

PART IV

Community Ideas and Recommendations

Economic Development Recommendations

1. The Mayor and Common Council should consider the creation of a Minority Small Business Investment Company (MSBIC). This recommendation should be referred to the Community Reinvestment Committee who would study a public-private partnership between the City of Madison, the Economic Development Commission, the U.S. Small Business Administration, the UW-Small Business Development Centers and Madison's financial lending institutions.

MSBIC's have been a successful economic development tool in communities throughout the U.S. by providing venture capital, bridge/gap financing and commercial loans to minority businesses. The creation of a MSBIC will provide new entrepreneurial business opportunities for people of color and the creation of new jobs for the Madison community. The creation of a MSBIC would also send a positive message to the growing minority community in Madison that the City is reaching out to close the economic gap that currently exists between many of our citizens today.

2. The Mayor, Common Council, and Economic Development Commission should consider increasing financial support to the Dane County Economic Summit Council. The Economic Summit Council seeks to provide advancement opportunities for low-wage workers in Madison. For example, the Jobs With A Future Program has been successful in identifying low-income neighborhoods such as Broadway-Simpson and Darbo-Worthington and has matched the workers with jobs and getting them the skills they needed to continue climbing the employment ladder. This program is an example of a public-private partnership that is, in fact, working.
3. The Common Council through the Board of Estimates, the Community Development Authority, the Plan Commission, and the City Department of Planning and Development should research the use of TIF to improve locally depressed neighborhoods.

The mass of downtown Madison development was, is and will continue to be supported through tax incremental financing. While TIF is created to revitalize targeted, depressed development districts, and encourages the development of new buildings, TIF is rarely applied to locally depressed neighborhood development. Thus, while downtown Madison is improved through TIF, local economically depressed neighborhoods are not recipients of such tax subsidies for development. One city, Houston, Texas created an innovative way to address similar issues. In concept, whenever TIF funding was awarded for downtown development, TIF monies were also used to improve economically depressed neighborhoods.

4. The Mayor, Common Council, and Transit and Parking Commission should study the merits of taxi deregulation.

Madison's current taxi regulations are seen by some to create barriers to competition for low-income and for minority entrepreneurs who may have limited access to start-up capital. Deregulating Madison's taxi cab industry could provide new business opportunities for low-income and minority entrepreneurs. The Task Force acknowledges that necessary regulations concerning vehicle safety, driver competence, insurance coverage, and other quality of service provisions of regulations need to be retained.

Education Recommendations:

5. The City of Madison should consider authorizing the Economic Development Commission and the Board of Education-Common Council Liaison Committee to initiate discussions with the school district, local institutions of higher education, local businesses and foundations, and other organizations to consider establishing a Madison "I Have A Dream" (IHAD) program. In an IHAD program, private sponsors adopt entire grade levels from elementary schools or entire age-groups from public housing developments and provide children with tutoring, mentoring, academic enrichment, cultural and recreational activities, and individual attention until they graduate from high school. IHAD also provides partial higher education scholarships for students who graduate. The goal of IHAD is to see that all participants graduate from high school functionally literate and prepared either for fulfilling employment or for further education.

There are now 160 "I Have A Dream" projects in 57 cities and 26 states, serving more than 10,000 disadvantaged children. There are no projects in Wisconsin. Local IHAD projects are relatively autonomous but operate within the policies of the national "I Have A Dream" Foundation.

IHAD purposefully focuses assistance on a limited number of students to insure these students get all the help they need to succeed. Projects in other cities have yielded impressive results. For example, in Chicago and Paterson NJ, where evaluations using control groups were conducted, IHAD participants had a graduation rate double that of control group members. IHAD projects lend themselves to research evaluation to examine the benefits of strategies for helping kids succeed in school.

Children growing in low-income communities face numerous obstacles to success in school, including a lack of role models and support services to reinforce and reward positive efforts at home and in school. Also missing for many low-income kids is a fundamental belief that applying themselves diligently through their many years of school will indeed open doors to social and economic success for them. Kids need a reliable stake in their future and support throughout their long journey through the school years. The "I Have A Dream" program provides low-income children with comprehensive, long term assistance and guarantees them the opportunity for higher education in return for successful efforts in school.

6. The Mayor and Common Council should give consideration to increasing the level of service provided by the MEOC Education and Outreach programs for FY 2000.

