civilian Oversight Board
Date: Saturday, April 18, 2026 2:43:26 PM

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Dear Alder Matthews,

I want to thank you for your past support of the Police Civilian Oversight Board, and I want to encourage other Alders to extend their support to that board as well by OPPOSING amendments to the OIPM and PCOB. The city of Madison has worked hard to start an independent board, and there is more work to be done to make sure that it is funded to the national standard for such boards. Improving our PCOB certainly will not happen if its work is hamstrung by the proposed amendments.

I am frankly infuriated that after all the work that was done to make sure that the board could be independent of city politics, we are considering requiring use of the City Attorney, who has a real incentive to protect the city (including Police Officers). The Police and Fire Commission uses an independent attorney and so should the OIPM. Placing an alder on the PCOB also moves this board into city politics territory, which is inappropriate for a board meant to review police activity. The same can be said for requiring that the board follow not just city ordinances but also policies, which are not laws that are voted on but written by a single person and as such can be used to undermine the power of the board without the input of citizens--citizens who have already come out in force to establish and protect the board multiple times.

And how on earth do we expect this board to do its job if we restrict access to MPD data and records? It cannot perform independent investigations if it doesn't have access to all records.

I have been heartened with how the board has improved since the hiring of the new Internal Monitor, and I support the amazing and thorough work of of the Data Analyst. Making sure that my taxes are funding the board to the national standard so that it can perform its work effectively is important to me.

Please vote no to amendments to 5.19 and 5.20 and consider how you can support the OIPM and PCOB instead.

Sincerely,
Erin Lemley
1703 Rowland Ave #1
Madison, WI 53718

From: Beverly Lewis
To: All Alders
Subject: Vote No on 55, Amendments to PCOB & OIM
Date: Sunday, April 19, 2026 8:21:19 PM

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

Dear City Alders,

I am writing to ask you to **vote no** on Alder Mayer Amendment and Govindarajan Amendments 1 & 2. I am opposed to them for the following reasons:

1. I am in favor of independent community monitoring and review of city policing to "ensure that MPD is accountable and responsive to the needs and concerns of all segments of the Madison Community."
2. I believe these amendments will hamper the PCOB and the OIM from effectively doing their job.

Specifically I am opposed to the following:

1. Restricting the unfettered access the PCOB and OIM have to MPD databases. (Giving people with interests of protecting individual officers and the city from liability control over what information the PCOB may access will prevent them from fairly investigating complaints or doing the statistical analysis of police practices that may reveal very real problems such as those outlined in the 2025-2026 report from the OIM.)

2. Adding an alder appointed by the City council to the PCOB. (Having a member of the PCOB that is subject to political pressures will compromise their independence.)

3. Restricting OIM/PCOB's right to use an independent attorney and requiring the use of the City Attorney. (The City Attorney has duties to protect the city from liability which is a conflict with revealing areas where the city can improve policing practices.)

4. Requiring OIM/PCOB to comply with all city administration policies. (Some of these policies would undermine its function and independence.)

5. Adding additional administrative burdens to the OIM without a compensatory increase in budget. (I'm sure that you are aware that the PCOB is a volunteer committee and the budget for its staff and activities is already severely lacking.)

Thank you for your time and attention to this and other city matters,

Beverly Lewis

Madison Resident

From: Phrannie Lyons
To: All Alders
Subject: Thoughts on Ordinances 5.19 and 5.20
Date: Monday, April 13, 2026 7:35:40 PM

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

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Dear Alderpersons of my Community,

Before reading the **proposed amendments to the Office of the Independent Police Monitor (OIPM) ordinance 5.19 and Police Civilian Oversight Board (PCOB) ordinance 5.20, and reasons why we urge you to oppose them all**, it is important to acknowledge 4 facts that frame the relationship between the OIPM/PCOB and the driving force behind these amendments: the City Attorney's Office.

The main goal of the City Attorney is to prevent successful lawsuits and, if need be, they will do so at the expense of civil rights, and the health and safety of city residents. Given their mission, they have to deny that civil rights violations ever occur.

The main goal of the OIPM/PCOB is to ensure the civil rights, health, and safety of city residents and police officers through community engagement, independent investigation and review, transparency, and recommendations. By default, this reduces the need for lawsuits.

The City Attorney does not offer the same level of respect and client/collaboration privileges to the OIPM/PCOB as they do other city entities. Some in key leadership positions have repeatedly demonstrated this by violating their ordinance and Roberts Rules, talking down to the OIPM/PCOB, and surprising them with debilitating amendments that were in the works for weeks, sometimes months, without ever once reaching out to express concerns or collaborate. They do not do this to MPD.

The City Attorney's mission is in direct conflict with that of the OIPM/PCOB and they act like it and therefore, the City Attorney must not serve as their source of legal oversight, advice, and representation.

THE AMENDMENTS:

The most recent amendments to OIPM/PCOB ordinance are summarized below along with why we believe they are harmful. The amendments discussed in A-C are sponsored by Alders MGR and Sabrina Madison. The amendment discussed in D is sponsored by Alder Davy Mayers.

1.) Restricting data and records access:

- No access to computer databases
This is obstructive and incongruent with the national standard for police oversight.

- Play with confidentiality to restrict access.

- Arbitrary definition of key records as confidential could, in combination with this ordinance amendment, end up greatly restricting the ability of OIPM to carry out its functions.

2.) Reducing access to MPD Records:

- In contrast with current ordinance language, which requires that MPD provide absolutely "unfettered access" to its records (to the extent permitted by law), the amendment would require negotiation "to define the degree of access to specific MPD records". And it mandates insertion of the City Attorney's Office, which has a structural conflict of interest with OIPM, into the execution of any negotiated agreement.

3.) Requiring that OIPM must follow all city rules and procedures, without exception.

- Adding this language to ordinance is unnecessary, because the city rules and procedures (on hiring, budgeting and purchasing, information technology systems, etc.) are already being followed by the OIPM/PCOB.

- This addition might seem harmless, but the added language undercuts the Independence provision within the OIPM ordinance.

- Under the existing ordinance language, a new Mayoral policy that targets the OIPM/PCOB would be without effect, because ordinances (laws) supersede policies (that can be written by a single person). Because the amendment would effectively give all policies the weight of law, mandating compliance without exception, it would allow a Mayor to write policies that infringe on OIPM/PCOB function and independence, or an administration, via the City Attorney, to interpret and enforce policies in a manner that infringes on OIPM/PCOB function and independence.

- This is a particular problem because of an underlying structural conflict of interest. Elected officials, such as mayors, often depend on the support of police officials, police unions, etc. in elections, and want to avoid embarrassing revelations, and thus tend to compromise the function and independence of civilian police oversight agencies. This has occurred repeatedly with civilian police oversight agencies across the country, crippling those agencies.

4.) Requiring that OIPM/PCOB use the City Attorney for most legal work, rather than an independent attorney:

- As stated at the start, this creates a severe problem, given the inherent conflict of interest.

- It allows use of an independent attorney only for a very restricted set of functions, mandating that the City Attorney be used for all else. This includes use of the City Attorney for four specific areas where city attorney offices and civilian police oversight offices are most often in conflict.

- For example, it mandates use of the City Attorney for all public records work. But the primary clients of city attorneys are elected officials (especially mayors) and police departments (with whom they necessarily have a close working relationship). City attorneys strive to prevent records that would embarrass elected officials or police departments from becoming public, undercutting transparency.

- Placing the amendment in the ordinance would greatly expand the City Attorney's power over OIPM/PCOB, and make it much more difficult for OIPM/PCOB to challenge the City Attorney's opinion, undermining OIPM/PCOB INDEPENDENCE.

- Because of the same inherent conflict of interest, the Police & Fire Commission uses an independent attorney for all its functions, rather than the City Attorney. It makes no sense to, in contrast, require OIPM/PCOB to use the City Attorney.

5.) Adding an alder to the PCOB:

- Putting an elected official on a police oversight board directly curtails independence and contradicts universally recognized best principles for police oversight.

- As the National Association for Civilian Oversight of Law Enforcement (NACOLE) states: "One of the most important and defining concepts of civilian oversight of law enforcement is independence. In its broadest sense, it refers to an absence of real or perceived influence from law enforcement, political actors, and other special interests looking to affect the operations of the civilian oversight agency."

- As noted above, there is a fundamental structural conflict of interest between elected officials and civilian police oversight.

- For the very same reason, elected officials are not given seats on the Police & Fire Commission.

These proposed changes in ordinance language violate the letter and legislative intent of the original ordinance. Contrary to claims the City Attorney has made, they are the opposite of what Alders Kemble, Moreland and Bidar wrote and intended when the council passed the original ordinance.

The proposed amendments are being promoted based on past issues that are long since resolved or alleged issues that never actually occurred. They represent a failure to acknowledge that a new IPM, who started only four months ago, managed to already process multiple cases and put out an annual report with novel, important data analyses. They also represent a failure to acknowledge improvements, and how the volunteer board and understaffed/underfunded office are exceeding past goals and functioning effectively with excellent attendance. Such actions by alders cause frustration, exhaustion and burnout.

Misinformation and accusations of rule violations without evidence are driving repeated attempts to amend the ordinance in ways harmful to the OIPM/PCOB's ability to conduct independent police oversight. This pattern demonstrates a high level of unwarranted scrutiny that is disproportionately applied to this body when other groups that are violating rules experience no such attention. This behavior is the antithesis of collaboration. It demonstrates harmful biases and disrespect, and it harms the relationship between the OIPM/PCOB, staff, and Council.

Please leave the ordinances 5.19 and 5.20s as they are and instead focus your attention on meeting the funding and staffing needs of the OIPM and PCOB.

Sincerely,
Frannie Lyons

5818 Chester Circle

Fitchburg, WI 53719

From: KRISTIN MATHEWS
To: All Alders
Subject: Office of the Independent Monitor and Police Civilian Oversight Board Vote on Tuesday
Date: Sunday, April 19, 2026 12:07:19 PM

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.

Good morning,
I am writing to you today to ask you to please respect the position of the Police Civilian Oversight Board and to vote down all proposed amendments to our independent police oversight ordinances. Any concerns should be brought, with concrete evidence, directly to the OIPM and PCOB.
The PCOB voted unanimously on March 25th to recommend placing the proposed changes on file with prejudice. The Board had not been consulted before the changes were drafted and they have asked the Council to work collaboratively with them on any changes.
The compliance problems noted as justification no longer exist under the new leadership in the OIM and the alder who proposed the changes will not even be at the council meeting when the vote is taken.
The four changes to the OIM's independence and access rights would move the OIM and PCOB closer to the standard boards-and-commissions model the Council deliberately rejected in 2020.
The PCOB admittedly had a rocky start but is finally making real progress.
I ask you to please read this very thorough investigative article to gain a full understanding of the history of this body.
Madison should be proud to have the Police Civilian Oversight Board and Office of the Independent Monitor. I'm asking you again, vote down the proposed amendments on Tuesday to keep this body intact and independent as intended.

Thank you for your time,
Kristin Mathews
District 18

Madison's Independent Police Oversight Is Three Days From Being Gutted

Madison's Independent Police Oversight Is Three

Days From Being Gutted

Key Points • On April 21, the Common Council will vote on proposed changes to Madison's police oversight ordinan...

From: Morgan Mayer-Jochimsen
To: All Alders
Subject: Independent oversight of police
Date: Friday, April 17, 2026 1:44:06 PM

[Some people who received this message don't often get email from mmayerjochimsen@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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Please vote against all amendments to Madison General Ordinances 5.19 and 5.20 and instead of threatening the independence of the police oversight office, begin planning out how to meet the national standard for funding independent oversight and fully fund and staff the office and board next year.

Thank you,
Morgan Mayer-Jochimsen
215 Jackson St 53704

From: Michelle Miller
To: All Alders
Cc: Office of the Independent Police Monitor
Subject: Proposed amendments for OIM/PCOB
Date: Sunday, April 5, 2026 6:15:45 PM

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

Hello Alders, OIM, and Chair of PCOB,

I am writing this email as a community member, though I want it to be known that I am also the Common Council appointed alternate member of the PCOB. I am writing you to encourage you to withdraw all proposed amendments to the ordinance the governs the OIM and PCOB. Overall, an ordinance change is an extreme solution to problems that have already been resolved or for problems that can be solved through procedure and policy changes.

A large reason for the sponsored amendment changes appears to be a desire to get more information to the Common Council about the work of the PCOB and OIM formally and more consistently. There are currently four PCOB members appointed by the Mayor's office and the Common Council. I went through an application process and was voted in by Common Council. Instead of adding an Alder to the board or requiring updates through an ordinance, I propose that the Alders and Mayor develop a policy or procedure, in which their appointees from the Board provide communication in whatever way the Alders and Mayor decide within the policy. The proposed amendment changes make me feel like the Alders do not trust their own four appointed board members.

Thanks,

Michelle Miller
District 15

From: Amy Owen
To: Police Civilian Oversight Board; All Alders
Subject: Changes to the PCOB/OIPM
Date: Wednesday, March 25, 2026 5:10:24 PM

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

Dear Alders,

Please reject all current amendments to the OIPM/PCOB ordinance, and any future amendments that take away their independence, as defined by the current ordinance, and postpone the report writing requirements until the office is appropriately funded according to the national standard.

Thank you,
Amy Owen
Madison resident

From: Amy Owen
To: All Alders
Subject: please oppose amendments to M.19 and M.20
Date: Thursday, April 16, 2026 12:10:58 PM

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Dear Alders,

I am writing to request that you vote against all amendments to the Madison General Ordinances 5.19 and 5.20. Additionally, please initiate planning processes to fulfill the national standards of funding for independent police oversight groups. The staff and committees doing this work deserve full time funding and support.

Thank you,

Amy Owen
3129 Buena Vista St.
Madison, WI 53704

From: Amy Owen
To: Police Civilian Oversight Board; All Alders
Subject: Changes to the PCOB/OIPM
Date: Friday, April 17, 2026 9:57:31 AM

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

Dear Madison Alders,
Please reject all current amendments to the OIPM/PCOB ordinance, and any future amendments that take away their independence, as defined by the current ordinance, and to postpone the report writing requirements until the office is appropriately funded according to the national standard.

Thank you,
Amy Owen
Madison resident

From: Jean Papalia
To: All Alders
Subject: Police Citizen Oversight Board
Date: Saturday, April 18, 2026 4:52:31 PM

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

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Dear Alder,

I am writing to you as a former employee of the City of Madison, serving 26 years in the police department. I am also one of the founding members of the Community Response Team, which formed in 2013, just when I had retired but my thoughts and concerns were still deeply intwined with the near Eastside and I remain passionate about growing the relationship between the community and police.

If you think it's odd retired police would be part of CRT, you a missing one of the goals of CRT from day one--to provide a place for citizens to voice their concerns outside the confines of the police department and most importantly, to provide oversight that can provide accountability for police that directly benefits the safety and welfare of the officers most closely working in the community. The OIM and the diverse board that heads this agency provides all that, and while there are growing pains, work moves forward And sitting near me at meetings for CRT since 2013 has been Dr. Greg Gelembiuk, the current Data Anyalyst for OIM. After knowing Dr. Gelembiuk for more than a dozen years, I am distressed to hear comments about him being out of control, not trustworthy or that his work is of diminished quality. His passion for this work and steady ability to work respectfully with the variety of ideas for the early years of CRT is what kept this grassroots organization moving.

Police oversight is an enormous task, and I believe the OIM is up to this task and I believe in the strong and community-centered leadership at Madison Police. I urge you to consider that community-shifting ideas like the PCOB take time to develop and grow, and respect for the independence and work of this board should be front and center.

Please don't burn it all down as the city moves towards making this oversight a working reality; let's continue to work to provide a transpart way for community and police to handle policy, investigations and oversight. Please consider a cool down or a restorative justice model for bringing all parties together to work towards the continuation of the PCOB and OIM.

Jean Papalia
6308 Hidden Farm Road

Mc Farland, WI 53558

Jean Papalia

From: Becky Peterson
To: All Alders
Subject: Opposition to Proposed Amendments to 5.19 & 5.20
Date: Wednesday, April 15, 2026 4:22:34 PM

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

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Dear Alders,

My name is Becky Peterson. I am a queer, disabled, autistic Dane County resident, and though I technically live in Sun Prairie (Bristol actually), I will always be a Madisonian at heart. I am one of the many who moved to this beautiful city from small-town Wisconsin for school, and never left.

