



Work Plan and
Recommendations to the
Mayor and
Common Council

2020/2021

Equal Opportunities
Commission

The City of Madison Equal Opportunities Commission (“the Commission”) is committed to addressing issues of discrimination Madison, Wisconsin.

The year 2020 has already presented numerous challenges including a global pandemic in the form of COVID-19 that has resulted economic, health and housing crises disproportionately affecting the Black community. While the world was still in the midst of the pandemic, the murder of George Floyd at the hands of law enforcement brought to the fore the racism that has long been a public health crisis.

The Commission is committed to continuing to address the ongoing housing crisis in the City of Madison and its disparate impact on low-income members of the community and community members of color, and to continuing to understand and challenge the systems and policies that perpetuate the public health crises of racism and housing.

The Commission sees opportunity amidst these challenges, and a call to action in this unprecedented time. In 2020 at their annual retreat, the Commission committed to focus on finding solutions to the complex housing issues in Madison, and addressing the policies and practices in place within the City of Madison perpetuating systemic racism.

Pursuant to the authority granted the Commission under MGO 39.03(10)(b), this body sets forth the following statement of intent to further effectuate the goals and purpose of this ordinance:

WHEREAS in 2011 the Madison City Council passed a resolution declaring “that housing be recognized as a human right and that all people who desire a place of shelter and stable long-term housing be prioritized to have this basic need met both temporarily and permanently”; and

WHEREAS the City and community have made progress toward developing housing for low-income residents; and

WHEREAS despite significant gains, housing remains unaffordable and unsustainable for many residents, including low-income and moderate-income earners, creating a disparate impact on a number of different protected classes; and

WHEREAS the laws of the State of Wisconsin preempt the City from enforcing dozens of housing protections for its residents; and

WHEREAS the EOC is committed to supporting and providing advocacy for change, and working with the community and stakeholders to reduce all barriers; and

WHEREAS the Equal Opportunities Commission (EOC) is the enforcement agency for the Equal Opportunities Ordinance; and

WHEREAS the EOC has witnessed that not all Madison residents enjoy equitable access to fair, accessible, and sustainable housing; and

WHEREAS community residents demand and deserve that the City of Madison be a leader in promoting equitable access to housing and protecting individuals in protected classes;

THEREFORE BE IT RESOLVED that the City of Madison shall reaffirm its commitment to housing as a human right for all residents by advancing policies that support equitable access to housing through its oversight and monitoring, staff funding, contracting, and coordination of services and stakeholders to promote efficient use of City and community resources to supporting housing.

ACCOMPLISHMENTS

While the Commission has tasked itself in the upcoming year with addressing the public health crises of racism and housing, they also took a moment to reflect on the following accomplishments of 2019:

- Support for improvement in the EOD mediation process
- Support for changes to the Judge Doyle Square/Block 88 RFP to strengthen language surrounding affordable housing
- Several meetings in the community to hear from residents directly about their housing challenges and experiences
- Approved a change to the Rules of the EOC to allow electronic signatures on complaint forms
- Issued a statement to HUD on a proposed rule change that would dramatically undermine enforcement of the Federal Fair Housing Act
- Made recommendations to the Madison Police Department Policy and Procedure Ad Hoc Review Committee

HISTORY

The charge of the Equal Opportunities Commission as set forth in MGO 39.03 – Equal Opportunities Ordinance is, in part, as follows:

In order that the peace, freedom, safety and general welfare of all inhabitants of the City may be protected and ensured, it is hereby declared to be the public policy of the City of Madison to foster and enforce to the fullest extent the protection by law of the rights of all of its inhabitants to equal opportunity to gainful employment, housing, and the use of City facilities and public accommodations.

To fully effectuate this policy of promoting nondiscrimination, the City shall endeavor to eliminate all discrimination that may occur in its own employment, housing and public accommodation practices and in the use of City facilities. By adopting Sec. 39.05 of these ordinances, the Common Council has attempted to make sure that City facilities and programs that received City financial assistance are accessible to all persons [...].

The Commission is committed to fulfilling their charge through an educated, thoughtful and action oriented approach to the issues facing the community they serve.