Recommend that the City Council and the Mayor support the increased programming of the MEOC's Educational and Outreach initiatives that would include pre-school children.

Both staff from the MMSD and Headstart supporters have indicated that early learning intervention has been proven successful. Currently the MEOC's 1999 budget is below the 1997 funding levels. Increased programming is needed in order to strengthen existing and future educational and outreach initiatives. By providing an increase in the EOC's program for Outreach, we would insure the existence of these opportunities for all preschoolers of race or economic circumstances. The Task Force recognizes that this recommendation cannot be accomplished through a reallocation of existing resources and understands that this recommendation carries a budgetary impact.

7. The City of Madison's Office of Community Services should work in collaboration with United Way, the MMSD, after-school providers, and other related organizations to develop a unified plan to improve after-school programming in Madison. Mixing children of different races and income levels should be supported to the extent possible. Furthermore, the Community Services Commission could consider additional after-school activities, e.g., service learning, performing and visual arts, computer programming and desktop publishing, along with recreational activities to enhance existing after-school activities.

While Madison has many after-school programs ranging from recreational to tutorial, much more can be done to assure that more young people of all colors are engaged in constructed activities during the after-school hours.

8. The City of Madison should consider a collaborative effort with the school district and institutions of higher education to assist low-income parents of elementary and middle-school children to plan for and apply for their children's college or technical training education. This collaborative effort should help parents understand the various kinds of federal, state and private financial assistance available to help their children attend college. It should also help parents understand the various higher education options, including both two-year and four-year institutions, available to their children. We believe this collaborative effort could instill in low-income parents the confidence that the combination of planning with the variety of financial aids and higher education options means that a college education is accessible to their children.

Having at least some education past high school is becoming more and more critical for an individual to obtain jobs that pay family-supporting wages and have advancement opportunities. Unfortunately, many low-income parents assume college is out of financial reach for their kids, which can result in lowered academic expectations and aspirations for students. Despite the rising costs of college, the existence of a variety of student financial

aids and educational pathways mean that higher education is attainable for almost all students. These financial aid and educational options are far from apparent for many parents, however, and without good information about them combined with advance planning, plans for college may be prematurely written off.

9. The Mayor and Common Council should work with the MMSD to explore and study policies that physically and programmatically separate students by race due to actual or perceived differences in academic achievement. The study should determine and document the extent to which these policies have the effect of segregating students at area high schools. If the study indicates this kind of physical segregation exists, the school district should develop an action plan on how to rectify this situation and how to improve the physical and social integration of people of color, while at the same time not compromise academic achievement. The Board of Education-Common Council Liaison Committee would be the appropriate body to explore a joint study.

Multicultural Recommendations:

10. The Mayor and Common Council should request the Parks Commission consider publicly-funded community neighborhood swimming pools.

We recommend that the Parks Commission study and develop potential neighborhood site plans and a financing program for possible construction of up to four pools within the next five years

The public funding of community neighborhood pools will reach out to all the children of Madison. Four (4) community neighborhood pools will bring kids of all backgrounds and colors together in shared facilities and will send a positive message to all the citizens of Madison.

11. The Mayor and Common Council should consider providing seed money for the planning and development of a multi-cultural training institute by a consortium of public/private local agencies. Such an institute could increase the supply of trainers and state-of-the-industry curricula in areas such as cross-cultural communications, preventing and dealing with discrimination and greater awareness of different racial/ethnic groups. It would assure consistently high-quality and continuously available training. The institute could maintain a network of trainers and offer a broad menu of training programs. It could work with client organizations to tailor training programs to specific needs and develop plans for ongoing training as opposed to meeting training needs on a piecemeal or ad hoc basis. The institute could be a private, not-for-profit organization that would use memberships to eventually become self-sustaining.

The City of Madison is a center of growth both in economic activity and racial/ethnic diversity. Area schools, government agencies, businesses and not-for-profit agencies have

a growing need for effective training on a wide variety of topics related to understanding the area's cultural diversity and stopping discrimination. Many organizations need help in instituting plans for ongoing multicultural training, which yields better results than separate, one-time presentations.