In recent years, I have become enmeshed in a battle with Madison law enforcement, due to events that arose in Districts 3 and 4 of Madison. This has resulted in me becoming engaged in an Open Records Request battle with the city that started in August 2024 and continues to this day.

If you check my CCAP (Rebecca Renee Peterson, DOB 7.23.1985), it will show that I don't have so much as a traffic violation to my name, but I have gone to court for Writs of Mandamus to produce records twice, representing myself.

When the city records custodian, Jamie Doyle, cites who she goes to for advice on what to release to me, she cites the City Attorney. When I file these civil actions against Madison Police Department to compel records, the City Attorney represents MPD.

So I do not understand how it makes any sense whatsoever to require the OIPM to use the City Attorney for their work with records. The City Attorney would literally be fighting themselves, writing briefs from adjoining offices, and it would not make any sense to expect that they would work as hard for OIPM as they would for MPD.

For the same reason, I urge you to vote against OIPM having anything short of "unfettered access" to MPD records. I have run into requests over two separate incidents that they state they don't have records for. I do not believe this to be true, but at this point, my only recourse to have these records produced is to go back to court or go to the OIPM. Disabling the OIPM from accessing records freely just allows MPD to hide more material that they know would be damning.

I would also take issue with *ever* putting an elected official in the OIPM. I live outside of Sun Prairie, in Bristol. Until last week, I was represented by the one last conservative holdout on the Dane County Board of Supervisors, Jeff Wiegand, so I know that even on a local level, I

cannot count on the politician representing me to have my best interests at heart.

Jeff Wiegand was Luther Olsen's campaign manager during the recall elections, whom I actively canvassed against in Baraboo in 2010, but for the past 10 years that I have lived in this home, he has been my representative on the Dane County Board.

This entire issue arose out of hysteria. The reaction by this city to a hallucinated AI picture has been absurd. This is an office that is truly trying to give us police oversight in this city, and it has been disabled from doing its job by distractions from the true value it has produced. Dr. Greg Gelembiuk has a PhD in data analysis, and for people to equate the use of an AI photo to his entire body of work in that report being fabricated is a joke. It sounds more like this city is still in denial about the racial disparities in policing that happen here, or doesn't like a woman of color saying it like it is: that this city is way behind in police oversight.

There are going to be kinks to work out anytime you create a new agency or the head of an agency changes. Most of the incidents cited in Alder Govindarajan's final draft didn't even occur under Monitor Glass. Why not give her a chance to run with this agency instead of stunting every effort she makes and distracting from the work she's done by vilifying her for a simple mistake?

I urge you strongly to vote against *all* of these amendments, and keep the OIPM operating exactly as 5.19 and 5.20 are written now, the way those who created the office intended them.

Thank you,
Becky Peterson (she/they)
*This letter written entirely by a human being

From: Bonnie Roe
To: All Alders
Subject: #92386 - A Wakeup Call
Date: Saturday, April 18, 2026 7:53:14 AM

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Dear Alders,

Before you vote on Legistar #92386, the proposed amendments to the OIM/PCOB ordinances 5.19 and 5.20, please take the time to read this detailed article by the Wisconsin State Journal.

https://madison.com/news/local/government-politics/article_17017694-6772-49de-afb4-5943e8a59420.html#tracking-source=home-top-story

It documents some real legal and ethical concerns and shows why, if this OIM and PCOB are allowed to continue, more protections must be put in place.

You can choose to either address the issues now or later in this budget cycle. If the amendments fail, I'd guess it's only a short time until the PCOB or OIM gets us involved in another lawsuit.

If you fail to pass these amendments, I think it also signals to the OIM and PCOB that the council is willing to take the risk and allow them to operate outside the protections of our city's laws, ordinances, and APMs. **The power to conduct independent investigations is not synonymous with being outside the law or beyond the parameters of a city agency.** The ordinances passed in 2020 were rushed and left some important decisions left undecided. It's past time to correct that.

I hope every one of you will read every single item in the legistar file, including the letters from the City Attorney, Police Chief, and the original sponsor, and the memo detailing what has already been spent on legal matters under this Board. One ongoing case is still racking up significant charges. We taxpayers are getting tired of bailing the city out and we want more accountability. There are more important ways to spend our money.

This is a wakeup call.

Please vote yes on #92386.

Thank you,

Bonnie Roe
District 11

From: David Rogers
To: All Alders
Subject: ordinance amendments for OIM and PCOB
Date: Thursday, April 16, 2026 7:58:51 AM

You don't often get email from davewrogers1965@gmail.com. Learn why this is important

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Dear Alders,

As policing scholar Tim Lynch wrote regarding police oversight boards and agencies:

"In practice, however, civilian review boards have proven to be an ineffectual check against police misconduct. The boards are commonly created in the aftermath of a police scandal, but after the photo-op announcement regarding the establishment of the new board, where politicians take credit for tackling a difficult problem, the news cycle shifts and public attention is directed to other subjects. That's when the local power brokers in city government rig the boards to fail."

Is this what Madison is about to do? Are we going to follow that path? The PCOB and OIM were created in the aftermath of the killing of Tony Robinson in 2015, and then George Floyd in 2020.

Will our local elected officials stand by what they say their principles are? Or, now that there isn't a bright spotlight, will they vote to subvert and weaken our PCOB and OIM (because, if you're being honest with yourselves, everyone understands that's what the ordinance amendments would do - undercutting independence, eliminating access to databases, etc.)? I sincerely hope most alders will choose to stand by their stated principles.

In the future, prospective voters will remember alder votes on this - and particularly when tragedies occur.

Sincerely,

Dave Rogers

From: Andrew Rohn
To: All Alders
Subject: Keep Police oversight strong!
Date: Friday, April 17, 2026 7:46:11 AM

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Hello,
Im writing to encourage all alders to protect the independence of the police oversight office by voting **against** all amendments to Madison General Ordinances 5.19 and 5.20. We do not need weaker oversight on the police!

Thank you,
Andrew Rohn

Sent from my iPhone

From: Nathan Royko Maurer
To: Police Civilian Oversight Board; All Alders
Subject: Reject Proposed Amendments to OIPM/PCOB Ordinance
Date: Wednesday, March 25, 2026 5:28:12 PM

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

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608.217.7453

From: Nathan Royko Maurer
To: All Alders
Subject: Regarding Legistar File 92386
Date: Thursday, April 16, 2026 2:55:29 PM

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

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

Dear Alders,

Help make this make sense. As an oversight body, the Madison Police and Fire Commission uses an independent attorney, Jenna Rousseau, for open meeting law, public records law, general administrative functions, etc. And it does so because of the clear conflict of interest of having the City Attorney's Office both serving it and the Police Department (and Fire Department). Yet the City Attorney is asserting that the OIM and PCOB must use the City Attorney for all such functions, despite the exact same conflict of interest.

Given its law enforcement role, the City Attorney's Office of necessity has a close working relationship with the Police Department. And of course, a close relationship with the Mayor's Office and elected officials. In cities across the nation, this inherently generates a conflict of interest with police oversight boards and agencies. In general, city attorney offices seek to control and disempower their police oversight boards and agencies.

Even in Madison, history shows that the City Attorney's Office treats the Police Department as its primary client and is not a neutral arbiter of law. Can anyone forget the memo from the Madison City Attorney's Office incorrectly telling alders that the Council could not issue specific policy directives to the Chief of Police? https://madison.legistar.com/View.ashx?M=F&ID=5134415&GUID=BEC71473-6452-44E1-A61A-EE698D2A6CD0
That claim from the Madison City Attorney's Office was in conflict with both state statute and case law, and was even in conflict with a City Attorney memo written years before. But the Police Department didn't want alders giving orders, so the City Attorney's Office dutifully misinformed the Council; then had to acknowledge that its memo was incorrect, in the face of a tsunami of legal evidence to the contrary (including a legal opinion from State of Wisconsin Legislative Council, obtained by then-Representative Chris Taylor).

It is also worth pondering why city staff and elected officials have repeatedly violated M.G.O. 5.19(6)(b) in multiple different ways.
"Independent from City Staff and Officials. No City employee or official shall attempt to use their political or administrative position to unduly influence or

undermine the independence of the Monitor or any employee of the OIM in the performance of their duties and responsibilities as set forth in this Ordinance."

Proposing and lobbying for these ordinance amendments is arguably yet another violation - they clearly undermine the independence of the Monitor and OIM in the performance of their duties. Moreover, it is claimed that the ordinance amendments merely clarify the original legislative intent of the ordinance, but that is patently false. For example, there was an explicit decision by the Council in 2020 to include an OIM right of access to MPD computer databases, and these ordinance amendments would eliminate that right (contrary to national police oversight best practices).

The arguments for these ordinance amendments are just an avalanche of FUD (Fear, Uncertainty, and Doubt) - a manipulation tactic used to influence perception by disseminating negative, misleading, or exaggerated information. For example, Alder Govindarajan claims "The removal of 'computer databases' reflects legal and technical constraints, as direct system access is not always permissible under state and federal law." This is a red herring. The existing ordinance already limits computer database access to that permissible under state and federal law. Moreover, by police oversight agencies gaining Criminal Justice Information Services (CJIS) Security Policy compliance (which is a common arrangement for police oversight agencies across the nation), everything becomes accessible under federal and state law. Moreover, database access can always be set up to provide read-only access (that can't modify the underlying data). Virtually all the accusations against OIM and arguments for the amendments are vapor - dissolving upon close scrutiny.

The City Attorney has also incorrectly asserted that a civilian oversight agency could never enter into litigation against the city or another city department. That is exactly what other police oversight agencies do, when necessary for their oversight mission. For example:
https://iapps.courts.state.ny.us/nyscef/ViewDocument?docIndex=gnRJzas8pVr7UUmto9F_PLUS_KQ==
https://law.justia.com/cases/new-york/appellate-division-fourth-department/2017/66-ca-16-01200.html
The litigation, which was successful, was to force the Syracuse Police Department to comply with Syracuse ordinance (with the city attorney's office defending the police department in the litigation). Joe Lipari, the administrator of the Syracuse Citizen Review Board, who filed the suit, was a key police oversight professional that the MPD Policy & Procedure Review Ad Hoc Committee consulted in developing its recommendation that the Independent Monitor have authority and funding to use independent legal counsel. The potential need for such litigation was something that the Ad Hoc Committee had

in mind when making their recommendation. In this and many other of his claims, Madison's City Attorney appears quite ignorant of how police oversight agencies actually function.

Please don't succumb to all the FUD.

Best Regards,

Nate Royko Maurer
608-217-7453

From: Amelia Royko Maurer
To: Amelia Royko Maurer
Subject: TAKE ACTION! Excellent Analysis of Madison City Attorney"s Memo
Date: Saturday, April 18, 2026 3:54:47 PM

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Folks, this is a product of excellent investigative reporting, an in depth, fact-based examination of Madison City Attorney, Michael Haas's memo in which he lobbies hard for the harmful amendment proposals to the civilian police oversight ordinances, M.19 and M.20. Please take action friends. Ask your alder at allalders@cityofmadison.com to please respect the position of the Police Civilian Oversight Board, to vote down all proposed amendments to our independent police oversight ordinances and bring their concerns, with concrete evidence, directly to the OIPM and PCOB instead of letting a misinformation campaign poison the well and defamatory statements create a hostile work environment.

"Taken together, the proposed changes would make the Independent Monitor subservient to the Mayor and the Police Department, the very agency the OIM is charged with overseeing. That is the opposite of what the Council intended in 2020. [...] Either placing the OIM outside the Mayor's supervisory chain was a deliberate and unusual departure from standard City practice, as [City Attorney] Haas said in 2020, or requiring the OIM to comply with all mayoral APMs is a clarification of existing practice, as he argues in 2026. The legislative record... answers that question clearly."

https://www.77squaremiles.com/post/madison-s-independent-police-oversight-is-five-days-from-being-gutted

From:	Alex Saloutos
To:	Govindarajan, MGR
Cc:	All Alders; Police Civilian Oversight Board; Hope Vang; Vanessa Statam; Brandice Hatcher; Katey Nelson; Helyn Luisi; Devon Snyder; Michelle Miller; Stephanie Rearick; Rodney Saunders Jr.; Carlotta Calmese; Maia Pearson; Glass, Aeiramique
Subject:	Legistar 92386 —Comments on the Referral Process
Date:	Tuesday, March 24, 2026 5:35:13 PM
Attachments:	260324_LEGISTAR92386_MEMORANDUM_COMMONCOUNCIL.pdf

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

Alder Govindarajan,

I am submitting the attached memo to the Common Council on Legistar 92386. It addresses only the referral process: specifically, which bodies the legislation should be referred to and how much time they should have before it returns to the Council. It does not address the merits of the proposed changes.

Cheers,

Alex Saloutos
Phone: (608) 345-9009
Email: asaloutos@tds.net

M E M O R A N D U M

Date: March 24, 2026

To: Common Council

CC: Police Civilian Oversight Board, Office of the Independent Police Monitor

From: Alex Saloutos

RE: **Public Comments on Legistar File No. 92386 — Amending Subsections 5.19(6) and (8) and Creating Subsection 5.20(11) of the Madison General Ordinances to Add Public Reporting Requirements for the Office of the Independent Monitor and Police Civilian Oversight Board**

The following are my public comments on the referral of Legistar File No. 92386, scheduled as agenda item 66 for introduction at the Common Council meeting on March 24, 2026. They do not address the merits of the proposed changes.

SUMMARY

The Council should refer Legistar 92386 to the PCOB External Policy and Procedure Subcommittee and the full PCOB, and allow 120 days from the publication of both annual reports, and no later than September 1, 2026, for review and recommendations. That review should address the proposed changes and any other improvements identified by the PCOB, OIM, and interested alders.

The OIM 2025-2026 Annual Report has been published and includes recommendations for improvements. The PCOB Annual Report, which may also include recommendations on improvements, has not yet been published. A review of police oversight ordinances in other municipalities identifies several provisions that have been adopted elsewhere but are not currently in MGO 5.19 or 5.20. Those provisions and the recommendations in both annual reports deserve consideration before the Council acts.

Some of the proposed changes appear to be driven by the administration and to adversely impact the monitor's independence. They were introduced without consultation with the PCOB. The PCOB and the public should have ample time to consider them before the Council acts.

BACKGROUND INFORMATION

Chronology

In 2017, the OIR Group's Policy and Procedure Review report recommended establishing an independent police auditor's office reporting to a civilian review body.

In September 2020, the Common Council enacted MGO 5.19 and 5.20, creating the Office of the Independent Monitor and the Police Civilian Oversight Board.

Beginning in mid-2025, Alder Govindarajan began developing proposed revisions to MGO 5.19 and 5.20.

On January 8, 2026, Govindarajan met with Interim Monitor Glass to discuss reporting requirements in MGO 5.19(8). Glass asked him to wait until the OIM Annual Report was published before moving forward. He agreed.

In March 2026, the OIM 2025-2026 Annual Report was published.

On March 19, 2026, the Common Council agenda was published. The PCOB was notified of Legistar 92386 at the same time as all other alders, city staff, and the general public. Council staff contacted PCOB Chair Maia Pearson directly to ensure she was aware the item would be referred to the Board's March 25 meeting.

On March 24, 2026, Legistar 92386 is introduced at the Common Council meeting.

On March 25, 2026, the PCOB meets. This legislation and a draft of the PCOB Annual Report are on the agenda.

On April 21, 2026, the Council is scheduled to act on this legislation.

The Proposed Legislation
Legistar 92386 amends MGO 5.19(6) and (8) and creates MGO 5.20(11). The four proposed changes are: (1) new quarterly public reporting requirements for the OIM; (2) a new provision requiring the OIM to operate within the city's administrative structure for hiring, contracting, budgeting, technology, and procurement, and to comply with all Administrative Procedure Memoranda; (3) a provision limiting the OIM's use of independent legal counsel to oversight-related matters and assigning all other legal matters to the City Attorney; and (4) an expanded annual reporting requirement for the PCOB with a March 15 filing deadline.

