



Legislation Details (With Text)

**File #:** 61667      **Version:** 2      **Name:** Final Report Alder WG Independent Civilian Oversight

**Type:** Resolution      **Status:** Passed

**File created:** 8/4/2020      **In control:** COMMON COUNCIL EXECUTIVE COMMITTEE

**On agenda:** 9/1/2020      **Final action:** 9/1/2020

**Enactment date:** 9/8/2020      **Enactment #:** RES-20-00631

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

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

**Indexes:**

**Code sections:**

**Attachments:** 1. 8/3/20 Final Report Alder Workgroup to Develop Logistical and Operational Details for MPD Independent Civilian Oversight.pdf, 2. 61667 v2 Substitute.pdf, 3. 61667 v1.pdf, 4. 60617.pdf, 5. 8/28/20 CCEC Public Comment COB\_8/23/20 Emails.pdf, 6. 8/28/20 CCEC Public Comment COB\_8/24/20 Emails.pdf, 7. 8/28/20 CCEC Public Comment COB\_8/25/20 Emails.pdf, 8. 8/28/20 CCEC Public Comment COB\_8/26/20 Emails.pdf, 9. 8/28/20 CCEC Public Comment COB\_8/27/20 Emails.pdf, 10. 8/28/20 CCEC Public Comment COB\_8/28/20 Emails\_Pt1.pdf, 11. 8/28/20 CCEC Public Comment COB\_8/28/20 Emails\_Pt2.pdf, 12. Baldeh proposed amendment to Substitute 61667.pdf, 13. 8/29/20 Emails\_9/1/20 CC Meeting.pdf, 14. 8/30/20 Emails\_9/1/20 CC Meeting.pdf, 15. 8/31/20 Emails\_9/1/20 CC Meeting.pdf, 16. 9/1/20 Emails\_9/1/20 CC Meeting Pt 1.pdf, 17. 9/1/20 Emails\_9/1/20 CC Meeting Pt 2.pdf

Date	Ver.	Action By	Action	Result
9/1/2020	1	COMMON COUNCIL		
9/1/2020	1	COMMON COUNCIL	Adopt the Following Friendly Amendment(s)	Fail
9/1/2020	1	COMMON COUNCIL	Reconsider	Pass
9/1/2020	1	COMMON COUNCIL	Adopt Substitute	Pass
9/1/2020	1	COMMON COUNCIL	Adopt Substitute	Pass
8/28/2020	1	COMMON COUNCIL EXECUTIVE COMMITTEE	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER	Fail
8/26/2020	1	PUBLIC SAFETY REVIEW COMMITTEE	Return to Lead with the Recommendation for Approval	Pass
8/13/2020	1	EQUAL OPPORTUNITIES COMMISSION	Return to Lead with the Recommendation for Approval	Pass
8/12/2020	1	PUBLIC SAFETY REVIEW COMMITTEE	Re-refer	
8/10/2020	1	FINANCE COMMITTEE	Return to Lead with the Recommendation for Approval	Pass
8/4/2020	1	COMMON COUNCIL EXECUTIVE COMMITTEE	Referred	
8/4/2020	1	COMMON COUNCIL EXECUTIVE COMMITTEE	Referred	
8/4/2020	1	COMMON COUNCIL EXECUTIVE	Referred	

8/4/2020	1	COMMITTEE COMMON COUNCIL	Refer	Pass
8/4/2020	1	Council Office	Referred for Introduction	

**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.