12. The Mayor and Common Council should request that the City's Arts District Advisory Committee work with the Overture Board to ensure the inclusion of diverse subjects attractive to all race and ethnic groups in performances and in the audience of events. This could be achieved through the selection of performers and/or by ensuring that people who can't afford tickets have access to these events. The Overture Board should be encouraged to consult with representatives of the various ethnic communities in Madison to solicit their ideas and determine how certain outcomes can be best achieved.

This proposal will increase the diversity of community participation in Arts District activities and would avoid the Arts District serving only a selected group of participants in Madison. In addition, this recommendation could provide more opportunities for people of color and cultures to interact, which will promote cultural understanding.

13. The Mayor and Common Council should consider financially supporting multi-cultural dance events/programs for the Monona Terrace through a matching fund program.

The Mayor and Task Force members feel there have not been as many persons of color who take advantage of city-wide activities which have taken place at Monona Terrace as is desirable. We need to find a means to bring this community together. To that end, mentoring programs, church exchanges, and programs like building bridges and study circles are all good ways to provide opportunities for all people to come together in Madison. Multi-cultural dance events are one more vehicle that builds upon current multi-cultural initiatives and reaches out in a new way to those who feel they are on the outside of the community. Multi-cultural dance events would reach out to all neighborhoods and bring people together through a series of special summer and fall dancing events at the Monona Terrace.

Home Ownership Recommendations:

14. The Mayor and Common Council should consider a three-part proposal regarding home ownership loans:
 - A. Funding for the Community Reinvestment Committee to conduct an analysis of why people of color are more likely to be rejected for home ownership loans.

The Community Reinvestment Alliance (CRA) released a report two years ago that looked at 1990-94 data that lending institutions have to collect under the Home Mortgage Disclosure Act. This data showed that minority applicants were two times more likely to be rejected for a home mortgage. This was important information to

have, but no analysis was made as to why the rejection rate was higher. It is important to know why so that the correct action can be taken to solve the problem. Funding would be needed to do the analysis since the members of the CRC serve on their own time and currently have no full-time dedicated staff.

- B. Developing a new program that would do educational outreach to people of color regarding home mortgages, home-buying counseling, and seminars.

The development of a program would be a proactive step to getting people of color ready for future home ownership. The program could include counseling one-on-one with participants and a tracking system that could collect data on participants who achieve home ownership.

- C. The City's new Housing Committee should explore the development of Individual Development Accounts (IDA) for low-income people who want to save for a down payment on a home.

Many people with low incomes do not have savings to use for a down payment on a home. An IDA could help them build up a down payment for a home over a short period of time.

Outreach and Training Recommendations:

15. The Mayor, Common Council, and MEOC should consider partnering with the Chamber of Commerce to create and implement a training program for retail business employees that would teach them how to spot potential shoplifters by looking at customers' behavior, instead of using racial profiling.

At several public hearings of the Task Force, the issue was raised by a number of Madison residents how retail store personnel more often than not follow people of color around in stores and more carefully watch them than they do white people. This is also something Task Force members have heard on their own from numerous people of color. People of color and white people should have equal treatment in stores. The hope is that through joint training sessions of store employees that all people will be treated equally.

16. The Mayor and Common Council should consider creating an outreach initiative through the joint efforts of the MEOC and the EDC to assemble a group of community and government leaders, emphasizing those who are responsible for providing social and economic services to residents in Madison and surrounding areas. These targeted individuals should be invited to participate in an intensive workshop on understanding and undoing racism. The purpose would be to give individuals in positions of substantial authority a practical as well as theoretical understanding of how racism operates and is sustained within institutions and organizations. By going through such a workshop together, area leaders can collaboratively identify barriers and solutions to reducing racism and develop community coalitions to carry out strategies for undoing racism.

A racially-mixed workshop would focus on analyzing the systems that keep racism in place and would allow participants time to develop an understanding of their own relationship to culture and race as a basis for better understanding institutional behavior with regard to race.

The City could work with county government to assemble the group of area leaders and arrange a workshop. The Children, Youth and Families Consortium of Dane County has done advance work on planning such a workshop and also has raised funds to lower the costs for those involved. We further recommend that the Consortium is asked to participate in the workshop planning and act as a co-sponsor of the workshop.

17. The Mayor and Common Council, through the MEOC, should consider developing an outreach program for the Southeast Asian American Community that would improve the ability of this population to access services and community supports as needed.