Provisions in Other Municipal Ordinances Not Currently in MGO 5.19 or 5.20
A review of police oversight ordinances in other municipalities identifies the following provisions that have been adopted elsewhere and are not currently included in MGO 5.19 or 5.20:

1. A mandatory written response by the police chief to oversight recommendations within a defined deadline.
2. Enforceable deadlines for the police department to fulfill oversight records requests.
3. Monthly oversight board meetings are required.
4. The police department must maintain an officer risk identification system and notify the OIM and PCOB of flagged officers.
5. Whistleblower protection for officers who cooperate with the oversight body.
6. A supermajority requirement to amend the enabling ordinances, or charter protection requiring a referendum to modify or eliminate the oversight structure.
7. A minimum appropriation for the oversight office expressed as a percentage of the police department's budget.

A Gap in Madison's Ordinances: Monitor Conflict of Interest
MGO 5.19 and 5.20 do not address what happens when the monitor faces a structural conflict of interest in conducting an investigation. The ordinance provides for alternate board members to serve in the board member's place when a board member has a conflict of interest, but no parallel mechanism exists for the monitor. In 2025, PCOB Chair Pearson became the subject of an OIM investigation while serving as chair of the board that supervises the monitor.

ANALYSIS AND CONCLUSIONS

A More Inclusive Process Would Produce Better Legislation
Alder Govindarajan has been developing these revisions since mid-2025. He met with Interim Independent Monitor Glass in January and agreed to wait until the OIM Annual Report was published before moving forward. That step reflected good faith engagement with the OIM.

The PCOB, however, was not engaged before the introduction. The PCOB is the governing body for the OIM and the body whose enabling ordinance this legislation directly amends. Its members were notified on March 19, four days before the introduction, at the same time as the general public. The PCOB meets the day after the introduction, with less than a week to review legislation that has been in development for nine months.

Alder Govindarajan could have circulated draft language to PCOB members before introduction, with instructions not to reply all, to invite individual feedback while staying within the Open Meetings Law. This is standard practice with Council legislation. He could also have asked Chair Pearson to add the topic to a PCOB agenda and attended that meeting to discuss his proposals. Either approach would have given the board a genuine opportunity to contribute before the introduction rather than after.

Engaging the PCOB and OIM as active participants in the development of this legislation, rather than as bodies to be consulted after introduction, would produce stronger ordinance language and broader institutional support for whatever the Council ultimately adopts.

Both Annual Reports Should Be Part of the Record
The OIM 2025-2026 Annual Report has been published and includes recommendations for improvements. The PCOB Annual Report will be published shortly and is expected to include its own recommendations. Alder Govindarajan agreed in January to wait until the OIM Annual Report was available before moving forward. The same logic applies to the PCOB Annual Report. Acting before both reports are available means the Council will be voting without the full institutional record from the two bodies the ordinances are designed to govern.

The Scope of Review Should Be Broader
This legislation addresses four provisions. It does not address the full range of improvements that a review of other municipal ordinances and the professional literature supports. A number of provisions found in other cities' ordinances are not currently in MGO 5.19 or 5.20. Both annual reports are expected to include additional recommendations. The conflict of interest gap identified in the Background section is an example of an issue the enabling ordinances do not address and that a broader review should consider. Considering all of these together in a single coordinated review process would produce more comprehensive and internally consistent legislation than acting on four provisions in isolation.

Referral to the External Policy and Procedure Subcommittee
The PCOB External Policy and Procedure Subcommittee is the appropriate body to do detailed work on proposed ordinance changes affecting the OIM and PCOB. Referring the legislation to that subcommittee before the full board takes it up would give both bodies a more thorough basis for their deliberations and a genuine opportunity to work with the sponsors on mutually agreeable language.

RECOMMENDATION

The Council should refer Legistar 92386 to the PCOB External Policy and Procedure Subcommittee and the full PCOB, with a 120-day review period running from the publication of both the OIM and PCOB annual reports, and no later than September 1, 2026. The scope of that review should include the proposed changes and any other improvements to MGO 5.19, 5.20, and Chapter 5 that the board, the OIM, and interested alders identify. The sponsors should meet with the subcommittee and the full board, answer questions, and participate in developing mutually agreeable language.

There is no urgency that justifies a four-week timeline for legislation of this significance. A proper review process will take longer. The result will be stronger legislation that the PCOB, the OIM, and the community have had a genuine opportunity to shape.

From:	asaloutos@tds.net
To:	All Alders
Cc:	Police Civilian Oversight Board; Office of the Independent Police Monitor; Glass, Aeiramique
Subject:	Response to City Attorney"s Memorandum on Proposed Amendments to MGO §§ 5.19 and 5.20, Legistar ID No. 92386
Date:	Monday, April 13, 2026 9:33:33 PM
Attachments:	260413_LETTER_COMMONCOUNCIL.pdf 260413_LEGISTAR92386_MEMORANDUM_COMMONCOUNCIL.pdf

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

Members of the Common Council:

Attached are a cover letter and a memorandum responding to City Attorney Haas's March 25, 2026, memorandum on the proposed amendments to MGO §§ 5.19 and 5.20, submitted for your consideration before the April 21 vote.

Respectfully,

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Alex Saloutos
Cell: (608) 345-9009
Email: asaloutos@tds.net

Alex Saloutos

3318 Hammersley Avenue
Madison, WI 53705
Phone: 608/345-9009
E-mail: asaloutos@tds.net

April 13, 2026

Via email: allalders@cityofmadison.com

Common Council
City of Madison
210 Martin Luther King Jr. Blvd.
Madison, WI 53703

Re: Proposed Amendments to MGO §§ 5.19 and 5.20, Legistar File No. 92386

Dear Alders,

I submit the attached memorandum in response to City Attorney Haas's March 25 memorandum defending the proposed amendments to MGO §§ 5.19 and 5.20 for your April 21 agenda. While Haas's memo is professionally written and raises legitimate administrative concerns, it contains significant analytical gaps, mischaracterizes the original legislative intent in ways the 2020 record directly contradicts, and reaches legal conclusions that do not withstand scrutiny. The Council should view it as advocacy for a specific outcome rather than neutral legal analysis.

The 2020 record clearly shows the Council chose an independent civilian board over mayoral oversight by a 19-0 vote. Haas's own 2020 memoranda described that choice as a deliberate departure from the City's normal administrative structure. His current claim that the amendments simply clarify the Council's intent is not supported by the record.

I urge you to place the proposed amendments on file with prejudice and direct that any future changes be developed in consultation with the PCOB, consistent with the Board's unanimous vote on March 25.

Respectfully,

Alex Saloutos

cc: Police Civilian Oversight Board
Aeiramique Glass

M E M O R A N D U M

Date: April 13, 2026

To: Common Council

CC: Police Civilian Oversight Board
Office of the Independent Police Monitor

From: Alex Saloutos

RE: **Response to City Attorney's Memorandum on Proposed Amendments to MGO §§ 5.19 and 5.20, Legistar ID No. 92386**

This memorandum supports the Common Council's decision on the proposed amendments to MGO §§ 5.19 and 5.20 in Legistar File No. 92386 at the April 21, 2026, meeting. It also informs the Police Civilian Oversight Board's ongoing review of future amendments. Submitted before the Council vote, this memorandum responds specifically to the March 25, 2026, memorandum from City Attorney Michael Haas. It addresses the arguments raised in that memo. This memorandum does not cover every legal or policy issue regarding the proposed amendments. The absence of comment on any point should not be taken as agreement.

On the day Haas's 2026 memo was published, the PCOB unanimously recommended that the Council place the proposed amendments on file with prejudice, which would prevent reintroduction for at least 60 days. The Board also directed that any alders interested in making changes should consult collaboratively with the PCOB before drafting amendments.

SUMMARY OF ARGUMENT

Haas's 2026 memo is professionally written and raises legitimate administrative concerns from the Office of the City Attorney's (OCA) perspective. However, it contains major analytical gaps and mischaracterizes the original legislative intent, which the 2020 record directly contradicts. The memo also reaches legal conclusions that do not hold up under scrutiny. The Council should treat the memo as advocacy for a specific outcome rather than as neutral legal analysis. Calling the proposed changes "clarifications" hides the fact that they would weaken the independence and access that the Council unanimously adopted for MGO §§ 5.19 and 5.20 in 2020.

The 2020 legislative record is clear on original intent. The Council was given two options: one with supervision in the Mayor's Office, the other under an independent civilian board. It chose the second. Haas's own 2020 memoranda to the Mayor and Workgroup recognized this as a real structural choice. He described the PCOB/OIM model as a deliberate departure from the normal administration. His current claim that mayoral Administrative Procedure Memoranda (APMs) reflect the Council's intent is not supported by the record. It is also difficult to reconcile with his earlier descriptions, or with the legal analysis and national standards the Council had in 2020.

The proposed amendments would make four major changes. First, they would require the OIM to comply with all APMs. They would also let the Council enforce City policies and procedures on OIM operations and the Monitor. The Mayor and Council could use these rules to direct the OIM's core oversight work, far beyond neutral requirements. Second, the amendments would remove "computer databases" from MGO § 5.19(7)(i). Access would require a memorandum of understanding with MPD and OCA, narrowing OIM's access below the current "to the extent permitted by law" standard and below national models like Denver and Portland.

Third, the amendments would give the OCA exclusive authority over OIM's legal advice in areas such as public records, open meetings, employment, administrative compliance, and disputes over access to MPD records. This would limit the Independent Monitor's existing power to hire independent legal counsel when needed under MGO § 5.19(7)(l). The Council has clear authority under Wis. Stat. § 62.09(12)(g) and has previously provided such counsel to the Police and Fire Commission (see Legistar File No. 82492). Finally, the amendments would give the Council broad enforcement over OIM operations and add a voting alder to the PCOB. These measures would increase political and administrative control over bodies intentionally insulated in 2020, against national standards. Together, these changes would make the OIM subservient to MPD, the agency it oversees. That was not the Council's intent in 2020. Only three of the current members served during the 19-0 vote for MGO §§ 5.19 and 5.20. The full legislative record is in Legistar and should be read before April 21.

Given these concerns, the Council should:

1. Place the proposed amendments in Legistar File No. 92386 on file with prejudice and direct that any future changes to MGO §§ 5.19 and 5.20 be developed in consultation with the PCOB, with the assistance of independent legal counsel and with meaningful community input; and, at a minimum,

2. reject any amendment that (a) subjects the OIM's investigative work and access privileges to mayoral APMs; (b) limits the OIM's ability to retain independent counsel under MGO § 5.19(7)(l); (c) narrows the OIM's records and database access beyond what state and federal law require rather than addressing confidentiality and security through CJIS compliance and clear safeguards on OIM's handling of records; (d) grants the Council broad enforcement authority over OIM "operations" and the Monitor's "actions" absent clear limitations; or (e) adds an alder to the PCOB in a manner that weakens the Board's independence in fact or in appearance.

BACKGROUND AND CHRONOLOGY

This section summarizes key events and legislative initiatives relevant to the creation and operation of the OIM and PCOB, which are important for understanding the context of the proposed amendments and for evaluating City Attorney Haas's 2026 memo in support of them.

- October 2019: The MPD Policy and Procedure Review Ad Hoc Committee submits its Final Report to the Common Council, containing 177 recommendations. Among the Committee's highest priorities was creating an independent monitor and civilian oversight board reporting to a civilian review body, not the Mayor.

- June 1, 2020: Mayor Rhodes-Conway and seven alders propose an Independent Police Auditor position located in and reporting to the Mayor's Office rather than an independent civilian board (Legistar File No. 60778).

- June 16, 2020: The Common Council adopts Legistar File No. 60764, creating the Alder Workgroup to Develop Logistical and Operational Details for MPD Independent Civilian Oversight and charging it with drafting an ordinance establishing independent civilian oversight of MPD, with a deadline of August 4, 2020.

- June 29–August 3, 2020: The Workgroup meets ten times over five weeks. The OCA produces five successive ordinance drafts and three comparative spreadsheets that analyze how peer cities resolved the specific design questions at issue, including supervisory structure, record access, and independent legal counsel. The Workgroup considers and rejects a split supervisory structure that would have given the Mayor or City administration a day-to-day HR role over the Monitor.

- July 8, 2020: The OCA issues a memorandum to the Workgroup titled "Independent Police Monitor/Civilian Oversight Body Discussion Topics," identifying seven discussion topics related to the structure and authority of the OIM and PCOB, including Monitor independence, investigation budget, outside investigators, and police records access.

- July 13, 2020: The OCA issues a memorandum to the Workgroup titled "Subpoena Authority of Independent Monitor and Civilian Oversight Board," analyzing the Monitor's authority to issue subpoenas under Wis. Stat. §§ 805.07 and 885.01.

- August 21, 2020: City Attorney Michael Haas issues a memorandum to the Mayor and all alders titled "Independent Police Monitor/Civilian Oversight Body Discussion Topics" (Haas's 2020 memo).

- September 1, 2020: The Common Council adopts the Final Report of the Alder Workgroup to Develop Logistical and Operational Details for MPD Independent Civilian Oversight (the "Workgroup"), which recommends creating MGO §§ 5.19 and 5.20, on an 18–1 vote with 769 registrants in support and 27 in opposition (Legistar File No. 61667). The Workgroup's report identified as a core priority "the need for the Civilian Oversight Board and Independent Police Monitor to be independent from both the Madison Police Department and City elected officials and staff."

- September 1, 2020: The Council approves MGO §§ 5.19 and 5.20, creating the OIM and PCOB, with the OIM placed under PCOB supervision rather than under the Mayor (Legistar File No. 61593). The ordinances are adopted on a 19–0 vote, with 746 registrants supporting and 34 opposing.

- October 2022: The PCOB appoints Robin Copley as the Independent Monitor, the first person to hold the role.

- January 2–4, 2024: The City Attorney, MPD Chief Barnes, and Independent Monitor Robin Copley execute a Memorandum of Understanding (MOU) governing OIM access to MPD records and information.

- October 2024: Mayor Rhodes-Conway proposes eliminating the OIM data analyst position in the 2025 budget (Legistar File No. 85264). The Council rejects the proposal.

- October 6, 2025: Robin Copley resigns as Independent Monitor.[1]

- November 11, 2025: Three Council members introduce a floor amendment to eliminate the OIM (Legistar File No. 90249). The amendment fails 17–3.

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[1] City of Madison, Office of the Independent Monitor, Announcement from the Office of the Independent Monitor, October 6, 2025.

- November 7, 2025: MPD, citing IT security concerns, suspends OIM's direct access to certain records and databases, contrary to MGO § 5.19(7)(i)'s "unfettered access" language.

- November 21, 2025: The PCOB announces appointment of Aeiramique Glass as interim Independent Monitor.[2]

- December 8, 2025: Interim Independent Monitor Aeiramique Glass's first day on the job. MPD restored the OIM's access to MPD records that day.

- March 19, 2026: Alder Govindarajan submits a draft amendment regarding operating requirements for the OIM, compliance with Administrative Procedure Memoranda (APMs), and limiting the appointment of independent legal counsel.[3]

- March 24, 2026: Alder Mayer submits an amendment adding a sitting alder position to the PCOB, and later that day, Alder Govindarajan's amendment is introduced to the Common Council.

- March 25, 2026: Alder Govindarajan submits additional first and second amendments to MGO §§ 5.19 and 5.20 in Legistar File No. 92386.

- March 25, 2026: City Attorney Michael Haas issues a memorandum to PCOB and Council members summarizing and defending the proposed amendments to MGO §§ 5.19 and 5.20 (Haas's 2026 memo).

- March 25, 2026: The PCOB votes unanimously to recommend that the Council place the proposed amendments on file with prejudice, and PCOB members tell several alders that the amendments came as a surprise, that the Board had not been consulted or involved in drafting them, that the PCOB is a working committee with a significant workload in the next 60 days, and that the Board would like to be involved in productive conversations with any alders interested in amending MGO §§ 5.19 and 5.20 before any changes are drafted.

- April 7, 2026: Common Council elections are held; Alder Govindarajan, who introduced the proposed amendments to MGO §§ 5.19 and 5.20, is not a candidate for reelection and will not serve on the Council when it considers his proposals on April 21, 2026.

