



Legislation Text

File #: 71016, Version: 1

**Fiscal Note**

No fiscal impact.

**Title**

Amending 5.20 of the Madison General Ordinances related to the Police Civilian Oversight Board.

**Body**

DRAFTER'S ANALYSIS: This ordinance modifies the method for selecting members of the Police Civilian Oversight Board.

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The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (3) entitled "Board Composition" of Section 5.20 entitled "Police Civilian Oversight Board" is amended to read as follows:

"(3) Board Composition .

(a) Members .

1. Number . The Board shall have eleven (11) voting members and two (2) alternate members. Alternate members shall act with full power when any other member of the Board is absent or is unable to act because of a conflict of interest. The second alternate member shall so act only when the first alternate member is absent or unable to act because of a conflict of interest or when two Board members are absent or unable to act because of a conflict of interest. Alternates may not serve on the Board's Executive Subcommittee.

2. Diverse Composition . 25-40% of the Members shall have In considering the nomination and applicants of the Board, the Common Council shall strive to consider members who have lived experience with homelessness, mental health, substance abuse and/or arrest or conviction records and shall further strive to include members from a diverse background, including but not limited to: .The Board's composition shall be diverse and include:

a. Members who are At least one member who is:

- i. African American;
- ii. Asian;
- iii. Latinx;
- iv. Native American; and
- v. ~~A member of the~~ From the LGBTQ community.

b. ~~At least one member who is~~ Members affiliated with an organization in the field of:

- i. Mental Health;
- ii. Youth Advocacy; and
- iii. AODA.

c. Members ~~At least one member~~ with an arrest/conviction record.

d. In constituting the Board as outlined required above, the Mayor and Council shall ensure that members represent a diversity of age, socioeconomic status, gender, geographic residence, and work experience.

Individual members may represent more than one of the categories listed above. ~~For example, one Member can satisfy both requirements that at least one Member is Native American and at least one Member is affiliated with a Youth Advocacy organization.~~

3. Nominated by community-based organizations . The Mayor and Common Council, in collaboration with the Department of Civil Rights, shall seek nominations from a designated set of nine (9) community-based organizations that have an interest in civil rights, immigrant rights, disability rights/mental health, racial equity and social justice, and that also have an interest in the safety of the city and criminal justice reform. Priority shall be given to organizations with budgets under \$1 million. The designated set of organizations shall be initially created in conjunction with the adoption of this Ordinance and the Monitor, Board, and Common Council shall ensure that it is updated at least every two (2) years. Each community-based organization shall submit three (3) names to the Mayor and Common Council. The Mayor and Common Council shall appoint one (1) person nominated by each organization.
4. Limited law enforcement experience . No Member shall have ever been employed by the MPD, be an immediate family member of current or former MPD employees, or worked as a law enforcement officer within the State of Wisconsin in the ten (10) years prior to becoming a Member of the Board. For purposes of this Ordinance "immediate family" means an individual's spouse or designated family or registered partner or an individual's relative by marriage, lineal descent or adoption.
5. Compensation . Members shall receive a stipend as set by the Common Council for their service to the Board and, if applicable, the Board's Executive Committee, as set and determined by the Common Council.

(b) Appointment and Residency of Members .

1. Appointment .
  - a. Nine (9) Members, one (1) from each community-based organization and who have been selected as outlined in sub. (3)(a)3, shall be appointed by the Mayor and the Common Council and confirmed by the Common Council.
  - b. One (1) Member and one (1) alternate Member shall be appointed by the Mayor and confirmed by the Common Council.
  - c. One (1) Member and one (1) alternate Member shall be appointed and confirmed by the Common Council.
2. Residency of Members . Members shall be residents of the City of Madison at the time of appointment. However, the Common Council recognizes that some residents may experience high housing mobility and, as a result, may move outside city boundaries during their term for housing or financial reasons. Members who move outside of the City of Madison may remain on the Board for the duration of their term provided that they still reside in Dane County but may not be reappointed if they reside outside the City of Madison.

(c) Terms and vacancies .

1. Terms . Members shall have staggered four-year terms, except that when the Board is initially created and filled, five (5) members shall be appointed for four-year terms, three (3) Members shall be appointed for three-year terms, and five (5) Members, including the two (2) alternate Members, shall be appointed for two-year terms.
2. Vacancies . Any vacancy occurring at the end of or during the term of any Member shall be filled by the process set forth above. If a Member is appointed to fill an unexpired term, that Member's term shall end at the same time as the

term of the person being replaced.”