



# City of Madison

City of Madison  
Madison, WI 53703  
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## Master

**File Number: 61667**

**File ID:** 61667

**File Type:** Resolution

**Status:** Report of Officer

**Version:** 2

**Reference:**

**Controlling Body:** COMMON  
COUNCIL

**File Created Date :** 08/04/2020

**File Name:** Final Report Alder WG Independent Civilian Oversight

**Final Action:**

**Title:** SUBSTITUTE. Adopting the Final Report of the Alder Workgroup to Develop Logistics & Operational Details for Madison Police Department Independent Civilian Oversight.

### Notes:

**Sponsors:** Shiva Bidar, Rebecca Kemble and Donna V. Moreland

**Effective Date:**

**Attachments:** 61667 v1.pdf, 8/3/20 Final Report Alder Workgroup to Develop Logistical and Operational Details for MPD Independent Civilian Oversight.pdf, 60617.pdf, 8/28/20 CCEC Public Comment COB\_8/23/20 Emails.pdf, 8/28/20 CCEC Public Comment COB\_8/24/20 Emails.pdf, 8/28/20 CCEC Public Comment COB\_8/25/20 Emails.pdf, 8/28/20 CCEC Public Comment COB\_8/26/20 Emails.pdf, 8/28/20 CCEC Public Comment COB\_8/27/20 Emails.pdf, 8/28/20 CCEC Public Comment COB\_8/28/20 Emails\_Pt1.pdf

**Enactment Number:**

**Author:** John Strange, Assistant City Attorney

**Hearing Date:**

**Entered by:** lveldran@cityofmadison.com

**Published Date:**

### Approval History

Version	Date	Approver	Action
1		David Schmiedicke	Approve

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	08/04/2020	Referred for Introduction				
	<b>Action Text:</b>	This Resolution was Referred for Introduction					
	<b>Notes:</b>	Common Council Executive Committee, Finance Committee, Equal Opportunities Commission, Public Safety Review Committee					

1	COMMON COUNCIL EXECUTIVE COMMITTEE	08/04/2020	Refer	COMMON COUNCIL EXECUTIVE COMMITTEE	08/28/2020	Pass
	<b>Action Text:</b> A motion was made by Carter, seconded by Abbas, to Refer to the COMMON COUNCIL EXECUTIVE COMMITTEE. The motion passed by voice vote/other.					
	<b>Notes:</b> Additional Referrals to Finance Committee, Public Safety Review Committee, and Equal Opportunities Commission					
1	COMMON COUNCIL EXECUTIVE COMMITTEE	08/04/2020	Referred	FINANCE COMMITTEE	08/10/2020	
	<b>Action Text:</b> This Resolution was Referred to the FINANCE COMMITTEE					
	<b>Notes:</b>					
1	COMMON COUNCIL EXECUTIVE COMMITTEE	08/04/2020	Referred	PUBLIC SAFETY REVIEW COMMITTEE	08/26/2020	
	<b>Action Text:</b> This Resolution was Referred to the PUBLIC SAFETY REVIEW COMMITTEE					
	<b>Notes:</b>					
1	COMMON COUNCIL EXECUTIVE COMMITTEE	08/04/2020	Referred	EQUAL OPPORTUNITIES COMMISSION	08/13/2020	
	<b>Action Text:</b> This Resolution was Referred to the EQUAL OPPORTUNITIES COMMISSION					
	<b>Notes:</b>					
1	FINANCE COMMITTEE	08/10/2020	Return to Lead with the Recommendation for Approval	COMMON COUNCIL EXECUTIVE COMMITTEE	08/28/2020	Pass
	<b>Action Text:</b> A motion was made by Carter, seconded by Harrington-McKinney, to Return to Lead with the Recommendation for Approval to the COMMON COUNCIL EXECUTIVE COMMITTEE. The motion passed by voice vote/other.					
	<b>Notes:</b>					
1	PUBLIC SAFETY REVIEW COMMITTEE	08/12/2020	Re-refer	PUBLIC SAFETY REVIEW COMMITTEE	08/26/2020	
	<b>Action Text:</b> This Resolution was Re-refer to the PUBLIC SAFETY REVIEW COMMITTEE to the August 26, 2020 meeting. Unanimous consent.					
	<b>Notes:</b>					
1	EQUAL OPPORTUNITIES COMMISSION	08/13/2020	Return to Lead with the Recommendation for Approval	COMMON COUNCIL EXECUTIVE COMMITTEE		Pass
	<b>Action Text:</b> A motion was made by Andrae, seconded by Ramey, to Return to Lead with the Recommendation for Approval to the COMMON COUNCIL EXECUTIVE COMMITTEE. The motion passed by voice vote/other.					
	<b>Notes:</b>					
1	PUBLIC SAFETY REVIEW COMMITTEE	08/26/2020	Return to Lead with the Recommendation for Approval	COMMON COUNCIL EXECUTIVE COMMITTEE	08/28/2020	Pass
	<b>Action Text:</b> A motion was made by Konkell, seconded by Myadze, to Return to Lead with the Recommendation for Approval to the COMMON COUNCIL EXECUTIVE COMMITTEE,. The motion passed by the following vote:					
	<b>Notes:</b> Roll Call Vote: 6:2:1 - Ayes: Albouras, Heck, Konkell, Mitnick, Anglim, Myadze; Noes: Harrington-McKinney, Rickey; Absent: Amoah					
	Absent: 1 Gideon W. Amoah					
	Ayes: 6 Matthew D. Mitnick; Mary T. Anglim; Charles Myadze; Christian A. Albouras; Brenda K. Konkell and Patrick W. Heck					
	Noes: 2 Allen M. Rickey and Barbara Harrington-McKinney					