THE APM PROVISION AND MAYORAL CONTROL

The "Original Intent" Claim Contradicts Haas's 2020 Memo

Govindarajan Amendment 2 would add the following new subsection (c) to MGO § 5.19(6):

> *"Administrative Structural and Legal Compliance. While the OIM shall maintain independence in carrying out its duties, including investigations, findings, and recommendations, the OIM shall operate within the administrative structure of the City of Madison for purposes including, but not limited to, hiring and management of staff other than the Independent Monitor, contracting, budgeting, use of technology, and procurement. Nothing in this subsection shall be construed to alter the*

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[2] City of Madison, Police Civilian Oversight Board, Police Civilian Oversight Board Selects Interim Independent Monitor, November 21, 2025.

[3] See Legistar File No. 92386, available at https://madison.legistar.com/LegislationDetail.aspx?ID=7956235&GUID=71B84AF6-A5D3-4414-97AF-5E5338B41253&G=D66739FE-4C3C-468C-A9F0-0198EFAA8EF&Options=&Search=.

> *recruitment, appointment or confirmation process for the Independent Monitor as set forth in this section. The OIM shall comply with all applicable federal and state laws, city ordinances, and Administrative Procedure Memoranda (APMs). The Common Council retains the authority to enforce City policies and procedures regarding operations of the OIM and the actions of the Independent Monitor consistent with City ordinances, rules and procedures."*

The prefatory assurance that the OIM "shall maintain independence in carrying out its duties" does not limit or override the operative clauses that follow; it is a recital, not an enforceable standard, and it is directly undercut by the grant of authority to apply all APMs to the OIM and to have the Council "enforce City policies and procedures" governing the OIM's operations and the Monitor's actions.

Haas argues that requiring the OIM to operate within the City's administrative structure and comply with all APMs "reflects the original intent of the Common Council" and "only reinforces and does not change" the OIM's relationship to the City. This claim is difficult to reconcile with Haas's own August 21, 2020 memorandum to the Mayor and all alders, in which he wrote that placing the Monitor under PCOB supervision rather than the Mayor was "relatively unique" and "to a large degree, different from oversight models nationwide," and that "the majority of managerial employees are hired and supervised by the Mayor."[4]

In 2020, the City Attorney thus acknowledged that placing the OIM under PCOB supervision, rather than under the Mayor, was a deliberate and unusual departure from the City's normal administrative structure. By contrast, Haas's 2026 memo now describes the proposed requirement that OIM operate fully within the Mayor's administrative structure and comply with all APMs as merely reflecting "the original intent of the Common Council" and "only reinforc[ing] and not chang[ing]" OIM's relationship to the City.

In his August 21, 2020, memorandum to the Mayor and all alders, Haas emphasized that this provision was intended to "ensure this independence," expressly barring City employees and officials from using their political or administrative positions to influence or undermine the Monitor's work.[5]

The Council made a deliberate, informed choice in 2020 to depart from standard City practice by placing the OIM under the PCOB rather than under the Mayor's supervisory chain. Only three of the twenty current Council members served on the Council when MGO §§ 5.19 and 5.20 were adopted in 2020, increasing the risk that current decisions will rely more heavily on Haas's 2026 memo's framing than on the original legislative record and intent. Haas's 2020 memo acknowledged and stressed that departure.

The current characterization of the proposed APM language as merely reinforcing original intent is difficult to reconcile with those earlier representations and suggests a material change in how the OCA now understands and describes the OIM's independence. Drafting history confirms that the Council and Workgroup deliberately strengthened, rather than diluted, this independence: earlier drafts of MGO § 5.19 contained only an "Independent from MPD" provision, and the separate "Independent from City Staff and Officials" protection in § 5.19(6)(b) was added later in the July 23,

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[4] Michael Haas, City Attorney, Memorandum to Mayor Satya Rhodes-Conway and All Alders re: Independent Police Monitor/Civilian Oversight Body Discussion Topics, August 21, 2020 (Haas's 2020 memo), available at https://madison.legistar.com/View.ashx?M=F&ID=8757519&GUID=5D80DE96-4370-4D5E-916E-5B9D02865F67.

[5] See supra note 4, at 2–3.

2020 draft, specifically to bar City officials—including the Mayor and alders—from using their positions to influence or undermine the Monitor's work.[6]

The Workgroup that produced the ordinance met ten times over five weeks; over those meetings, the OCA produced five successive drafts of the ordinance and three comparative spreadsheets analyzing how peer cities resolved the precise structural questions now at issue, including supervisory structure, records access, and independent legal counsel, and no requirement that the OIM comply with mayoral APMs appeared in any of those five drafts.[7]

The Council Chose Independence Over Mayoral Control

The legislative record makes the original intent question considerably cleaner than Haas's 2026 memo suggests. On June 1, 2020, Mayor Rhodes-Conway and seven alders introduced Legistar File Nos. 60777 and 60778, which would have placed the oversight function directly in the Mayor's Office. Under those proposals, the position was titled "Independent Police Auditor," and the companion ordinance stated plainly that the auditor would report to the Mayor. The Common Council did not adopt those proposals. It adopted Legistar File No. 61593, the ordinance that created MGO §§ 5.19 and 5.20, which placed the OIM under PCOB supervision rather than the Mayor.[8]

The draft history also shows that the Workgroup considered—but rejected—placing the Monitor under a split supervisory structure that would have given another City actor a day-to-day HR role. The July 13, 2020 draft of § 5.16(5) provided that the Monitor would "report to and take direction from the Board regarding all substantive work flow issues and shall report to _____ for day-to-day human resource issues, such as time off, payroll, and other similar issues," leaving the second supervisory line blank. By the July 23, 2020 draft, that bifurcation had been eliminated. The final language, carried through to enacted MGO § 5.19(5), provides that the Monitor "shall report directly to the Board and the Board's Executive Subcommittee." The Workgroup did not mistakenly omit a mayoral or administrative HR role; it deliberately removed it.[9]

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[6] Draft Ordinance, MGO §§ 5.16--5.17, July 8, 2020, § 5.16(6) (containing only "Independence from MPD" language), and Draft Ordinance, MGO §§ 5.16--5.17, July 23, 2020, § 5.16(6)(a)--(b) (adding separate "Independent from MPD" and "Independent from City Staff and Officials" provisions), available at https://madison.legistar.com/View.ashx?M=F&ID=8653733&GUID=B14DF031-9161-4730-BF8E-762416D7F7BB and https://madison.legistar.com/View.ashx?M=F&ID=8680547&GUID=52B5F4D7-3DC9-4807-A68F-1384D5B56858.

[7] Alder Workgroup to Develop Logistical and Operational Details for MPD Independent Civilian Oversight, meeting records, available at https://madison.legistar.com/DepartmentDetail.aspx?ID=43859&GUID=4CAD704F-4A86-4FD1-B1B9-DD4B1E646CA4. The five successive ordinance drafts are dated July 3, July 8, July 13, July 23, and July 29, 2020. The three comparative spreadsheets are cited infra note 21.

[8] City of Madison, Legistar File No. 60778 (Resolution, "Amending the 2020 Mayor's Office and Direct Appropriations Operating Budgets and creating of the position of Independent Police Auditor, in the Mayor's Office") and Legistar File No. 60777 (Ordinance, "Creating Section 3.03(4) of the Madison General Ordinances entitled Police Auditor," providing that "[r]eporting to the Mayor, the Police Auditor provides independent civilian oversight to Police Department operations"), introduced June 1, 2020; not adopted. The Council instead adopted Legistar File No. 61593, the Ordinance creating MGO §§ 5.19 and 5.20, establishing the Office of the Independent Police Monitor under PCOB supervision, on a 19-0 vote with 746 registrants in support and 34 in opposition, available at https://madison.legistar.com/LegislationDetail.aspx?ID=4628948&GUID=2AE7E769-4795-4BF3-9D07-1826D08BCEFC&Options=ID|Text|&Search=61593. Legistar File No. 60778 available at https://madison.legistar.com/LegislationDetail.aspx?ID=4553158&GUID=AC03B9DD-AC59-4279-AA17-29F5421508F0&Options=ID|Text|&Search=60778; Legistar File No. 60777 available at https://madison.legistar.com/LegislationDetail.aspx?ID=4551114&GUID=B509A363-76D2-4A45-A8CB-455848DBE275&Options=ID|Text|&Search=60777.

[9] Draft Ordinance, MGO §§ 5.16--5.17, July 13, 2020 (track changes), § 5.16(5) (Monitor 'shall report to and take direction from the Board regarding all substantive work flow issues and shall report to _____ for day-to-day human resource issues'), and Draft Ordinance, MGO §§ 5.16--5.17, July 23, 2020, § 5.16(5) (revised to state that the Monitor 'shall report directly to the Board and the Board's Executive Subcommittee'), available at

This was not a drafting choice or an inadvertent omission. The Council was presented with two structural models. One placed supervision in the Mayor's Office. The other placed it under an independent civilian board. The Council chose the second model and rejected the first. When a legislature is presented with two structural options and votes for one over the other, that vote is the clearest possible statement of original intent. Haas's claim that the proposed APM provision "reflects the original intent of the Common Council" is directly contradicted by the Council's own vote in 2020.

Haas's 2020 Memoranda Acknowledge the Choice

Haas's own July 8, 2020, memorandum to the Workgroup confirms he understood this as a real structural choice, noting that "most equivalent positions are supervised by the Mayor" but that "the concept of empowering civilian oversight might favor supervision by the Oversight Body."[10] He was not describing a foregone conclusion. He was presenting two meaningful alternatives. The Workgroup and Council chose the oversight body model. Haas was present for that choice. He cannot now credibly characterize the result as showing a different intent than the one his own memo acknowledged the Council was making.

The body that drafted the ordinance the Council enacted was equally clear. In its August 3, 2020, final report, the Workgroup listed as a core deliberative priority "the need for the Civilian Oversight Board and Independent Police Monitor to be independent from both the Madison Police Department, and City elected officials and staff."[11] That is the Workgroup's own statement of drafting intent, in its own final report. Minutes from the Workgroup's June 29, 2020, meeting reflect that the OCA was directed to draft the overall ordinance for the Monitor and Oversight Board based on the Ad Hoc Committee's recommendations, to identify "decision points" for the Workgroup as they drafted, and to present comparative ordinance language from several other municipalities along with NACOLE's detailed comparison materials.[12] Haas is named in the Workgroup's final report as one of the City staff who supported the Workgroup throughout its work, and his office—specifically Assistant City Attorney John Strange, a co-author of Haas's July 8 memo—authored the draft ordinances the Workgroup used. Haas's current characterization of the ordinance's independence framework is difficult to reconcile with the Workgroup's own description of what it designed.

Nonpartisan Legal Analysis Agrees

The nonpartisan Wisconsin Legislative Council reached a consistent conclusion in a June 25, 2020, memorandum to Representative Chris Taylor analyzing whether the proposed oversight structure would conflict with the PFC's statutory authority. Staff Attorney Peggy Hurley concluded that "a Board, an independent monitor, or another body or entity may be given authority by a city to review, investigate, report, and take actions on any aspect of the operations of the police department… so

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https://madison.legistar.com/View.ashx?M=F&ID=8662996&GUID=CCBCB2D2-6E54-475A-ACCE-6CAE89CD1A44 and https://madison.legistar.com/View.ashx?M=F&ID=8692100&GUID=13DF579D-EDF9-4DD2-B11E-5FD36295D69B.

[10] Michael Haas, City Attorney, Marci Paulsen, Assistant City Attorney, and John Strange, Assistant City Attorney, Memorandum to Workgroup to Develop Logistics of MPD Oversight re: Independent Police Monitor/Civilian Oversight Body Discussion Topics, July 8, 2020, at 1–2 (Item 1), available at https://madison.legistar.com/View.ashx?M=F&ID=8656623&GUID=2799E874-2324-4E37-B224-B33B87B104B7.

[11] Workgroup to Develop Logistical and Operational Details for MPD Independent Civilian Oversight, Final Report, August 3, 2020, at 2 (Workgroup Activities) (Alder Moreland, chair; Alders Bidar and Kemble). City Attorney Michael Haas and Assistant City Attorney John Strange are named in the report's acknowledgments as among the City staff who provided "expertise, diligence and support" to the Workgroup. The July 23 and July 29, 2020 draft ordinances produced during the Workgroup process identify John Strange as the author in their document properties. The Workgroup Final Report is available at https://madison.legistar.com/View.ashx?M=F&ID=8704750&GUID=5398DE66-378A-421E-9026-675D31FCFC32.

[12] Alder Workgroup to Develop Logistical and Operational Details for MPD Independent Civilian Oversight, Minutes of June 29, 2020 Meeting, available at https://madison.legistar.com/View.ashx?M=M&ID=795777&GUID=FAB35FB7-D781-44EC-83FC-8A3DA57F9744.

long as the actions do not encroach on the PFC's statutory duties."[13] The Legislative Council found the independent oversight structure legally valid without any suggestion that independence from the Mayor was problematic or that mayoral APMs were required. The Council had this analysis before it when it voted 19-0 to adopt MGO §§ 5.19 and 5.20.

The APM Mechanism Is a Structural Change, Not a Clarification

Administrative Procedure Memoranda (APMs) are Mayoral directives issued and approved by the Mayor; the current ordinance does not require the OIM to comply with all APMs. Requiring the OIM to comply with all APMs gives the Mayor a rulemaking instrument over OIM operations, bypassing the Common Council entirely. The proposed language goes beyond neutral, citywide policies by requiring that the OIM "shall comply with all applicable… Administrative Procedure Memoranda (APMs)," without distinguishing between APMs that address general administrative functions and any APM that might purport to limit records access, investigations, or public reporting. The PCOB should ask whether the Mayor could write an APM that restricts how the OIM conducts investigations or limits the OIM's access to MPD records. If the answer is yes, the proposed language does not clarify OIM's independence. It eliminates it. One could argue that the language of independence would remain in the ordinance, but its practical force would depend entirely on who interprets it. Under the proposed structure, that interpretive authority would rest with the OCA, the same office that drafted the amendment and is now supporting it. That is itself a structural conflict.

The national best-practice standards the Council was studying when it designed the OIM are consistent with this concern. NACOLE's Recommendations for Effective Practices, circulated to the Council as part of the 2020 legislative file, includes under Section III(B)(2), Essential Functions and Daily Operations: "Agency staff should be able to make key decisions regarding the oversight agency's daily operations without consulting or requiring prior approval from outside entities."[14] A requirement that the OIM comply with all APMs issued by the Mayor is precisely the kind of prior approval from an outside entity that NACOLE identifies as a threat to operational independence. The Council had this guidance before it when it voted.

Haas's IT security examples are legitimate as a general administrative matter. But he does not address the fact that the IT compliance mechanism was the specific instrument Chief Patterson used in November 2025 to suspend the OIM's legally mandated records access, in direct violation of the governing ordinance.[15] Nothing in the relevant APMs authorizes the Police Chief to suspend the OIM's unfettered access to MPD records guaranteed by MGO § 5.19(7)(i).[16]

In light of MGO § 5.19(7)(h), which already requires the Monitor to collaborate with Human Resources in recruiting and hiring staff and to follow all City contracting requirements when engaging independent contractors, the new requirement that the OIM "operate within the

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[13] Peggy Hurley, Staff Attorney, Wisconsin Legislative Council, Memorandum to Representative Chris Taylor re: Citizen Oversight and the Duties of the Police and Fire Commission, June 25, 2020, available at https://madison.legistar.com/View.ashx?M=F&ID=8634865&GUID=8617DC51-0B17-49B1-ADC7-A202EC1416EE.

[14] National Association for Civilian Oversight of Law Enforcement, Recommendations for Effective Practices, Section III(B)(2), Essential Functions and Daily Operations (June 1, 2020), included in the 2020 legislative file for MGO §§ 5.19 and 5.20, available at https://madison.legistar.com/View.ashx?M=F&ID=8637311&GUID=7435CBAD-56E2-47BA-BA0B-515C8F37F90C.

[15] MGO § 5.19(7)(i) requires that the OIM "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."

[16] City of Madison Administrative Procedure Memoranda Nos. 3-6, 3-9, 3-20, and 3-21, cited by Chief Patterson as the basis for the November 7, 2025 records suspension. A review of those APMs confirms that none of them authorize the Police Chief to suspend or terminate an office's access to MPD records as a remedy for an information technology compliance issue. The APMs address IT security requirements and compliance obligations; they do not confer authority to override a separate ordinance-level access right established by MGO § 5.19(7)(i), available at https://www.cityofmadison.com/mayor/apm.

administrative structure of the City of Madison" with respect to "hiring and management of staff… contracting, budgeting, use of technology, and procurement" is not a neutral clarification; it is an additional layer of administrative control on top of existing, ordinance-level safeguards. The July 29, 2020, draft ordinance produced during the Workgroup process, authored by Assistant City Attorney John Strange, already required the Monitor to "follow all City of Madison contracting requirements" when engaging independent contractors.[17] That requirement was carried through to the enacted ordinance as MGO § 5.19(7)(h). The contracting compliance obligation Haas now describes as a necessary clarification was already included in the ordinance his office helped draft. The proposed APM language does not clarify that requirement. It expands it to cover all mayoral directives across all OIM operations.

