



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Draft

ALDER WORKGROUP TO DEVELOP LOGISTICS & OPERATIONAL DETAILS FOR MPD INDEPENDENT CIVILIAN OVERSIGHT

*Consider: Who benefits? Who is burdened?
Who does not have a voice at the table?
How can policymakers mitigate unintended consequences?*

Saturday, July 11, 2020

8:30 AM

Via virtual meeting

Note: Quorum of the Common Council may be present at this meeting. You must register before your item is considered by the Work Group.

1. CALL TO ORDER / ROLL CALL

The meeting was called to order at 8:34 AM

Also present: ACA John Strange, ACA Marci Paulsen, City Attorney Mike Haas, Human Resources Director Harper Donahue, Council Chief of Staff Kwasi Obeng, Alder Keith Furman

Present: 3 - Shiva Bidar; Rebecca Kemble and Donna V. Moreland

2. APPROVAL OF MINUTES

A motion was made by Bidar, seconded by Kemble, to Approve the Minutes.
The motion passed by voice vote/other.

3. [61317](#)

PUBLIC COMMENT FOR THE 7/11 MEETING OF THE ALDER WORKGROUP TO DEVELOP LOGISTICAL AND OPERATIONAL DETAILS FOR MPD INDEPENDENT CIVILIAN OVERSIGHT

One (1) registrant, available to answer questions.

4. DISCLOSURES AND RECUSALS

None

DISCUSSION ITEMS/POSSIBLE ACTION ITEMS

5. [61260](#) Update on communication with community organizations

Chair Moreland reported that she had heard back from some of the community organizations that they would be able to attend these meetings. She will reach back out to organizations with details on how they can nominate Civilian Oversight Board (COB) members. She met with Freedom Inc. M. Adams is attending this meeting.

6. [61323](#) Discussion of legal points of consideration

Chair Moreland asked if Attorney Haas would be willing to raise the issues mentioned in the legal points to consider memo as the workgroup proceeds with their discussion of the draft ordinance and he agreed.

7. [61320](#) Discussion regarding independent monitor placement in organization

The committee discussed the issue of where in the City organization the Independent Monitor would be placed. Human Resources director Harper Donahue was present for the discussion. Donahue discussed possible models for how to place the Monitor: The police and fire chiefs take the direction of the mayor, so he thought a more applicable model would be the Common Council Chief of Staff, which is a department director position that reports to the Common Council Executive Committee, with the Council President as the individual from that body who supervises the position. The IM position would be in Comp Group 21, which is the group that department and division heads are part of. Bidar asked whether it would be necessary to designate an individual, such as a chair or president of the Civilian Oversight Board. Donahue suggested that it can be difficult to take direction from a body rather than an individual. Kemble suggested an executive committee of the COB, wanting to avoid having one person giving direction, but rather the COB as a body. Bidar stated that there were two different aspects of this: 1) independence from influence, and 2) relationship to the COB. Kwasi Obeng, Common Council Chief of Staff, stated that one important issue is the relationship between the COB/Monitor and the Police and Fire Commission. The committee affirmed that they would like the monitor to report directly to the Civilian Oversight Board, with urgent emerging issues being addressed by an executive subcommittee of the COB.

Kemble mentioned the importance of establishing the training requirements for the COB members. ACA Strange confirmed that the committee could codify any aspects in the ordinance.

8. [61318](#) Discussion on relationship among Madison Police Department, Independent Monitor, and Civilian Oversight Board

ACA Strange stated that there are two key issues for consideration of this item: 1) independence between MPD, the Independent Monitor, and the Civilian Oversight Board, and 2) cooperation between the IM and MPD. Moreland mentioned that the Syracuse, NY, ordinance has a subcommittee of their oversight board that served as liaisons to the police department.

City Attorney Haas requested that the issue of the relationship between the COB and the IM and MPD be discussed at a future committee meeting. Committee members mentioned a letter written by Keith Findley to the Common Council as well as a memo by the Wisconsin Legislative Council on this topic.

9. [61319](#) Discussion of subpoena power

One registrant spoke on this item. Greg Gelembuik mentions that NACOLE indicates that granting subpoena power to the Independent Monitor would be beneficial if possible.

The committee discussed the question of whether subpoena power should be granted to the Independent Monitor as an individual or to the Civilian Oversight Board as a body. Currently, the draft ordinance states "to the extent permissible by law." City Attorney Haas recommended that the committee work through some of the scenarios in which subpoena power would be used. Keith Findley suggested that it would be most effective to grant subpoena power to the Independent Monitor Office. Attorney Haas stated that his office is preparing a memo on this issue for discussion by the committee.

10. [61321](#) Discussion of the staffing of the Independent Monitor Office

The committee discussed the staffing requirements of the Independent Monitor Office. They concurred that some kind of staff would be needed and discussed the need for an administrative assistant and a data analyst. Once the IM Office is established, the Monitor can assess the need for additional staff. They also discussed the need to budget in an amount to allow the Monitor to contract out for investigators. Common Council Chief of Staff Kwasi Obeng mentioned that the staffing needs of the IMO will depend in part on the skillset of the Monitor, for example whether they are an attorney or a performance auditor. ACA Strange noted that the City of Madison Finance Director will be attending the Monday meeting to discuss the costs of various staffing models.

11. [61326](#) Discussion of Civilian Oversight Board training, technology, and financial support

Chair tabled until Monday's meeting

12. [61172](#) Staff update on progress of ordinance draft

The committee discussed the latest version of the draft ordinance. ACA Strange noted that a more polished draft will be ready for consideration by the committee after Monday's meeting. He then walked through the changes he had made in the updated ordinance based on feedback from the committee at the last meeting.

13. **UPCOMING MEETING SCHEDULE:**

Monday 7/13/2020 @ 6PM

Thursday 7/23/2020 @ 5PM

Monday 7/27/2020 @12PM

Wednesday 7/29/2020 @ 5PM

Correction: Monday 7/13/2020 meeting will begin at 6:30 PM

14. **ADJOURNMENT**

A motion was made by Kemble, seconded by Bidar, to Adjourn. The motion passed by voice vote/other. The meeting was adjourned at 10:53 AM.

- [61152](#) Documents related to the Alder Workgroup to Develop Logistics & Operational Details of MPD Civilian Oversight