We recommend that the City establish an outreach program involving managers of City agencies and private, not-for-profit social service agencies for purposes of meeting on a regular basis with members of the Southeast Asian American community at a community site. The outreach program would have a three-fold purpose. Agency managers and community members would discuss how cultural differences give rise to obstacles to full participation in services and community life. Agency managers would learn first-hand about problems members of the community have encountered in gaining full, equitable use of public services in areas such as services for the elderly, housing, the criminal justice system, mental illness, temporary financial assistance, and recreation. People would receive firsthand from agency managers practical advice concerning how best to gain and advocate for equitable access to public services and resources. We believe the quality of services to the Southeast Asian American community would improve because of this kind of face-to-face exchange of information that is currently needed.

Testimony to the task force from Southeast Asian residents of Madison illustrated the difficulties they face in adjusting to American social and legal systems and obtaining fair treatment by those systems. Southeast Asian Americans in Madison are proud to have helped Americans during the Vietnam conflict, have faith in the government's ability to help them adjust to American life, and are committed to becoming more accepted in the larger community through succeeding in education and other social and economic endeavors. Southeast Asian community members have also informed the Task Force that they are frustrated by language difficulties, intergenerational cultural issues, and the frequency with which many other Madison residents stereotype them and treat them impatiently as outsiders.

18. The MEOC should organize regular quarterly meetings between the local media associations, representatives of the various Madison media, and representatives of Madison's racial and ethnic communities. The goal of such meetings is to create a better understanding between the media and minority communities to combat racial stereotyping in the media. This recommendation could be incorporated into the EOC's already existing plan to increase

communication with the media. Media representatives are urged to participate in the meetings.

Today, the media influences most people's perceptions of racial and ethnic groups. Providing accurate and balanced coverage is important if we want to increase understanding and eliminate racial and ethnic stereotyping. Currently, a similar EOC meeting is held, but only once a year. It is difficult to develop much understanding and trust by only spending a couple of hours together each year. More frequent meetings will help build an ongoing dialogue and better understanding with the media. The EOC is encouraged to take steps this year to increase communication with the media regarding community issues. The recommended quarterly meetings could help improve coverage of people of color and create an ongoing dialogue.

Measuring Outcomes Recommendations:

19. The Mayor and Common Council should consider creating a staff team which would establish a set of social and economic indicators to measure progress in race relations over time. The indicators should be derived from data that reflect local conditions, are collected by race/ethnicity, and are collected on a regular basis. A report on the indicators should be published every two years. The community assessment for health and human services needs, which is produced every two years by an intergovernmental/interagency team, could easily be used as a starting point for work on race relations indicators.

Race relations indicators could be developed in the areas of education, labor market participation, economic status, health, criminal justice, and housing and neighborhoods. Indicators reflecting residents' attitudes toward and assessment of race relations could also be part of the set.

We recommend that the lead responsibility for this initiative should be given to the Madison Equal Opportunities Commission and the Affirmative Action Commission. The EOC's Employment Committee and the interagency community assessment work group should be involved. The latter group includes representatives from the City of Madison, Dane County, the Madison Metropolitan School District and United Way of Dane County.

While race relations is a complex topic, progress toward improving a community's race relations can be gauged using a combination of economic and social indicators and attitude measurements. While indices of other dimensions of a community's well-being exist, measuring the status of race relations is rarely attempted. Establishing a set of indicators would help our community sustain and focus its attention on improving race relations.

The Council of Economic Advisers prepared a report for the President's Initiative on Race called "Changing America: Indicators of Social and Economic Well-Being by Race and Hispanic Origin." This report provides a model for measuring racial equality and includes examples of indicators such as:

- high school drop-out rate, average reading and math proficiency rates,
- unemployment rates, median weekly earnings, individuals employed in supervisory or management positions,
- child poverty rates, home loan and small business loan approval rates,
- up-to-date vaccination rates for children, families covered by health insurance,
- victims of property crime, adults under correctional supervision,
- home ownership rates, housing units with physical problems.

The City of Madison, Dane County, the Madison Metropolitan School District and United Way of Dane County jointly produce a community assessment of health and human service needs. The community assessment work group has performed a good deal of research on local health and social indicators that also would be relevant to measuring race relations. Therefore, much of the background work for some types of race relations indicators has already been done. The members of the work group have agreed among themselves to extend their work into the area of race relations indicators. They could contribute a great deal of working knowledge to a race relations indicator initiative led by the Equal Opportunities Commission and the Affirmative Action Commission.

