From:	Kapusta-Pofahl, Karen
To:	Alder Work Group Creating MPD Independent Civilian Oversight
Subject:	FW: Civilian Oversight Board
Date:	Wednesday, July 29, 2020 10:44:54 AM

From: Keith Findley <keith.findley@wisc.edu>
Sent: Wednesday, July 29, 2020 10:44 AM
To: Moreland, Donna <district7@cityofmadison.com>; Bidar, Shiva <district5@cityofmadison.com>; Kemble, Rebecca <district18@cityofmadison.com>
Cc: Gregory Gelembiuk <gwgelemb@wisc.edu>; kathyfullin@gmail.com; Tom Brown <tbrown@ulgm.org>; Kapusta-Pofahl, Karen <KKapusta-Pofahl@cityofmadison.com>
Subject: Fwd: Civilian Oversight Board

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

Dear Alders Moreland, Bidar, & Kemble,

Kathy Fullin has shared with me the email that the League of Women Voters submitted today (see below). I write simply to say that I agree with the League of Women Voters on these matters, and hope you will seriously consider their recommendations.

Thank you very much for your very hard and thoughtful work on this matter.

Additionally, I wanted to alert you that I plan to attend today's virtual meeting, but I have another meeting that starts at noon and so I will likely be joining the Alder's Work Group meeting a bit late.

Best,

Keith

Keith A Findley
Professor of Law
University of Wisconsin Law School
975 Bascom Mall
Madison, WI 53706
C: 608-335-4544

Begin forwarded message:

From: kathyfullin@gmail.com
Subject: Fwd: Civilian Oversight Board
Date: July 29, 2020 at 9:25:36 AM CDT

To: Keith Findley <keith.findley@wisc.edu>

fyi

Begin forwarded message:

From: LWVDC <office@lwvdanecounty.org>
Subject: Civilian Oversight Board
Date: July 29, 2020 at 8:39:54 AM CDT
To: district7@cityofmadison.com, district5@cityofmadison.com, district18@cityofmadison.com
Cc: oversightwg@cityofmadison.com

July 29, 2020

The League of Women Voters of Dane County urges you to follow the recommendations of the Ad Hoc Committee in establishing the membership of the Civilian Oversight Board, instead of constructing a complex process which we believe will add confusion and delay in establishing the Board.

The Ad Hoc Committee spent a long time discussing the exact wording of its recommendation on the composition of the Oversight Board. Certainly it is not a requirement that the Council follow every precise direction of the Ad Hoc Committee, but when the Committee's recommendation is clear and workable it is hard to justify a rationale for deviating.

The Ad Hoc Committee recommends ". . .a Civilian Oversight Board, whose members shall be ***appointed by the Mayor and the Common Council***. . . A ***majority*** of the members of the board shall be ***nominated*** by a designated set of community-based organizations. . ." [emphasis added]

This indicates, by plain wording, that the Ad Hoc Committee expected community-based organizations to ***nominate*** people. The Ad Hoc Committee then expected the Mayor and Common Council to appoint members, a ***majority*** of whom should be from among the nominees, in a manner that comports with the specified diversity. The Ad Hoc Committee may have been cognizant of the fact that a person whom they elected as their co-chair was not a representative of any organization, but instead was nominated by the Mayor due to his background and skills. The process outlined by the Ad Hoc Committee allows for such appointees.

"Additionally, 25-40% of the Board" should have "lived experience of homelessness, mental health, substance abuse and/or arrest or conviction records." The Board as a whole is expected to display

demographic diversity. The Mayor and Common Council have staff resources available to them to review nominees and appropriately balance the composition of the group. The Ad Hoc Committee recommended that the City's Racial Equity and Social Justice Initiative process be used to ensure equity and diversity.

It is a lot to expect a group of organizations to find time to send authorized representatives to a series of meetings, come up with a consensus group of nominees who meet all the required criteria, and do so in a timely fashion so that the Board can be established and hire the Independent Monitor. There are a number of questions about such a group, and whether its meetings would be official city meetings, accessible virtually, and how it would be staffed.

The Mayor and Common Council are elected by Madison's citizens to take leadership responsibility and ensure the smooth operation of government functions. We urge you to follow the recommendations of the Ad Hoc Committee on the establishment of the Civilian Oversight Board.

Christine Clements
President
League of Women Voters of Dane County

720 Hill Street, Suite 200
Madison, WI 53705-3539
(608) 232-9447
www.lwvdanecounty.org