Codifying that mechanism in the ordinance gives it a permanent legal foundation. This is not an abstract concern. In November 2025, Chief Patterson cited Administrative Procedure Memoranda as his authority to suspend the OIM's direct access to all MPD records and databases—an access right guaranteed by MGO § 5.19(7)(i).[18]

The factual predicate for the APM compliance requirement is further undermined by the department heads whose concerns Govindarajan cited as justification for the amendments. On April 1, 2026, email responses to PCOB Chair Pearson, both HR Director Hillson and IT Director Edgerton confirmed that the compliance concerns Govindarajan raised in his March 24, 2026, email pertained to the prior OIM under Robin Copley and are not current issues under the current administration. Hillson wrote that the hiring process example she cited was one the City ran into with a previous hire in the OIM, not a current problem. Edgerton was unambiguous: the examples she provided to Govindarajan were issues the City had to address with the previous OIM, not existing issues. The compliance problems used to justify a permanent ordinance change, according to the department heads themselves, have already been resolved.[19]

Edgerton's email provides direct confirmation that the proposed APM amendment is substantive rather than a clarification. Independent Monitor Glass told Edgerton she was uncertain whether the APMs were legal requirements the OIM was obligated to follow, and Edgerton agreed, writing that the current ordinance language is not clear on that question.[20] The IT Director thus confirms that the current ordinance does not require OIM compliance with all mayoral APMs. An amendment adding that requirement changes the ordinance. It does not clarify it.

To the extent the Council wishes to clarify the applicability of neutral, citywide administrative policies (e.g., IT security, procurement, and general HR rules) to the OIM, it should do so directly in the

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[17] Draft Ordinance, MGO §§ 5.18–5.19, July 29, 2020, § 5.18(7)(h) (Workgroup to Develop Logistical and Operational Details for MPD Independent Civilian Oversight; authored by Assistant City Attorney John Strange, City Attorney's Office), available at https://madison.legistar.com/View.ashx?M=F&ID=8695223&GUID=26D56A1B-A2BD-4A24-B98A-C12AD9EA4BA5.

[18] John Patterson, Chief of Police, City of Madison Police Department, Inter-Departmental Correspondence to Erin Hillson, Human Resources Director, November 7, 2025, Subject: Immediate Pause on all MPD Records Sharing with the OIM (directing MPD staff to "immediately pause any data or records requests, including those in process and outstanding with the OIM, until this is rectified and our current MOU with the office is updated"), available at https://tinyurl.com/PATTERSONMEMO251107.

[19] Alder MGR Govindarajan, Email to Maia Pearson, Police Civilian Oversight Board Chair, March 24, 2026, available at https://tinyurl.com/GOVINDARAJANEMAIL260324; Erin Hillson, Human Resources Director, Email to Maia Pearson, April 1, 2026, available at https://tinyurl.com/HILLSONEMAIL260401; Sarah Edgerton, IT Director, Email to Maia Pearson, April 1, 2026, available at https://tinyurl.com/EDGERTONEMAIL260401 (all produced in response to public records request).

[20] Sarah Edgerton, IT Director, Email to Maia Pearson, April 1, 2026, available at https://tinyurl.com/EDGERTONEMAIL260401.

ordinance and state clear limits on their applicability. For example, if the Council chooses to amend the ordinance, it should adopt language along the lines of:

> *"The Office of the Independent Police Monitor shall comply with generally applicable City Administrative Procedure Memoranda. Nothing in this subsection shall be construed to authorize the Council or any City official to direct, limit, or interfere with the powers and duties of the Monitor and the Office of the Independent Police Monitor as set forth in MGO § 5.19(7)."*

This approach upholds necessary administrative integration while protecting the core independence and access privileges intended by the Council when establishing the OIM.

The PFC Precedent: Haas's Argument Proves Too Much

Haas argues that requiring the OIM to comply with all APMs approved by the Mayor reflects how City agencies operate, and that no City agency is exempt from standard administrative policies and procedures. This claim overlooks a significant counterexample embedded in the same statutory framework under which Haas operates—the Police and Fire Commission (PFC).

Under Wis. Stat. § 62.13, the PFC has exclusive authority to appoint the chief of police, all commissioned police officers, the fire chief, and all commissioned firefighters. It exercises independent disciplinary authority over those personnel, removable only for just cause as defined in Wis. Stat. § 62.13(5)(em). The PFC does not exercise these statutory powers subject to mayoral APMs or administrative direction. While PFC staff and operations may be subject to certain neutral citywide administrative policies, the Mayor does not direct or control the PFC's core statutory functions—appointments, promotions, and discipline of sworn personnel—through APMs. Once commissioners are seated, the Mayor cannot direct their decisions.

The PFC is constituted entirely by Mayoral appointment, subject to Council confirmation. The PCOB, by contrast, was deliberately structured with greater insulation from Mayoral influence. Nine of its eleven voting members are nominated by designated community-based organizations. The Monitor is recruited and appointed by the PCOB itself, with no role for the Mayor in that process. If the PFC, whose entire membership is appointed by the Mayor subject to Council confirmation, exercises these core statutory powers independently of Mayoral administrative directives, it cannot be justified to subject the OIM and PCOB—bodies that were deliberately structured with greater insulation from Mayoral influence—to wider Mayoral administrative control over their core oversight functions.

Haas's 2026 memo does not address the PFC precedent. Its omission is notable. The assertion that all City agencies must follow mayoral APMs in the exercise of their statutory authority is inconsistent with the PFC's operation for more than a century under the same Wisconsin statutes. The Council drew on that tradition deliberately when it created the OIM and PCOB outside the Mayor's supervisory chain, as Haas himself acknowledged in 2020. His current position is difficult to reconcile with that acknowledgment and with the PFC's well-established operating model.

RESTRICTING INDEPENDENT LEGAL COUNSEL

The Conflict Is Structural, Not Personal

Haas addresses the conflict-of-interest concern in depth and concludes that ethical rules and internal "walling off" procedures are sufficient. This response misses the point. The question is not whether the attorneys in that office are ethical. The question is whether the City Attorney, as the City's and MPD's legal representative, is structurally appropriate as the source of legal advice for an office whose mission is to investigate and oversee MPD. The conflict is structural, not personal. Those

institutional roles are different: the OCA is charged with defending the City as an organizational client, while the OIM's charge is to investigate and report on MPD conduct in the public interest. Those separate roles create structural tension that cannot be resolved by assurances about individual ethics or internal "walling off" procedures.

The OCA's own practice confirms the point. On April 8, 2026, the Board of Public Works held a hearing on a Privilege in Streets Application Denial (Legistar File No. 92558).[21] Because the OCA had previously advised City staff on the same matter, it arranged for outside counsel to advise the Board at the hearing. In Haas's own words, this was done to "ensure that both the Board and applicant had confidence that the legal advice provided to the Board was not influenced by the advice that our office had given to City staff."[22] The OIM's structural situation is indistinguishable. The OCA advises MPD and the City administration—the same parties whose conduct the OIM is charged with overseeing. By that standard, that conflict requires independent counsel for the OIM, not exclusive reliance on his office.

Although MGO § 5.19(2) and (5) require the Monitor to fulfill the OIM's duties "in consultation and collaboration with the Board" and to "act as directed by the Board and the Board's Executive Committee," there is no evidence in the Board's records that the PCOB reviewed or approved this MOU before it was executed, and Haas did not apprise the Board of the agreement before signing as City Attorney.[23] That oversight failure allowed a document with significant adverse consequences for OIM's independence to take effect without the Board's knowledge or scrutiny.

Haas's argument that Amendment 1 codifies current practice is therefore an argument that a deficient agreement, negotiated by an inexperienced Monitor without PCOB involvement and without full consideration of the ordinance's access guarantees, should be permanently embedded in the ordinance. The Council should reject that framing. The MOU reflects what Copley agreed to, not what the ordinance requires or what a properly advised and experienced Monitor would have accepted. The appropriate response is not to codify the MOU's limitations but to recognize them as a baseline that needs correction, not entrenchment.

The Council's treatment of the Police and Fire Commission underscores this point. The PFC has retained independent outside legal counsel continuously since 1980,[24] a practice the OCA has supported, including its recommendation to renew the current contract in 2024. In April 2024, the Council adopted RES-24-00275 (Legistar File No. 82492), sponsored by Mayor Rhodes-Conway, to authorize the extension of that arrangement. The resolution states that the Commission "requires regular legal counsel separate from the Office of the City Attorney... especially since the OCA is

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[21] City of Madison Board of Public Works Meeting, April 8, 2026, Legistar File No. 92558 (Privilege in Streets Application Denial, 1202 Williamson St.), video available at https://media.cityofmadison.com/mediasite/Showcase/madison-city-channel/Presentation/8e13ed91d5c44943bfc0bf742d76bffb1d/Channel/116f3360e12344b797d6309a40ca443c5f (hearing begins at 1:03:33).

[22] Email correspondence between Alex Saloutos and City Attorney Michael Haas, April 12, 2026, available at https://tinyurl.com/HAASEMAILS260412.

[23] No agenda item for a memorandum of understanding with MPD appears in the records of the Police Civilian Oversight Board or its Executive Subcommittee for the period prior to the MOU's execution in January 2024. PCOB meeting records are available in the City of Madison's Legistar system at https://madison.legistar.com/Calendar.aspx. Executive Subcommittee meeting records are available at https://www.cityofmadison.com/city-hall/committees/police-civilian-oversight-board-executive-subcommittee?meeting=past.

[24] Former PFC Attorney Scott Herrick stated that he served in that role from 1980 to May 2019. See "Diverse group of civic-minded residents to pick next Madison police chief," Wisconsin State Journal, October 4, 2019, available at https://madison.com/wsj/news/local/govt-and-politics/diverse-group-of-civic-minded-residents-to-pick-next-madison-police-chief/article_72b95b66-c79f-593c-9cd3-32b34d46ae7b.html.

responsible for representing the Police or Fire Chief in such disciplinary hearings."[25] The Council and the Mayor have therefore already recognized that when the City Attorney represents one set of actors in police disciplinary matters, the oversight body requires its own independent general legal counsel. The same conflict exists in more pervasive form in the OIM's relationship to the OCA, and the proposed amendment would permanently eliminate the Monitor's ability to address it.

There is no principled reason to deny the OIM and PCOB access to independent counsel when similar, and in some respects more pervasive, structural conflicts exist. If anything, the Council's decision in Legistar File No. 82492 confirms that independent legal representation is an appropriate, and already accepted, tool when police-related oversight bodies must operate at arm's length from the City Attorney's other clients.

The proposed amendment assigns to the City Attorney precisely the categories of legal matter where institutional conflict is most likely: public records law, open meetings law, and employment matters. If OIM receives a public records request for documents the City wants to withhold, the City Attorney's obligation runs to the City's interest in protection, not OIM's interest in transparency. If a dispute arises about what must be disclosed at a PCOB meeting, the City Attorney resolves it. These are not hypothetical scenarios. They describe the actual conflict environment in which OIM has operated.

NACOLE's Thirteen Principles for Effective Civilian Oversight identify independence as the most important defining concept of civilian oversight, describing it as "an absence of real or perceived influence from law enforcement, political actors, and other special interests."[26] Requiring OIM to use the City Attorney for public records requests, open meetings, disputes over MPD records access, and Memorandum of Understanding (MOU) negotiations with MPD creates exactly the kind of real and perceived influence that NACOLE identifies as a threat to legitimacy. It is difficult for the OCA to credibly claim that it is a neutral advisor to the OIM and PCOB while simultaneously occupying a structural position in which its obligations to other City clients—including MPD, the Mayor, and City administration—regularly diverge from the independence, transparency, and accountability objectives the OIM and PCOB are charged with pursuing.

The Budget Argument Does Not Override Ordinance Text

Haas argues that a 2020 Finance Department estimate of $30,000 for 120 hours of outside legal work shows that independent counsel was intended only for investigative matters. Budget estimates at the time of enactment do not define the outer boundaries of an ordinance provision. The language of MGO § 5.19(7)(l) is broad by design: "The Monitor may retain independent legal counsel if necessary to fulfill the duties of the OIM." In substance, that position asks a preliminary budget estimate to narrow the plain text of an ordinance, which is not consistent with ordinary principles of statutory construction. Under MGO § 1.01(1), the City's own rules of ordinance construction require that words and phrases be construed according to their common and approved usage; under that standard, "if necessary to fulfill the duties of the OIM" confers broad discretion on the Monitor to determine necessity, and does not limit independent counsel to any particular category of legal work.

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[25] City of Madison Common Council, Resolution Authorizing the City to Retain Outside Counsel on a Non-Competitive Basis to Provide General Legal Representation of the Police and Fire Commission, Legistar File No. 82492, RES-24-00275, adopted April 16, 2024, available at https://madison.legistar.com/LegislationDetail.aspx?ID=6572304&GUID=4EF1D246-5FF5-4D44-92FD-0ACDB305A7B6&Options=Advanced&Search=&FullText=1.

[26] National Association for Civilian Oversight of Law Enforcement (NACOLE), Thirteen Principles for Effective Civilian Oversight, Principle 1: Independence, available at https://www.nacole.org/principles.

The Ordinance Text Is Broad and Unqualified
The July 22, 2020 memorandum from Finance Director David Schmiedicke expressly described the $30,000 allocation for investigators and outside legal counsel as a "preliminary" estimate "based on the powers and duties of both entities as described in current versions of city ordinance drafts," and stated that "[t]he ordinance authorizes the OIM to appoint legal counsel and engage investigators under certain circumstances. Based on information from other communities that engage outside legal counsel to support similar boards, a preliminary budget of $30,000 is established for this purpose." The memo cautioned that "the Mayor and Council should expect any budget developed for this new city function to be reviewed each year and possibly amended during the year to reflect actual workload and associated costs."[27] In other words, Finance treated the budget as following the ordinance's powers and duties, not as limiting them. Nothing in the Finance memorandum suggests that the Council intended the $30,000 estimate to define when independent counsel may be retained under MGO § 5.19(7)(l); it is presented as an initial funding assumption, not a constraint on the ordinance's meaning.

Reading MGO § 5.19(7)(l)'s broad, textually unqualified grant of authority through the lens of a preliminary budget estimate inverts that relationship and asks a budget line to narrow an ordinance adopted under the Council's legislative power. The better reading is that the Finance estimate was meant to support the contemplated use of independent counsel in the ordinance, not to confine it. The July 23, 2020, draft ordinance is consistent with that reading. A drafting note on the independent counsel provision in that draft states: "Editor's Note: Note that this is different than the authority to appoint counsel for individuals found in Sec. (7)(b)(iv) above. Confirm that this would be independent counsel to assist the Monitor, not to represent individuals."[28] The note distinguishes independent counsel for the Monitor from the separate provision appointing counsel for complainants—confirming that the drafters understood independent counsel as a general resource for the Monitor across its duties, not a narrow tool limited to investigations. That distinction was confirmed and carried through to the enacted ordinance, which provides both the Monitor's authority to retain independent counsel under MGO § 5.19(7)(l) and the separate authority to appoint counsel for aggrieved individuals under MGO § 5.19(7)(b)(iv).

Council Considered—but Rejected—Budget Caps
There is a further reason to reject treating the 2020 budget estimate as a cap on the Monitor's authority to retain independent counsel. In the same July 8, 2020 memorandum, Haas's Item 4 explicitly asks the Workgroup to consider whether the Monitor's investigation budget "is an unlimited sum-sufficient budget or restricted on an annual basis" and whether "investigations exceeding a specified cost require approval to continue by the Oversight Body, Mayor or Common Council."[29] The Council imposed none of those restrictions. The City Attorney raised the question of budget caps and approval requirements as a policy choice for the Council to make. The Council declined to make them. The City Attorney now argues that the $30,000 planning estimate functions as the cap that the Council chose not to impose. That argument is not available.