Since the existing community assessment does not cover all the areas that should be covered by a set of race relations indicators, the community assessment work group should participate in a larger team led by the Equal Opportunities Commission and the Affirmative Action Commission. New indicators, especially regarding participation by minorities in the local economy, would have to be developed. Data not available from the census or other existing statistical collections may need to be gathered by sampling. For example, major private and public employers could be surveyed to collect data on earnings and supervisory/management status of employees by race and ethnicity.

The race relations indicators also should include measures drawn from a regularly scheduled survey of area residents' opinions and attitudes. The 1993 Madison Poll commissioned by the Isthmus and conducted by Chamberlain Research Consultants is a good example of such a poll. The survey should include questions concerning, for example, the status of race relations, the degree to which employment discrimination exists, attitudes toward neighborhood integration, and equal opportunity for kids to succeed in school. Differences in how different racial/ethnic groups view such questions is a good indicator of race relations.

City of Madison, Wisconsin

AMENDED

A RESOLUTION _____

approving the report of the Race Relations Task Force concerning the recommendations and findings of the EOC Ad Hoc Committee with respect to Traffic Stops of African Americans.

Presented October 6, 1998

Referred 10/20 cc

Rereferred _____

Reported Back 10/20/98

Drafted By: Ald. Ken Golden

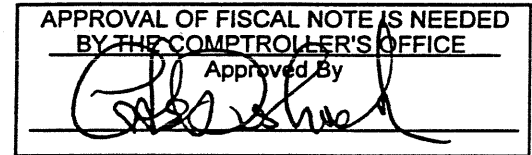
Date: September 28, 1998

Fiscal Note: Adoption of this resolution will not have a direct fiscal impact. The implementation of the recommendations may have an impact on the budget. The fiscal impact will be determined as part of the staff work plans..

Adopted X POF _____

Rules Suspended _____

Public Hearing _____



RESOLUTION NUMBER 55,653

ID NUMBER 24344

SPONSORS: Mayor Sue Bauman and Ald. Ken Golden

WHEREAS, in June of 1996 the Equal Opportunities Commission created an Ad Hoc Committee to study Alcohol Licensing and Traffic Stops of African Americans, and;

WHEREAS, in April of 1997 the Committee issued a report and submitted it to the Common Council for approval, and;

WHEREAS, after a lengthy and substitutive review by various committees of the Council, the Council chose to not act upon the report but instead created a Race Relations Task Force to consider the report in greater detail, and;

WHEREAS, the charge to that Task Force included a review of the findings and recommendations of the EOC Ad Hoc Committee on Alcohol Licensing and Traffic Stops of African Americans and further charged the Committee with developing a plan for implementing appropriate recommendations, including immediate as well as long term implementation steps, and;

WHEREAS, the Race Relations Task Force has deliberated the EOC Ad Hoc Committee's Report and the issues for a number of months, and;

WHEREAS, two subcommittees were created to separately deal with the two issues, and;

WHEREAS, both of these subcommittees have now issued a report to the Task Force which was endorsed by the Task force in full, and;

WHEREAS, the Task Force has forwarded both these reports to the Common Council for their review and approval,

NOW THEREFORE BE IT RESOLVED the Common Council receives, accepts, and endorses the report of the Race Relations Task Force on approving the Report of Traffic Stops of African Americans, and

BE IT FURTHER RESOLVED that the Council in approving this report directs all appropriate City staff to develop a work plan to be submitted to the Council within 90 days of the adoption of this resolution, and

BE IT FURTHER RESOLVED that the Police Department will include in its annual report to the Common Council, the status of the implementation of recommendations contained in the report of the Task Force on Race Relations, and

BE IT FINALLY FURTHER RESOLVED, that the Mayor's Office will be the designated lead to ensure the implementation of all recommendations contained in this report.