1	COMMON COUNCIL EXECUTIVE COMMITTEE	08/28/2020	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATION S - REPORT OF OFFICER	Fail
	<b>Action Text:</b>	A motion was made by Ald. Syed Abbas, seconded by Ald. Rebecca Kemble, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER. The motion failed by the following vote:		
	<b>Notes:</b>	Motion to adopt the resolution FAILED: 3:3:2 - Ayes: Abbas, Kemble, Tierney; Noes: Harrington-McKinney, Henak, Skidmore; Non-Voting: Carter, Bidar		
		Ayes: 3 Syed Abbas; Rebecca Kemble and Michael J. Tierney		
		Noes: 3 Barbara Harrington-McKinney; Paul E. Skidmore and Zachary Henak		
		Non Voting: 2 Sheri Carter and Shiva Bidar		
1	COMMON COUNCIL	09/01/2020		
1	EQUAL OPPORTUNITIES COMMISSION	09/10/2020		

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**Text of Legislative File 61667**

**Fiscal Note**

See fiscal note for Legistar 60617 for a comprehensive analysis of the estimated cost of the proposals included in the final report described in this resolution.

**Title**

SUBSTITUTE. Adopting the Final Report of the Alder Workgroup to Develop Logistics & Operational Details for Madison Police Department Independent Civilian Oversight.

**Body**

WHEREAS, By Resolution (20-00459, Legistar File Number 60764), adopted June 16, 2020 (“Resolution”), the City of Madison established the Alder Workgroup to Develop Logistics and Operational Details for Madison Police Department Independent Civilian Oversight (“Workgroup”) consisting Alder Shiva Bidar, Alder Rebecca Kemble, and Alder Donna Moreland; and,

WHEREAS, Alder Donna Moreland served as Chair of the Workgroup, which was supported by various city staff members, including from the Finance Department, Human Resources, Information Technology, Common Council Office, and Office of the City Attorney; and,

WHEREAS, the Resolution charged the Workgroup with 1. Creating an ordinance to establish independent civilian oversight of MPD, including provisions for the Civilian Oversight Board (“Board”) and Independent Police Monitor (“Monitor”) as recommended by the Madison Police Department Policy and Procedure Review Ad Hoc Committee (“Ad Hoc Committee”) and accepted by Common Council Resolution (RES-19-00578); 2. Identifying budget and other support needed to ensure effective functioning of the Board and Monitor, including drafting budget amendments, proposed staff support, and training needed; 3. Identifying the community organizations who will nominate some of the Board members; and 4. Creating a timeline and process for recruitment of Board members and hiring of the Monitor; and