Portland and Denver Model Ordinances Confirm Broad Counsel Authority
The model ordinances the Council reviewed as part of the 2020 legislative file are consistent with broad authority for independent counsel. Portland's Office of Independent Police Review ordinance

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[27] David Schmiedicke, Finance Director, Memorandum to Alders Moreland, Bidar, and Kemble re: Discussion of Budget for the Office of the Independent Monitor and the Police Independent Civilian Oversight Board, July 22, 2020, available at https://madison.legistar.com/View.ashx?M=F&ID=8694931&GUID=D7A8AC81-6A02-47C9-8A44-B0A2FB2873A0.

[28] Draft Ordinance, MGO §§ 5.16–5.17, July 23, 2020, § 5.16(7)(m), drafting note. The July 23 draft was produced during the Workgroup process in which the City Attorney's office, including Assistant City Attorney John Strange, participated in drafting, available at https://madison.legistar.com/View.ashx?M=F&ID=8680547&GUID=52B5F4D7-3DC9-4807-A68F-1384D5B56858.

[29] Haas July 8, 2020 Memorandum, supra note 10, at 2 (Item 4).

states at Section 3.21.070(P) that "[t]he Director may retain or employ independent legal counsel," with no qualification and no limitation to investigations. Denver's city charter goes further: it explicitly authorizes the monitor to retain independent general counsel "to provide legal advice… to assist the monitor in the performance of its duties," distinguishing that general advisory function from the use of special counsel in specific disputes.[30] Neither model limits independent counsel to investigative matters. The Council had both before it when it enacted MGO § 5.19(7)(l). The inference that it intended a narrower scope than either model provided is difficult to sustain. Comparative spreadsheets prepared by the OCA for the Workgroup in July 2020 summarized these Denver and Portland provisions and served as reference points for Madison's ordinance design.[31]

Haas's Own Citations Support Independent Counsel

Haas's legal argument on this point is self-defeating. Haas cites Wis. Stat. § 62.09(12)(a) for the general rule that the City Attorney "shall conduct all the law business in which the City is interested," and MGO § 3.07(1) for the proposition that the City Attorney "shall be responsible for the duties contained therein and for the conduct of all legal services of the City and shall serve as legal advisor to the Council, the Mayor and all departments and offices of the City." These are offered as the baseline authority against which independent counsel is an exception. But in the same memorandum, Haas cites the exception: Wis. Stat. § 62.09(12)(g), which provides that the Common Council "may employ and compensate special counsel to assist in or take charge of any matter in which the City is interested." To the extent MGO § 3.07(1) could be read to conflict with that authority, Wis. Stat. § 62.09(12)(g) controls. The Council has done exactly that. MGO § 5.19(7)(l) is the Council's exercise of that statutory authority.

As a matter of legal hierarchy, Wis. Stat. § 62.09(12)(a) establishes the general rule that the city attorney "shall conduct all the law business in which the City is interested." Section 62.09(12)(g) then creates an express exception, authorizing the Council to "employ and compensate special counsel to assist in or take charge of any matter in which the City is interested." The Council implemented that statutory exception through MGO § 5.19(7)(l), which provides that "[t]he Monitor may retain independent legal counsel if necessary to fulfill the duties of the OIM." Reading that broad, textually unqualified grant of authority as limited by a 2020 budget estimate would conflict with ordinary principles of statutory construction, including the plain-meaning rule and the canon against treating ordinance language as surplusage.

The Council's Reliance on Haas's Pre-Enactment Representations

The OCA drafted the original ordinance. Before enactment, he issued an official legal memorandum to the Mayor and all alders, opining on the ordinance's meaning, scope, and intent. The Council relied on those representations and enacted the ordinance as written, including MGO § 5.19(7)(l). Haas now argues that the broad independent counsel language was never intended to mean what it plainly says. Having shaped the document and officially opined on its content to the enacting body,

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[30] Portland City Code § 3.21.070(P) ("The Director may retain or employ independent legal counsel"); available at https://www.portland.gov/code/3/21#cid_679164. Denver City Charter § 12.1.1(A)(v) (authorizing the monitor to retain independent general counsel "to provide legal advice… to assist the monitor in the performance of its duties"), available at https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Office-of-the-Independent-Monitor/Operating-Documents. Both model ordinances were included in the 2020 legislative file reviewed by the Council before adopting MGO §§ 5.19 and 5.20, available at https://madison.legistar.com/LegislationDetail.aspx?ID=4580421&GUID=BEA6563A-E523-4341-87F4-AB11A66A96FD.

[31] Draft Spreadsheet Comparing and Contrasting Auditor and Monitor Ordinances (July 2, 2020), available at https://madison.legistar.com/View.ashx?M=F&ID=8647161&GUID=59986CFC-91AE-43DE-98A1-8B9C34BBF9A5; Draft Spreadsheet Comparing and Contrasting Auditor and Monitor Ordinances (July 6, 2020), available at https://madison.legistar.com/View.ashx?M=F&ID=8652835&GUID=FA11C637-28C3-4E6F-AB66-941BCA7771F2; and Draft Conceptual Spreadsheet Comparing and Contrasting Auditor and Monitor Ordinances (July 11, 2020), available at https://madison.legistar.com/View.ashx?M=F&ID=8662994&GUID=3B4DB801-6038-4693-93C7-DBB8C7FEBDCC.

he is in a difficult position to argue before the same Council that the language means something different than what he represented.

This history implicates principles underlying equitable estoppel and, more specifically, the role of legislative history in interpreting ordinances. Wisconsin courts apply estoppel against governmental entities sparingly and only in limited circumstances. See Hocking v. City of Dodgeville, 2010 WI 59, ¶¶ 20–23, 326 Wis. 2d 155, 785 N.W.2d 398. This memorandum does not contend that estoppel would legally bar the Council from amending MGO §§ 5.19 or 5.20. It does contend that where the OCA drafted the original ordinance and provided contemporaneous representations to the Council about its meaning and intent, those representations should carry substantial interpretive weight when the Council evaluates subsequent characterizations that materially differ from them.

NARROWING RECORDS ACCESS

Under the current ordinance, MGO § 5.19(7)(i) provides that "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." Govindarajan Amendment 1 would remove the term "computer databases" from this list and would instead condition OIM's access to certain records and data on the terms of a memorandum of understanding (MOU) negotiated with MPD and the OCA.

State and federal law already limit which criminal justice databases—such as computer-aided dispatch (CAD) systems, records management systems (RMS), and CJIS-connected databases—can be accessed by non-law-enforcement personnel and under what conditions. The existing "to the extent permitted by law" clause makes certain that OIM's access rights stay bounded by those legal limits. Removing "computer databases" from the ordinance adds an additional, local limitation on top of those existing legal requirements.

A Solution in Search of a Problem

The current ordinance already limits access "to the extent permitted by law." Haas argues that "MPD cannot provide the OIM with the ability to search within the databases and risk information being altered or compromised." That concern does not require an ordinance change. Database systems routinely support read-only access that prevents modification of records while permitting queries and retrieval, and MPD's own Standard Operating Procedure on TIME and CJIS Systems Use already requires that authorized users be granted "the minimum level of permissions to meet respective job duties," a role-centered access control that prevents modification of records.[32] Portland and Denver have granted oversight bodies direct database access without this concern arising as a legal barrier.[33] The effect of this amendment is not to address a security problem that cannot be solved otherwise. It is to permanently restrict OIM's access beyond what the law requires.

The drafting history makes this point with unusual clarity. The July 23, 2020, draft ordinance did not include "computer databases" in the records access provision. A drafting note on that section flagged the question of whether to add "to the extent permitted by law" and how to handle records whose disclosure might be legally restricted. The July 29, 2020 draft—authored by Assistant City Attorney John Strange, who co-authored Haas's July 8 memo and is named in the Workgroup's

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[32] Madison Police Department, Standard Operating Procedure, TIME and CJIS Systems Use and Dissemination of Records, eff. date 03/16/2026, available at https://www.cityofmadison.com/police/documents/sop/TIMEsystemUse_0.pdf.

[33] Portland City Code § 3.21.070(C) ("IPR will also have direct access to original database sources as permitted by state and federal law"); Denver Revised Municipal Code § 2-390(a) (requiring departments to provide "complete access to department… databases… and all other items"). Both model ordinances were included in the 2020 legislative file.

acknowledgments—resolved both questions: it added "to the extent permitted by law" and simultaneously added "computer databases" to the list of materials to which the OIM would have unfettered access.[34]

That language was carried through to the enacted ordinance without change. Whatever prompted the addition—whether a Workgroup request, review of the Portland and Denver model ordinances the Workgroup was examining, or another consideration—the change was made deliberately during a process in which the OCA was actively involved in drafting, and the final language was reviewed and cleared by the OCA under MGO § 3.07 before the Council voted. Removing "computer databases" now does not clarify existing practice. It reverses a deliberate choice made during a drafting process in which the OCA participated and that it cleared.

Workgroup minutes from July 27, 2020, reflect that Haas specifically raised the legal issue of whether the Independent Monitor and PCOB could be given "unfettered access" to MPD documents outside the public records process, and the Workgroup nonetheless chose to adopt ordinance language guaranteeing such access "to the extent permitted by law" and explicitly including "computer databases."[35]

The MOU Transforms Cooperation Into a Ceiling

Under MGO § 5.19(2), "[t]he Monitor is responsible for ensuring that the duties of the OIM are fulfilled in consultation and collaboration with the Board." MGO § 5.19(5) further provides that "[t]he Monitor shall report directly to the Board and the Board's Executive Subcommittee" and that "the Monitor shall act as directed by the Board and the Board's Executive Committee." These provisions make clear that the Monitor's authority is exercised in relation to, and subject to direction from, the PCOB.

Haas correctly notes that an MOU was negotiated with the previous Monitor and frames the proposed amendment as a codification of current practice. But codifying the MOU requirement as a mandatory process negotiated with Haas transforms what was once a cooperative working arrangement into a legally required access ceiling. Haas's 2020 memo resolved the access question by adding "to the extent permitted by law" and leaving the rest to the exercise of discretion and cooperation. Haas does not identify the specific access problems that have arisen or explain why existing language cannot address them. Before acting on April 21, the Council should ask what those problems are and whether a different solution that preserves unfettered access rather than further restricts it better serves the public interest.

The January 2024 MOU, signed by former Independent Monitor Robin Copley and Chief Barnes, was the product of a cooperative working relationship with a Monitor who had no prior experience in

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[34] Compare Draft Ordinance, MGO §§ 5.16–5.17, July 23, 2020, § 5.16(7)(j) ("The OIM shall have unfettered access to all MPD records, policies, Standard Operating Procedures, data, and other information necessary to fulfill the duties of the OIM") with Draft Ordinance, MGO §§ 5.18–5.19, July 29, 2020, § 5.18(7)(i) ("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") (emphasis added). Both drafts identify Assistant City Attorney John Strange as author in their document properties. The enacted ordinance, MGO § 5.19(7)(i), follows the July 29 language without change.

[35] Haas raised this issue during the Workgroup's discussion of Agenda Item 3 (Legistar File No. 61172) at its July 27, 2020 meeting. See Alder Workgroup to Develop Logistics & Operational Details for MPD Independent Civilian Oversight, Minutes of July 27, 2020 Meeting, at 2, Legistar Event ID 796975, available at https://madison.legistar.com/View.ashx?M=M&ID=796975&GUID=BE542EB0-723A-41CC-AEE0-151798AA001F; see also Legistar File No. 61172, Staff update on progress of ordinance draft, available at https://madison.legistar.com/LegislationDetail.aspx?ID=4582095&GUID=CEDE0060-1A9F-4468-A30A-C3C41CED5994.

police civilian oversight.[36] Several of its provisions ceded authority expressly granted to the OIM by the Council in the enabling ordinance, apparently without recognition of the significance of those concessions. For example, Section E of the MOU routes OIM's requests for MPD data through MPD's public records process rather than accepting the direct "unfettered access" contemplated by MGO § 5.19(7)(i). Section G requires OIM to consult with MPD before publicly releasing information relating to active investigations or personnel matters, a condition not found in MGO § 5.19(7) and arguably inconsistent with the OIM's independent reporting role under MGO § 5.19(7)(k). Section I provides that the MOU may be amended only with the consent of both the Chief and the Independent Monitor, witnessed by the City Attorney, effectively giving MPD and the OCA veto power over any future changes affecting OIM's access rights.[37]

The national standards before the Council at the time of enactment run counter to Amendment 1. NACOLE's Recommendations for Effective Practices, part of the 2020 legislative file, states at Section V(B) that '[l]egislation establishing civilian oversight must explicitly address an oversight agency's unfettered access to relevant records and documentation, as well as the law enforcement agency's obligation to cooperate with the oversight agency's request in a reasonable and timely manner.' Section V(E) states that "[d]irect access to law enforcement databases reduces delays in information requests, permits the civilian oversight agency to run advanced queries of the database content, and ensures the accuracy and integrity of the overseen law enforcement agency's data."[38]

Both Portland's and Denver's model ordinances, also in the legislative file, explicitly protect direct database access using language parallel to MGO § 5.19(7)(i). Portland's ordinance states that the office "will also have direct access to original database sources as permitted by state and federal law." Denver's ordinance requires departments to provide "complete access to department… databases… and all other items, whether in paper, electronic, or other form."[39] The Council enacted MGO § 5.19(7)(i)'s unfettered access language with these models before it. Amendment 1 would move Madison below the floor set by those models, not merely clarify the existing standard.

CJIS Compliance: A Collaborative Way Forward

Rather than treating CJIS security requirements as a justification for narrowing the OIM's ordinance-level access rights, the Council should direct MPD and the OIM to work collaboratively to achieve CJIS compliance and reduce the regulatory and administrative obstacles to direct access. That is the approach recommended by national best practices, and it serves the public interest. The question

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[36] See "Police Civilian Oversight Board Names Another Independent Police Monitor," Fox47, October 28, 2022 (noting Copley's prior experience as Milwaukee Police Department open records legal advisor and paralegal for the Milwaukee Fire and Police Commission), available at https://fox47.com/news/local/police-civilian-oversight-board-names-another-independent-police-monitor; "Madison Names Its 2nd First Independent Police Monitor," WMTV15, October 28, 2022 (same; PCOB Chair Burnette emphasized experience "developing processes to ensure transparency and expedite public records requests"). Copley's prior experience was in records management and administrative legal work inside law enforcement agencies, not in conducting civilian oversight investigations. WMTV15 article available at https://www.wmtv15news.com/2022/10/28/madison-names-its-2nd-first-independant-police-monitor/.

[37] Memorandum of Understanding between the Madison Police Department and the Office of the Independent Police Monitor regarding Access to MPD Records and Information, signed January 2, 2024 (Haas) and January 4, 2024 (Barnes and Copley), available at https://tinyurl.com/MPDOIMMOU.

[38] NACOLE, Recommendations for Effective Practices, Section V(B), Enabling Legislation Language Relating to Accessing Department Records, and Section V(E), Direct Access to Law Enforcement Databases (June 1, 2020), included in the 2020 legislative file, available at https://madison.legistar.com/View.ashx?M=F&ID=8637311&GUID=7435CBAD-56E2-47BA-BA0B-515C8F37F90C.

[39] Portland City Code § 3.21.070(C) ("IPR will also have direct access to original database sources as permitted by state and federal law"), available at https://www.portland.gov/code/3/21#cid_679164; Denver Revised Municipal Code § 2-390(a) (requiring departments to provide "complete access to department… databases… and all other items, whether in paper, electronic, or other form"), available at https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Office-of-the-Independent-Monitor/Operating-Documents. Both model ordinances were included in the 2020 legislative file.

before the Council is not whether CJIS security requirements are real; they are, but whether the right response is to restrict the OIM's access rights in the ordinance or to pursue a compliance pathway that addresses the security concern without eliminating those rights. Haas's memo chooses restriction. This memorandum recommends compliance.