The Task Force on Race Relations Final Report of the Traffic Stops Working Group

September 28, 1998

Introduction

The Task Force was given two charges by the Mayor and Common Council. The first of these is:

Review the findings and recommendations of the EOC Ad Hoc Committee on Alcohol Licensing and Traffic Stops of African Americans, and develop a plan for implementing appropriate ones, including immediate as well as long-term implementation steps;

The Mayor also added, “ *In reviewing the findings and recommendations of the Ad Hoc Committee, I ask that the Task Force look beyond the numbers, and the accumulation of statistics. I direct that the Task Force engage in a discussion about the findings and then in a dialogue with the police department and members of the Alcohol Licensing Review Committee to develop recommendations which will not have the potential of causing more conflict but will address underlying perceptions and concerns. I ask the Task Force to not merely ask for statistics to be gathered, but to discuss fully what will be done with the statistics, how they will be utilized, and what changes they would recommend should the statistical data show bias in the actions of the police department...*”

Work Group Methodology

Consistent with the request of the Mayor and Common Council, the Traffic Stops Working Group chose several levels of investigation, review consultation and analysis to develop its conclusions. First the group educated itself by discussing with police personnel the many aspects, of both policy and procedure, related to patrol, traffic stops, questioning, complaints, resolutions and actual occurrences between police and citizens. The group received feedback from police management and rank & file patrol officers. We discussed actual and hypothetical situations in which a stop was made, and whether a citation was issued or not. We continued to discuss with police personnel, members of the community who attended the meetings and with EOC Ad Hoc Committee members the issues raised and discussed in the Ad Hoc Committee's findings and recommendations. We included the Chief's response to the EOC report in these discussions. We received feedback from the police and members of the Ad Hoc Committee related to their assessment of the veracity of the findings, the meaning of the statistical data, and the relevance and reasonableness of the Ad Hoc Committee's recommendations. These are recorded in the minutes/notes of the Working Group's meetings.

Second, the Working Group asked for a re-review of the same police statistical data set used by the EOC Ad Hoc Committee. Professor emeritus Jack Ladinsky, former Director of the UW-Madison's Criminal Justice program, assisted us in completing this task. We asked that Professor Ladinsky assess whether the statistical data explain the disparity between the incidence of African Americans in Madison's population and the percentage of citations given to them; whether the Chief's response to the Ad Hoc Committee's report completely or adequately explain the statistical data; what questions do the statistical data answer and are the answers consistent with the EOC's findings; and what questions do the statistical data pose that are beyond the findings of the EOC report.

Third, the Working Group reviewed the tapes of the public hearings held by the Ad Hoc Committee. The Group reviewed the testimony and discussion recorded, and developed a list of themes/conclusions that could be identified to balance against the report and findings of the EOC Ad Hoc Committee. Police personnel and EOC Ad Hoc Committee members were present to participate in the discussion of the hearing tapes.

Finally, the Working Group has asked for, received and reviewed a series of documents and communications from relevant City agencies and citizens. These include statements by citizens of police contacts - both positive and negative; police training material on diversity; relevant national and local press and journal articles; state and federal laws related to traffic stops, police data collection, and complaint procedures; EOC policy and procedures regarding complaints; and several suggestions from Council members and others suggesting ways to proceed.

Overview

Our meetings revealed there was a great deal of dissonance between police procedure and what was expected by citizens. Police at all levels feel that citizens who are stopped are likely to be in a bad mood because of the stop, and that the negative reaction of the motorist is to be expected. There was also a great difference in what police are trained to use as criteria to judge whether to stop, and citizen's beliefs or actual knowledge about the reason for the stop. While neither of these two issues could be resolved at our level, there was general agreement between the Working Group and the police that citizen awareness of police procedures is low, and in some cases misunderstood by citizens, especially the young and those new to the City; and that police could do a better job of identifying who they are, and why the citizen was stopped, especially when no citation is given.

The statistical data show some disparity between the incidence of African Americans in the population and the share of citations given to them. There was agreement that the Chief's response to the EOC report explained some of the disparity. The implementation of Blue Blanket and other stepped up enforcement activities in so-called targeted neighborhoods can be associated with a rise in traffic stops and citations in a given area. Residents in these neighborhoods asked for, expected and received increased attention by the police including the installation or reinforcement of neighborhood officers performing community policing and through county-based efforts like Joining

Forces for Families, which also included law enforcement activities. The statistical data do not account for the reports of citizens, who were stopped and not cited. These citizens often reported (at the hearings, to the Task Force and by letter/e-mail) a lack of knowledge about the reason for the stop, a failure of the officers to identify themselves and their departments, and rude or accusatory language and tone of voice used by police instead of an authoritative but professional tone of inquiry.