OUTCOMES

In an effort to learn more about the issues facing the community in the area of housing, the Commission, over the last year, met with individuals from the Ridgecrest/Kennedy Heights neighborhood, the Mendota School Community PUPs (Peers Uplifting Peers) in the Vera Court neighborhood, Meridian Group property management company, Sunnyside Development, Fair Housing Council of Wisconsin, and members of the community at large. The Commission learned that some of the most immediate issues experienced by community members in the area of housing are discriminatory or retaliatory treatment by landlords or property managers, and the threat of non-renewal or eviction for speaking out against discriminatory or retaliatory behavior. Given the severe shortage of low-income housing in the City of Madison, residents are often faced with the choice of accepting unacceptable landlord behavior or facing eviction or non-renewal of their lease.

The Commission also learned that due to a number of statutory preemptions at the State level, local municipalities have very little authority to change local ordinances addressing tenant/landlord issues.

While COVID-19 has presented numerous challenges, including unprecedented loss of employment resulting in housing insecurity for many members of the community, it also provided the opportunity for the City of Madison and Dane County to be creative in how to safely shelter Madison's population experiencing homelessness. The pandemic also resulted in Public Health Orders for an eviction moratorium to keep those experiencing employment or housing insecurity safely sheltered in place. The Commission is committed to learning where the successes exist in these emergency strategies and where policy or process changes can be formalized to be sustainable in the long term.

The murder of George Floyd has pushed racism as a public health crisis to the forefront of societal consciousness on a national level. The Commission is committed to helping dismantle the policies and procedures within the City of Madison that perpetuate systemic racism and disparately impact Madison's residents of color.

Having delineated some of the larger issues, the Commission is prepared to offer the following recommendations to move resolution of the City's housing issues forward.

GOALS AND APPROACHES

The Commission has identified a number of goals that they feel will help advance some of the outcomes identified above, and is committed to pursuing the following approaches to address these issues.

The Commission identified a lack of authority to push for tenant focused change in ordinances at the local level due to a number of preemptions in statutory governance at the state level. The Commission would like to organize a group of local governments with similar goals to expand the voice of housing advocacy beyond the City of Madison to other municipalities as well.

The Commission would also like to examine where the successes have existed in keeping those that are housing insecure safely sheltered during the COVID-19 pandemic and supports examining ways to sustain those policies moving forward. In crisis, there is opportunity, and the Commission sees an opening for the creative solutions that resulted from this pandemic to be formalized to further the goal of safe and affordable housing for the City's most vulnerable populations.

Public Health Madison Dane County has declared racism as a public health crisis. The Commission would like to encourage Public Health Madison Dane County to leverage that declaration as a tool to move forward orders or policy initiatives that combat the issue of racism at a systems and policy level, specifically in the area of safe, habitable low-income housing. The issues of housing insecurity and unsafe housing disparately impact people of color. Public Health Madison Dane County has named housing security as one of the indicators directly impacting education and health outcomes.

The Commission also sees the need and has heard the public outcry for policy reform and change within the Madison Police Department. The Commission recommends and supports transparency and oversight in the disciplinary process for the Madison Police Department. The Commission supports the recommendations of the Madison Police Department Policy and Procedure Review Ad Hoc Committee to have a permanent oversight committee, and that an interim committee be formed while the permanent committee is being created. The Commission would like to have a member of the Commission be part of that oversight committee.

Holding an election during the midst of the COVID-19 pandemic also highlighted the need to improve and expand access to voting. The Commission would encourage the Mayor and Common Council to further policy expanding access to voting for all of Madison's residents.

RECOMMENDATIONS

Policy Recommendations:

1. Formalize some of the COVID-19 emergency housing response into continued policy change.
2. Build on declaration of racism as a public health crises to further policy changes in Public Health Madison Dane County and in establishing partnerships between Building Inspection and the Department of Civil Rights.
3. Development of the Madison Police Department Policy and Procedure Review Ad Hoc Committee's permanent and interim oversight committee recommendations.

Strategic Initiatives:

4. Organize a statewide coalition on housing to push for housing reform.