Haas cites the FBI's Criminal Justice Information Services (CJIS) security requirements to justify removing "computer databases" from the OIM's ordinance-level access rights. His memo implies that CJIS security is an obstacle to OIM access. It is not. The CJIS Security Policy establishes a compliance structure for government entities outside law enforcement to obtain secure access to criminal justice information.[40]

The framework is designed specifically for situations in which government entities outside law enforcement need access to criminal justice records. Haas's 2026 memo does not acknowledge this pathway. Notably, a current MPD employee has stated publicly that MPD already allows other government employees to access MPD records on MPD computers, suggesting that the security barrier Haas describes is not as absolute in practice as his memo implies.[41]

The OIM should become CJIS-compliant for systems and staff who need direct access to MPD records and databases. For designated OIM staff, this would mean fingerprint-based background checks, CJIS Security Awareness training, adherence to the FBI's 13 CJIS security policy areas, and use of CJIS-compliant technology systems. Once OIM's systems and designated staff meet CJIS compliance requirements, OIM personnel could access MPD records and databases directly, subject to applicable CJIS security requirements, without submitting individual records requests. This would substantially reduce the administrative burden on MPD staff, who currently must process each individual request, and, over time, could eliminate routine records requests for many categories of information, saving both agencies time and resources.

MPD's own Standard Operating Procedure on Third Party Database Use, most recently reviewed in January 2026, already requires that database access comply with "applicable MOUs, agreements, and contracts." That framework is precisely the structure this memorandum recommends for OIM access. The compliance architecture MPD needs to extend direct access to a CJIS-compliant OIM already exists within MPD's own policy structure.[42]

A Positive Path Forward

These concerns can be addressed directly, without weakening the OIM's ordinance-level access rights, by clarifying the OIM's obligations to safeguard confidential and legally protected information. The Council could, for example, amend MGO § 5.19 to add language along the following lines:

> *"The Monitor, OIM staff, and any contractors or agents working on behalf of the OIM, including outside attorneys and investigators, shall safeguard confidential, legally privileged, and otherwise protected information and records obtained in the course of their duties, and shall not disclose such information or records except as required or authorized by law. For purposes of state and federal confidentiality and public records laws, the Monitor, OIM staff, and such contractors or agents shall be subject*

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40 FBI Criminal Justice Information Services Division, CJIS Security Policy, Version 6.0 (December 27, 2024), Sections 3.2.4 (Criminal Justice Agency) and 3.2.5 (Noncriminal Justice Agency), available at https://le.fbi.gov/file-repository/cjis_security_policy_v6-0_20241227.pdf.

41 Diane Horstman, Facebook post, March 25, 2026, available at https://tinyurl.com/49jwzx6m (stating that MPD allows other government employees to access MPD records on MPD computers).

42 Madison Police Department, Standard Operating Procedure, Third Party Database Use and Dissemination, eff. date 11/30/2017, reviewed 01/31/2026, available at https://www.cityofmadison.com/police/documents/sop/ThirdPartyDatabase.pdf.

> *to the same duties and penalties as the legal custodian of the records for any unlawful or unauthorized disclosure."*

This approach tackles confidentiality and security concerns by holding the OIM and its agents to the same statutory standards and penalties as the records custodian, without reducing the access intended by the Council in MGO § 5.19(7)(i).

Implementing CJIS compliance for OIM systems and staff would require coordination with state CJIS authorities and MPD, as well as formal approval in accordance with applicable CJIS policies. Nonetheless, the framework is specifically designed to accommodate non-law-enforcement government entities that need secure access to criminal justice information, and it presents a constructive route forward that addresses genuine security concerns without narrowing OIM's ordinance-level access rights.

The PCOB should require OIM to pursue CJIS compliance as an immediate priority, and the Council should consider codifying that requirement in MGO § 5.19. Specifically, the ordinance could be amended to require designated OIM staff to complete the CJIS Security Awareness training, fingerprint-based background checks, and any state-mandated TIME/CJIS user certifications necessary to maintain CJIS compliance, as a condition of the office's direct access to MPD records and databases. This resolves the legitimate security concern Haas raises, preserves the Monitor's unfettered access rights under the ordinance, substantially reduces or eliminates the records request process for both agencies, and does so without any amendment that restricts OIM's ordinance-level access rights. If Haas's concern is sincerely about security rather than limiting access, he should be fully receptive to this approach.

To the extent the Council wishes to address CJIS compliance and records access in the ordinance, it could amend MGO § 5.19(7)(i) and add a new subsection (i)(1) as follows:

> *"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. Such access shall not require MPD's prior approval and shall not be conditioned on or delayed by any MPD determination regarding the status, sensitivity, or security classification of the requested records."*[43]
>
> *"(1) OIM staff who access records or databases subject to applicable state or federal security requirements, including the FBI Criminal Justice Information Services (CJIS) Security Policy,*[44] *shall obtain and maintain the certifications, credentials, and training required by those frameworks as a condition of such access. OIM staff are subject to the same legal penalties as MPD personnel for any unlawful or unauthorized disclosure of records accessed under this section."*[45]

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[43] Current MGO § 5.19(7)(i) ("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"), available at https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOICH1--10_CH5PODEPORE_5.19OFINPOMO.

[44] See supra note 40.

[45] Portland City Code § 3.21.070(J) (making the IPR Director subject to the same penalties as the legal custodian of records for any unlawful or unauthorized disclosure), available at https://www.portland.gov/code/3/21.

EXPANDING COUNCIL ENFORCEMENT AUTHORITY

Haas argues this provision addresses the "unique nature" of having a volunteer board supervise a City employee and allows the Council to take corrective action if OIM does not comply with City policies. The proposed language would give the Common Council authority to "enforce City policies and procedures regarding operations of the OIM and the actions of the Independent Monitor consistent with City ordinances, rules and procedures."

The proposed language raises two additional concerns that Haas's memo does not address. First, it provides no enforcement mechanism. Ordinary enforcement of City policies against a City employee runs through Human Resources and the Mayor's supervisory chain. The OIM was deliberately placed outside that chain in 2020. The proposed language gives the Council enforcement authority without defining what that means—no notice requirement, no opportunity for the OIM to respond, no standard of review, and no limit on remedies. The Monitor would have no procedural protections against its exercise.

Second, "City policies and procedures" is not limited to written APMs or formal ordinances. It could encompass informal directives, IT department guidance, HR practices, legal opinions from the OCA, or any administrative expectation any City department chooses to assert. The OIM would have no way to know in advance what it must comply with, and no basis to challenge whether a given policy is legitimate. That is not a compliance structure. It is a mechanism that gives any City department broad latitude to impede the OIM's work after the fact, without advance notice and without legislative authorization for the specific requirement being enforced.

Haas asserts that this provision does not affect MGO § 5.19(6)(b)'s prohibition on City officials interfering with OIM's investigative work. But the proposed language is not limited to administrative compliance. It covers "operations of the OIM and the actions of the Independent Monitor." That is a broad grant with no limiting principle. The line between administrative operations and investigative independence does not draw itself; under this provision, the Council, not the PCOB, would draw that line. This directly conflicts with the structure established by the original ordinance.

The Council retains general appropriations authority over the OIM's budget as it does for all City agencies, and the ordinance already requires the Monitor to collaborate with the Human Resources Department in recruiting and hiring staff and to follow City contracting requirements when engaging independent contractors, but the new language in MGO § 5.19(6)(c) granting the Council authority to "enforce City policies and procedures regarding operations of the OIM and the actions of the Independent Monitor" is not so limited. To the extent the Council seeks to clarify that authority, it should do so in language expressly limited to those domains. For example, if the Council chooses to amend the ordinance, it could provide that:

> *"The Common Council may enforce generally applicable City Administrative Procedure Memoranda with respect to the Office of the Independent Police Monitor. Nothing in this subsection shall be construed to authorize the Council or any City official to direct, limit, or interfere with the powers and duties of the Monitor and the Office of the Independent Police Monitor as set forth in MGO § 5.19(7)."*

ALDER MAYER'S AMENDMENT

Under the current ordinance, there is no explicit prohibition on a sitting alder serving on the PCOB. The Council could, as a matter of appointment practice, choose to place an alder on the Board, but it is not required to do so, and in practice, the PCOB has operated without a mandatory alder seat.

Alder Mayer's amendment would change that default by requiring that a sitting alder serve as a voting member of the PCOB, appointed by the Council President for a one-year term.

Under the current ordinance, the Council already exercises appointment authority over one voting member and one alternate member, with no role for the Mayor in their appointments.[46] MGO § 5.20(3)(b) creates three distinct appointment categories: nine members jointly appointed by the Mayor and Council from community-based organization nominees; one member and one alternate appointed by the Mayor and confirmed by the Council; and one member and one alternate appointed and confirmed by the Council alone. Mayer's amendment does not rely on that existing Council-only category. Instead, it creates a new, mandatory category: a sitting alder who serves as a voting member of the PCOB while also voting on the OIM's budget, ordinance amendments, and personnel from the Council dais. That is a qualitatively different form of political representation than any of the three existing categories and represents a structural change.

This shift from a permissive possibility to a mandatory alder seat is significant for the Board's independence. The original ordinance was deliberately designed to limit direct political influence over PCOB membership. Nine of the eleven voting members are nominated by designated community-based organizations under MGO § 5.20(3)(a)3, a departure from the normal appointment process, though they are then appointed by the Mayor and Council and confirmed by the Council. The Independent Monitor is recruited and appointed by the PCOB itself, with no role for the Mayor in that process. As City Attorney Haas noted in his 2020 memorandum, this nomination structure is "different from the normal appointment process for Boards, Commissions and Committees,"[47] and was a conscious design choice to strengthen independence.

Requiring that a sitting alder occupy a voting seat on the PCOB moves the Board closer to the standard boards-and-commissions model the Council intentionally departed from in 2020. NACOLE identifies political insulation as a basic requirement for effective civilian oversight, noting that board composition free from direct political control is essential to public confidence in the oversight process.[48] Adding a mandatory alder seat moves the PCOB in the opposite direction.

Given these standards and Madison's recent experience, making an alder seat mandatory on the PCOB risks weakening both the perception and reality of the Board's independence. While the Council may, under current law, appoint an alder under certain circumstances, it ought to be careful about making this a permanent ordinance-level requirement for a body intended to remain structurally independent from daily political influence.

Each of the four amendments raises serious concerns on its own. Together, they form a package that reduces the independence of both the OIM and the PCOB. The APM provision and legal counsel restriction subject the OIM to mayoral administrative control and remove the Monitor's ability to seek independent legal advice. The records access amendment narrows the OIM's access rights below what the Council authorized. Mayer's amendment mandates political representation on the PCOB. Collectively, these changes move the oversight structure closer to the standard boards-and-

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[46] See MGO § 5.20(3)(b)(1)–(3) (providing that nine members are appointed jointly by the Mayor and Common Council from community-based organization nominees, one member and one alternate are appointed by the Mayor and confirmed by the Common Council, and one member and one alternate are appointed and confirmed by the Common Council), available at https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOICH1--10_CH5PODEPORE_5.20POCIOVBO.

[47] See supra note 4, at 8.

[48] See supra note 23.

commissions model the Council intentionally rejected in 2020. The Council should evaluate these amendments as a whole rather than in isolation.

THE CONFLICT IS NOT HYPOTHETICAL: IT IS OPERATING NOW

Haas's 2026 memo itself provides the clearest evidence of the structural conflict it contends does not exist. Haas simultaneously claims to represent the OIM and PCOB without conflict, advocates amendments that would expand his office's authority over both bodies, and argues to eliminate the Monitor's ability to seek independent legal advice when the Monitor concludes a conflict exists. The proposed amendments would also directly benefit his other City clients: requiring the OIM to route legal matters through his office and to follow APMs issued by the Mayor places the Mayor, MPD, HR, and IT in a stronger administrative position relative to the OIM. When the City's legal advisor advocates for ordinance changes that expand his own authority and strengthen his other clients' positions, the conflict is apparent on the face of the memorandum. The PCOB does not need to investigate to find it.

MGO § 5.19(6)(b) provides that no City employee or official shall attempt to use their political or administrative position to unduly influence or undermine the independence of the Monitor or any employee of the OIM in the performance of their duties and responsibilities as set forth in this Ordinance. When the City Attorney, acting as legal advisor to the OIM and PCOB, simultaneously advocates amendments that would materially curtail the Monitor's independence, it raises serious questions about how that advocacy is consistent with this prohibition.

The January 2024 MOU between MPD and the OIM illustrates how this conflict operates in practice. Haas was a signatory to that agreement, signing as witness alongside Police Chief Shon Barnes and Independent Monitor Robin Copley.[49] As discussed in the Narrowing Records Access section, the MOU ceded authority expressly granted to the OIM by the enabling ordinance was executed without PCOB review or approval, and under Section I reserved amendment authority jointly to the Chief and the Independent Monitor, witnessed by the City Attorney, effectively giving his office a veto over any future changes to the agreement. He is now citing that same MOU as justification for permanently codifying its restrictions in the ordinance. When the office that provides legal advice to the OIM negotiates an agreement that benefits its other City clients at the OIM's expense, excludes the PCOB from the process, and then uses the result as precedent for a permanent ordinance restriction, it is not acting as a neutral advisor. That record is difficult to reconcile with the City Attorney's claim of 5.5 years of successful representation of the OIM and PCOB. This is precisely why the Monitor's authority to retain independent legal counsel under MGO § 5.19(7)(l) must be preserved rather than narrowed.[50]

Haas acknowledges in closing that "this information is a lot to digest, particularly when it is offered on the same day as the PCOB meeting that the ordinance proposals will be considered." He delivered an eight-page legal memorandum on the day of the PCOB meeting, arguing for amendments that undermine the independence of the very bodies he claims to represent.

SUMMARY AND RECOMMENDATIONS

Haas's March 25, 2026, memorandum describes the proposed amendments as clarifications that reflect the Common Council's original intent. The legislative record does not support that characterization. In 2020, Haas's own memos acknowledged that placing the OIM under PCOB supervision rather than the Mayor was a deliberate and unusual divergence from standard City

[49] See supra note 34.
[50] See supra note 23.

practice. The proposed APM provision does not reinforce that choice; it reverses it. The legal counsel provision would eliminate the Monitor's ability to seek independent legal advice from outside the OCA, the same office now advocating amendments that would expand its own authority over the OIM and PCOB. Notably, the Wisconsin Statutes Haas cites as requiring OIM to use his office also expressly authorize the Council to employ independent counsel for any matter in which the City is interested, which is precisely what MGO § 5.19(7)(l) does. The records access amendment removes "computer databases" from the OIM's ordinance-level access rights, reversing a deliberate decision made during a drafting process in which the OCA participated and cleared. CJIS compliance offers a technically sound alternative that addresses Haas's stated security concerns but without narrowing the OIM's access rights. Only three of the twenty current Council members were serving when MGO §§ 5.19 and 5.20 were adopted on a 19-0 vote in 2020. The Council should evaluate these amendments against that record, not against Haas's current characterization of it.

The analytical concerns identified in this memorandum are considerable and go to the core structure of the OIM and PCOB. On March 25, 2026, the PCOB voted unanimously to recommend that the Council place the proposed amendments on file with prejudice and direct alders to consult meaningfully with the PCOB before drafting any future changes. The following recommendations address the Council's immediate decision on April 21, the process for any future amendments to MGO §§ 5.19 and 5.20, and steps the PCOB should take regardless of the Council's action.

1. **The Council should review the full 2020 legislative history, including the City Attorney's 2020 memoranda, to independently assess original legislative intent.**

2. **The Council should reject any language that subjects the powers and duties of the OIM as set forth in MGO § 5.19(7) to mayoral Administrative Procedure Memoranda (APMs).** To the extent the Council seeks to clarify its authority, it should do so in language expressly limited to neutral, citywide budgetary, procurement, and administrative policies. For example, if the Council chooses to amend the ordinance, it should adopt language along the lines of:

   "The Common Council may enforce generally applicable City Administrative Procedure Memoranda with respect to the Office of the Independent Police Monitor. Nothing in this subsection shall be construed to authorize the Council or any City official to direct, limit, or interfere with the powers and duties of the Monitor and the Office of the Independent Police Monitor as set forth in MGO § 5.19(7)."

3. **The Council should preserve the Monitor's authority to retain independent legal counsel if necessary to fulfill the duties of the OIM.** The Council should reject any amendment that makes the City Attorney the exclusive legal advisor for public records, open meetings, employment, MPD records access disputes, or MOU negotiations with MPD, or that conditions the use of independent counsel on the City Attorney's consent.