Analysis of Police Department Statistics on Citations

The data invoke more questions than they answer. According to UW-Madison Professor Emeritus Jack Ladinsky, the data are inconclusive. He asserts that the data analysis lacks a critical element - a benchmark - a standard by which police action during traffic stops can be measured or judged.

Using Madison Police Department statistics from 1990 - 1995, Professor Ladinsky compared the percentage of African American residing in certain areas of the city with the percentage of traffic citations issued to African Americans in the same areas. The analysis showed an expected correlation between an increased number of citations issued to African Americans, and increased law enforcement activity in targeted areas where African Americans reside in significantly higher numbers than in other areas of the city. However, the data did not conclusively show that citations are issued to African Americans at consistently higher rates than their incidence in the overall population. Greater numbers of citations were issued to African Americans on some police beats, and not on others, in both targeted and non-targeted areas.

But while citations are a subset of all traffic stops, the data say nothing about the widely reported incidences of traffic stops of African Americans where no citations are issued. Ladinsky cautions the Task Force not to disregard the reported incidences of stops, nor the perception by African Americans that they are being targeted by the police. He advises that these issues be acknowledged and addressed in the near term, because as long as traffic interdiction is an accepted and widely used practice by police as an enforcement strategy, it will continue to yield high numbers of citations issued to African Americans and other minorities particularly in targeted areas. Ladinsky believes this will tend to substantiate negative perceptions of the police held by African Americans in these areas and beyond.

Professor Ladinsky interviewed several police officers, supervisors and managers about their experiences and reactions to the conclusions drawn by the EOC report, his re-analysis of the data and the focus the issue has received by the city and media. He reports that officers and supervisors have responded to the stresses of media attention and institutional focus on the issue of traffic stops with a great deal of frustration at being labeled racist.. Another police reaction has been to avoid the opportunity to stop or issue citations, particularly to African Americans.

Professor Ladinsky reported that there may be key factors contributing to the perceptions of police held by some citizens and the reactions of the police. Among these factors is the observation that white citizens tend to provide poor descriptions of African American suspects leading to high numbers of misidentifications. This is particularly acute in non-target areas, because officers are trained to be sensitive to departures from the norm. Ladinsky suggests that a reevaluation of the applicability of the elements of the reasonable suspicion standard might make a real difference.

Ladinsky also suggested that citizens, especially those most likely to be in a position to report crimes (i.e. store clerks, bank tellers, cab/bus drivers, etc.), be trained to provide more accurate physical descriptions of suspects. Finally, Ladinsky links the increase in police complaints to higher expectations of policing by citizens across the city, especially in the target areas as evidenced in the testimony of citizens at the EOC Ad Hoc Committee hearings.

Ladinsky encouraged the Task Force to dispense with its quest to answer the questions raised regarding traffic stops with more data collection in favor of a direct approach to resolving the issues through public education and new department programming. He recommends:

- A revised complaint brochure; and a new city/police policy on when to distribute the brochures;
- The creation of a joint public education project between the police department and several community organizations modeled on the Allstate Insurance brochure and training packet, "The Law and You;"
- Video tape equipment for police vehicles;
- Review and revise in-service and pre-service training to include the use of simulated traffic stops, and culturally competent communication skills;
- Written warnings as a police policy option during traffic stops;
- Revolving loan fund in neighborhoods for car registrations and licensing;
- Strategic recruitment of police personnel
- Training for citizens and workers in providing accurate descriptions;
- Greater community access to police officers;
- Strategic data collection aimed at quality improvement of police practices; and
- Reintroduce an annual "Citizen Police Academy," to assist citizens in interacting with police.

Public Hearings Results

The public hearings conducted by the Ad Hoc Committee elicited some common experiences of citizens and their reports of police contact. The Working Group discussed the tapes to identify themes in the testimony/discussion. These themes and commonality of experiences tend to verify these findings of the Ad Hoc Committee:

- that citizens were not provided reasons for the stop when no citation was issued
- that citizens had little knowledge of the jurisdiction represented by the police who stopped them
- that citizens have little knowledge about the complaint process or the outcome of complaints filed.