WHEREAS, the Workgroup met ten (10) times between June 22, 2020 and August 3, 2020 and reached out to fifty-nine (59) community-based organizations to receive input on the ordinances and processes it was creating; and,

WHEREAS, the Workgroup created proposed ordinances establishing the Office of the

Independent Monitor and Police Civilian Oversight Board (Legistar File Numbers 61593 and 61595), a Resolution appropriating funding in 2020 to support the Board and the Monitor, including a position description for the Monitor (Legistar File Number 60617), a list of nine (9) community-based organization that would nominate some of the Board members, and a timeline for establishing the Board and hiring a Monitor; and,

WHEREAS, the above legislative items will be introduced at the August 4, 2020 Common Council meeting and referred to the Common Council Executive Committee, the Finance Committee, the Equal Opportunities Commission, and the Public Safety Review Committee for comments and recommendation; and,

WHEREAS, in addition to creating the above legislative items, the Workgroup also created the following list of nine (9) community-based organizations that will provide the Mayor and Common Council with nominations for Board members pursuant to proposed M.G.O. § 5.20(3)(a)3: Freedom, Inc., JustDane, YWCA, Urban Triage, UNIDOS, Community Resource Response Team, OutReach, Sankofa, and NAACP of Dane County; and,

WHEREAS, as provided in the proposed ordinance creating the Board, this list of community-based organizations will be updated every two years by the Monitor, Board, and Common Council and, moreover, nothing prohibits other community-based organizations from providing the Mayor and Common Council with recommendations of individuals to serve on the Board; and,

WHEREAS, the timeline created by the Workgroup for establishing the Board and hiring the Monitor is detailed in the Final Report; and,

WHEREAS, on August 3, 2020 the Workgroup voted unanimously to forward its Final Report to the Common Council for adoption,

NOW THEREFORE, BE IT RESOLVED, that the Common Council of the City of Madison Adopts the Final Report of the Workgroup; and,

BE IT ~~FINALLY~~ FURTHER RESOLVED, by adopting the Final Report of the Workgroup pursuant to M.G.O. § 2.27(3) the Common Council is stating that it agrees with the Final Report and that the policy recommendations are adopted as policy of the City, which the City and its agencies are expected to follow; and

BE IT FINALLY RESOLVED, that the initial members of the Board shall be selected through the following appointment and confirmation process:

1. Common Council staff will issue and distribute a call for applications and nominations on September 2, 2020 which shall include a deadline of September 16, 2020 for the return of applications and deadlines.
2. No later than September 23, 2020, Mayoral and Council staff shall compile a spreadsheet containing demographic data regarding the individuals who have applied or been nominated as Board members. At the Mayor and Council Leadership meeting on September 23, 2020, the Mayor and Council Leadership shall jointly select one nominee from each of the 9 nominating organizations to be forwarded for Council confirmation.
3. From the remaining list of applications and nominations, the Mayor shall select a regular Board member and an alternate Board member for Council confirmation.
4. Mayoral and Council staff shall perform a gap analysis regarding the characteristics and

qualifications of Board members required under MGO § 5.20 and shall forward to Common Council Members by September 28, 2020, a ballot listing the names of individuals from the remaining list of applicants and nominees who would create the diversity required in the ordinance.

5. Council Members shall select their preferences, using rank choice voting, for one regular Board member and one alternate Board member to Council staff. The votes shall be tallied by Common Council staff and Mayoral staff.
6. The names of the 13 regular and alternate Board members that have been nominated by the Mayor and Common Council shall be provided to the Common Council Executive Committee for its consideration at its meeting of September 29, 2020.
7. The names of individuals approved by the Common Council Executive Committee shall be forwarded to the Common Council for a confirmation vote, under suspension of the rules, at its meeting of October 6, 2020.