4. **The Council should reject any amendment that narrows the OIM's access rights below the current "to the extent permitted by law" standard in MGO § 5.19(7)(i), including removal of "computer databases" or mandatory reliance on an MOU negotiated with MPD and the OCA.** Instead, the PCOB should require the OIM to pursue CJIS compliance for its systems and designated staff as an immediate priority, and the Council should consider codifying a requirement that designated OIM staff complete CJIS Security Awareness training, fingerprint-based background checks, and any state-mandated TIME/CJIS user certifications necessary to maintain CJIS compliance as a condition of direct access to MPD records and databases. To the extent the Council wishes to address CJIS

compliance and records access in the ordinance, it should amend MGO § 5.19(7)(i) and add a new subsection (i)(1) as set forth in the body of this memorandum.

5. **The Council should reject language granting the Council broad authority to "enforce City policies and procedures regarding operations of the OIM and the actions of the Independent Monitor" absent clear limitations.** If the Council chooses to clarify its role, any amendment should be expressly limited to enforcing generally applicable City Administrative Procedure Memoranda and should state that nothing in the provision authorizes the Council or any City official to direct, limit, or interfere with the powers and duties of the Monitor and the OIM as set forth in MGO § 5.19(7).

6. **The Council should carefully assess whether adding a sitting alder to the PCOB is in accordance with the original ordinance's independence requirements and national best practices.** In light of those standards and Madison's recent experience—including prior efforts to significantly curtail or eliminate the OIM—the Council should not add an alder to the PCOB unless it can ensure that such a change will not undermine either the perception or reality of the Board's independence.

7. **The PCOB should obtain independent legal counsel to advise on any proposed amendments to MGO §§ 5.19 and 5.20 before deliberating on them.** This is a prerequisite for any further ordinance changes affecting the structure, independence, powers, or duties of the OIM and PCOB.

8. **The PCOB should adopt a policy requiring that any memorandum of understanding or other agreement affecting the rights or operations of the OIM or PCOB be reviewed and approved by the PCOB before it takes effect.** The January 2024 MOU between MPD and the OIM was executed without PCOB review or approval; regardless of how the current amendments are resolved, that process should not be repeated.

9. **The PCOB should identify additional improvements to MGO §§ 5.19 and 5.20 that it wishes to recommend, drawing on other municipal oversight ordinances,** NACOLE's principles, and the OIM and PCOB annual reports. Any future amendments should be developed in collaboration with independent counsel and with meaningful community input, and should strengthen rather than weaken the independence, access, and effectiveness of the OIM and PCOB.

By establishing the OIM and PCOB, the Council aligned Madison with jurisdictions that support robust, independent civilian oversight of law enforcement, consistent with NACOLE's principles and national best practices. The proposed amendments, as written, would materially weaken this model by increasing political and administrative control over the OIM and limiting its ability to fulfill its mandate. Any future changes to MGO §§ 5.19 and 5.20 should be developed in close consultation with the PCOB and independent counsel, with the goal of maintaining strong independence, secure and efficient records access, and public confidence in the oversight system.

From: Matthew Sanborn
To: Martinez-Rutherford, Dina Nina
Cc: All Alders
Subject: NO to Ordinances 5.19 and 5.20
Date: Monday, April 20, 2026 8:07:14 AM

Some people who received this message don't often get email from matt23san@yahoo.com. Learn why this is important

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

Dear Alder Martinez-Rutherford,

You may receive many emails with the same content that I have included in this email, but I agree with every word. It was the unnecessary and criminal police shooting of my friend Paulie Heenan in 2012 that drove this PCOB into existence. Please do not let these amendments pass. Do not take away real and effective citizen involvement in such a deeply important part of the City of Madison. Do what you can to convince your fellow alders of this.
Thank you.

Before reading the proposed amendments to the Office of the Independent Police Monitor (OIPM) ordinance 5.19 and Police Civilian Oversight Board (PCOB) ordinance 5.20, and reasons why we urge you to oppose them all, it is important to acknowledge 4 facts that frame the relationship between the OIPM/PCOB and **the driving force behind these amendments**: the City Attorney's Office.

The main goal of the City Attorney is to prevent successful lawsuits and, if need be, they will do so **at the expense of civil rights, and the health and safety of city residents**. Given their mission, they have to deny that civil rights violations ever occur.

The main goal of the OIPM/PCOB is to ensure the civil rights, health, and safety of city residents and police officers through community engagement, independent investigation and review, transparency, and recommendations. By default, this reduces the need for lawsuits.

The City Attorney **does not offer** the same level of respect and client/collaboration privileges to the OIPM/PCOB as they do other city entities. Some in key leadership positions have repeatedly demonstrated this by violating their ordinance and Roberts Rules, talking down to the OIPM/PCOB, and surprising them with debilitating amendments that were in the works for weeks, sometimes months, without ever once reaching out to express concerns or collaborate. They do not do this to MPD.

The City Attorney's mission is in direct conflict with that of the OIPM/PCOB and they act like it and therefore, **the City Attorney must not serve as their source of legal oversight, advice, and representation**.

OIPM ordinance 5.19

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOICH1--10_CH5PODEPORE_5.19OFINPOMO

PCOB ordinance 5.20
https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOICH1--10_CH5PODEPORE_5.20POCIOVBO

THE AMENDMENTS:
The most recent amendments to OIPM/PCOB ordinance are summarized below along with why we believe they are harmful. The amendments discussed in A-C are sponsored by Alders MGR and Sabrina Madison. The amendment discussed in D is sponsored by Alder Davy Mayers.

1.) Restricting data and records access:

- No access to computer databases
This is obstructive and incongruent with the national standard for police oversight.

- Play with confidentiality to restrict access.

- Arbitrary definition of key records as confidential could, in combination with this ordinance amendment, end up greatly restricting the ability of OIPM to carry out its functions.

2.) Reducing access to MPD Records:

- In contrast with current ordinance language, which requires that MPD provide absolutely "unfettered access" to its records (to the extent permitted by law), the amendment would require negotiation "to define the degree of access to specific MPD records". And it mandates insertion of the City Attorney's Office, which has a structural conflict of interest with OIPM, into the execution of any negotiated agreement.

3.) Requiring that OIPM must follow all city rules and procedures, without exception.

- Adding this language to ordinance is unnecessary, because the city rules and procedures (on hiring, budgeting and purchasing, information technology systems, etc.) are already being followed by the OIPM/PCOB.

- This addition might seem harmless, but the added language undercuts the Independence provision within the OIPM ordinance.

- Under the existing ordinance language, a new Mayoral policy that targets the OIPM/PCOB would be without effect, because ordinances (laws) supersede policies

(that can be written by a single person). Because the amendment would effectively give all policies the weight of law, mandating compliance without exception, it would allow a Mayor to write policies that infringe on OIPM/PCOB function and independence, or an administration, via the City Attorney, to interpret and enforce policies in a manner that infringes on OIPM/PCOB function and independence.

- This is a particular problem because of an underlying structural conflict of interest. Elected officials, such as mayors, often depend on the support of police officials, police unions, etc. in elections, and want to avoid embarrassing revelations, and thus tend to compromise the function and independence of civilian police oversight agencies. This has occurred repeatedly with civilian police oversight agencies across the country, crippling those agencies.

4.) Requiring that OIPM/PCOB use the City Attorney for most legal work, rather than an independent attorney:

- As stated at the start, this creates a severe problem, given the inherent conflict of interest.

- It allows use of an independent attorney only for a very restricted set of functions, mandating that the City Attorney be used for all else. This includes use of the City Attorney for four specific areas where city attorney offices and civilian police oversight offices are most often in conflict.

- For example, it mandates use of the City Attorney for all public records work. But the primary clients of city attorneys are elected officials (especially mayors) and police departments (with whom they necessarily have a close working relationship). City attorneys strive to prevent records that would embarrass elected officials or police departments from becoming public, undercutting transparency.

- Placing the amendment in the ordinance would greatly expand the City Attorney's power over OIPM/PCOB, and make it much more difficult for OIPM/PCOB to challenge the City Attorney's opinion, undermining OIPM/PCOB INDEPENDENCE.

- Because of the same inherent conflict of interest, the Police & Fire Commission uses an independent attorney for all its functions, rather than the City Attorney. It makes no sense to, in contrast, require OIPM/PCOB to use the City Attorney.

5.) Adding an alder to the PCOB:

- Putting an elected official on a police oversight board directly curtails independence and contradicts universally recognized best principles for police oversight.

- As the National Association for Civilian Oversight of Law Enforcement (NACOLE) states: "One of the most important and defining concepts of civilian oversight of law enforcement is independence. In its broadest sense, it refers to an absence of real or perceived influence from law enforcement, political actors, and other special interests looking to affect the operations of the civilian oversight agency."

- As noted above, there is a fundamental structural conflict of interest between elected officials and civilian police oversight.

- For the very same reason, elected officials are not given seats on the Police & Fire Commission.

These proposed changes in ordinance language violate the letter and legislative intent of the original ordinance. Contrary to claims the City Attorney has made, they are the opposite of what Alders Kemble, Moreland and Bidar wrote and intended when the council passed the original ordinance.

The proposed amendments are being promoted based on past issues that are long since resolved or alleged issues that never actually occurred. They represent a failure to acknowledge that a new IPM, who started only four months ago, managed to already process multiple cases and put out an annual report with novel, important data analyses. They also represent a failure to acknowledge improvements, and how the volunteer board and understaffed/underfunded office are exceeding past goals and functioning effectively with excellent attendance. Such actions by alders cause frustration, exhaustion and burnout.

Misinformation and accusations of rule violations without evidence are driving repeated attempts to amend the ordinance in ways harmful to the OIPM/PCOB's ability to conduct independent police oversight. This pattern demonstrates a high level of unwarranted scrutiny that is disproportionately applied to this body when other groups **that are violating rules experience no such attention**. This behavior is the antithesis of collaboration. It demonstrates harmful biases and disrespect, and it harms the relationship between the OIPM/PCOB, staff, and Council.

Please leave the ordinances 5.19 and 5.20s as they are and instead focus your attention on meeting the funding and staffing needs of the OIPM and PCOB.

Sincerely,
Matthew Sanborn
3637 Sargent Street

From:	Kristen Schoepke
To:	All Alders
Subject:	proposed amendments to the Office of the Independent Police Monitor (OIPM) ordinance 5.19 and Police Civilian Oversight Board (PCOB) ordinance 5.20
Date:	Saturday, April 18, 2026 10:59:04 AM

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

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

Dear Alder Figueroa Cole (and all alders),

I urge you to vote against the proposed amendments below.

OIPM ordinance 5.19
[https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOICH1--10_CH5PODEPORE_5.19OFINPOMO]
(https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOICH1--10_CH5PODEPORE_5.19OFINPOMO)

PCOB ordinance 5.20 [https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOICH1--10_CH5PODEPORE_5.20POCIOVBO]
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Consider the following:

THE AMENDMENTS:
The most recent amendments to OIPM/PCOB ordinance are summarized below along with why I believe they are harmful. The amendments discussed in A-C are sponsored by Alders MGR and Sabrina Madison. The amendment discussed in D is sponsored by Alder Davy Mayers.

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- This addition might seem harmless, but the added language undercuts the Independence provision within the OIPM ordinance.

- Under the existing ordinance language, a new Mayoral policy that targets the OIPM/PCOB would be without effect, because ordinances (laws) supersede policies (that can be written by a single person). Because the amendment would effectively give all policies the weight of law, mandating compliance without exception, it would allow a Mayor to write policies that infringe on OIPM/PCOB function and independence, or an administration, via the City Attorney, to interpret and enforce policies in a manner that infringes on OIPM/PCOB function and independence.

- This is a particular problem because of an underlying structural conflict of interest. Elected officials, such as mayors, often depend on the support of police officials, police unions, etc. in elections, and want to avoid embarrassing revelations, and thus tend to compromise the function and independence of civilian police oversight agencies. This has occurred repeatedly with civilian police oversight agencies across the country, crippling those agencies.

4.) Requiring that OIPM/PCOB use the City Attorney for most legal work, rather than an independent attorney:

First, it is important to acknowledge 4 facts that frame the relationship between the OIPM/PCOB and the driving force behind these amendments: the City Attorney's Office.

The main goal of the City Attorney is to prevent successful lawsuits and, if need be, they will do so at the expense of civil rights, and the health and safety of city residents. Given their mission, they have to deny that civil rights violations ever occur.

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- For example, it mandates use of the City Attorney for all public records work. But the primary clients of city attorneys are elected officials (especially mayors) and police departments (with whom they necessarily have a close working relationship). City attorneys strive to prevent records that would embarrass elected officials or police departments from becoming public, undercutting transparency.

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- Because of the same inherent conflict of interest, the Police & Fire Commission uses an independent attorney for all its functions, rather than the City Attorney. It makes no sense to, in contrast, require OIPM/PCOB to use the City Attorney.

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- As noted above, there is a fundamental structural conflict of interest between elected officials and civilian police oversight.

- For the very same reason, elected officials are not given seats on the Police & Fire Commission.

Please leave the ordinances 5.19 and 5.20s as they are and instead focus your attention on meeting the funding and staffing needs of the OIPM and PCOB.

This is a make or break issue for me.

Sincerely,
Mrs. Kristen Schoepke
5105 Denton Place
Madison, WI
53711

From: Paul Scott
To: All Alders
Date: Monday, April 20, 2026 12:38:04 PM

Some people who received this message don't often get email from pascott2001@gmail.com. Learn why this is important

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

This office is a total waste.

I filled a complaint against an office using their online complaint form, including the area "suggested punishment".

Eventually got a reply. This office didn't accept my complaint because I filled in the Suggested Punishment space.

I emailed them immediately and sent them a screenshot of the "suggested punishment" area in THEIR complaint form.

Ended with REPLY REQUESTED.

Tried calling several times. Left simply messages only asking for a return call.

THAT WAS MONTHS AGO.

Defund that office now.

They were having just too many problems with Pelleton (sp) because Pelleton was in BIG trouble for assaulting Madison police officers after she tried to assault our police officers, who are demoralized because of how some Madison residents behave.

And our DA didn't even charge DUI to Pelleton's drinking buddy who also assaulted our police officers.

That's a whole lot of looking the other way.

Power has special privileges not available to ordinary taxpayers like me.

Reply requested.

From: Paul Terranova
To: All Alders
Subject: Please oppose amendments to independent police oversight ordinances
Date: Sunday, April 19, 2026 6:04:58 PM

Some people who received this message don't often get email from pterranova1@gmail.com. Learn why this is important

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

Dear Alders,

I am writing to ask you to oppose the proposed amendments to independent police oversight ordinances.

We need real independence in these bodies and positions. Otherwise they become more window dressing.

Madison tends to see ourselves as at the cutting edge on issues of justice, but when it comes to giving up control and power (which is what true independence entails), we tend to pull back. Please don't do that again in this instance.

Paul Terranova
1821 Helena St
Madison, WI 53704

From: Kevin E. Walsh
To: All Alders
Subject: Proposed Amendments to Ordinances 5.19 (OIPM) and 5.20 (PCOB)
Date: Monday, April 20, 2026 9:11:18 AM

You don't often get email from kevinewalsh@outlook.com. Learn why this is important

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

Dear Alders:

I am a city resident writing to oppose the proposed amendments to the Office of the Independent Police Monitor (OIPM) Ordinance 5.19 and Police Civilian Oversight Board (PCOB) Ordinance 5.20. These amendments would reduce the independence of police oversight by

1. Preventing access to police data and other records, which should be public,
2. Requiring the use of the City Attorney, which could be a conflict of interest, and
3. Placing an elected official on the Oversight Board, diluting the civilian membership.

For these reasons I ask you to vote against the amendments.

Sincerely,

Kevin E. Walsh
566 S Segoe Rd
Madison, WI 53711
608-609-7093

From: Lisa Zwart
To: Police Civilian Oversight Board; All Alders
Subject: Proposed amendments
Date: Wednesday, April 1, 2026 5:07:56 PM

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

Hello,
I am writing to voice my opposition to the proposed amendments to the ordinance that governs the OIM/PCOB.

I would like to see the funding and records access be brought up to the national standard here in Madison, WI.

The amount of time wasted should be over at this point. You've got a very capable Independent Monitor and an office that is finally functional. Give them the proper tools to do their jobs.

Sincerely,
Lisa Zwart
zwart.lisa@gmail.com