The review of the tapes of the public hearings identified the following recurring observations and experiences:

- *Citizens don't know who stopped them*
- *There is a sense of powerlessness when stopped by the police - people are not told why they were stopped when no citation is given*

- *Citizens want more police on the beat as neighborhood officers*
- *Citizens don't want their desire to have more police on the beat to be seen as being willing to put up with harassment*
- *Citizens reported the police have a "Chicago" stereotype that they associate with all African Americans*
- *Citizens reported the city was unresponsive until middle class Blacks were stopped and complained*
- *The Town of Madison police are a big problem*

Related Impacts and Resources

Several federal statutes and requirements, as well as state laws bear on the issues at hand. First a new federal law authored by John Conyers (D) of Michigan requires The U.S. Justice Department to collect from police departments, data related to traffic stops to include the race and age of the driver, the traffic infraction alleged to warrant the stop and any citation issued, the rationale for and results of a search if any is conducted.

Second, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin by recipients of federal financial assistance, training or technical assistance - this includes cities and police departments. Law enforcement agencies are required to determine that its policies and procedures do not have the effect of discriminating against people because of their race, color or national origin. The Omnibus Crime Control Act adds gender and religion to the list of protected classes. These non-discrimination prohibitions apply to employment practices and services delivered to citizens. Citizens need only file a complaint to trigger a U.S. Justice Department inquiry, which could be followed by a full investigation. A citizen may file a complaint in federal district court without filing an administrative complaint with the Justice Department under Title VI. They may file a complaint in court under the Crime Control Act, but must first file an administrative complaint with the Department of Justice.

Training

In order to examine the relevance of police training to the issues raised in the EOC Ad Hoc Committee's report, the working group interviewed the department's pre-service and in-service training team. We found the department's pre-service training exceeds the standards set by the Wisconsin Justice Department in terms of total hours - (900 hours received, 450 hours required).

In discussion we found that Madison's in-service diversity training goals had not been achieved in the most recent year. The Wisconsin Justice Department requires 24 hours of in-service training each year. Some of the annual in-service training are required for mandatory certifications. In part this the requirements affect how much training time the department and the officer can plan. So the disparity in how much and how often officers receive diversity training exists for several legitimate reasons. First, the department has evaluated, and is re-designing its diversity/sensitivity/cultural communications training. The department maintains that the diversity training used for all other city departments does not adequately meet the changing needs of police-citizen communication demands. Second, training requirements need to be better balanced with the availability of officers for patrol,

while staffing concerns are being addressed. Finally, the department has just begun to use complaint and comment data to inform training needs. Subsequent adjustments are being made for the 1999 training requirements.

Plan and Implementation Steps

The Traffic Stops Working Group, the EOC and its Ad Hoc Committee, and the Madison Police Department have consulted, reviewed the relevant data, and have reached agreement and/or compromise on some recommendations, which are similar to those offered by the EOC, and Professor Ladinsky, but are not exactly the same in all instances. The agreements reached, however, recognize the totality of the data available - statistical, testimonial, anecdotal and official documents.

Taken together these data tend to verify four (4) of the five (5) findings of the EOC Ad Hoc Committee. Verifying a 5th EOC finding, "that African Americans are being stopped in much higher proportion than their numbers in Madison;" is subject to: a) the weaknesses in and availability of the existing (or lack thereof) statistical data regarding stops where no citation is issued; b) variation in citation frequencies between police districts where increased enforcement activity is in place and; c) anomalies in the data within and between police districts regarding citations as a subset of stops involving African-Americans. However, the data do give rise to serious concerns regarding police action, and the impact of miscommunication, or lack of communication when African American citizens are stopped by police in certain areas of the city, either in or out of the so-called target areas.

Based on these findings and analysis, the Traffic Stops Working Group recommends:

Immediate Steps

1. **Revise the brochures regarding the complaint process to be more user friendly, to provide information on other police services, and to be available to citizens upon request when stopped; at police stations; through the offices of the Mayor, EOC, and Affirmative Action; at information booths in city buildings; in community centers, libraries and through other community organizations; the City Affirmative Action Commission shall participate in the review and revision of the brochure prior to final approval by the Mayor and city council.**
2. **Provide all police officers with business cards identifying them by badge number and supervisory district at city cost.**
3. **Plan with the Madison PD and an array of community organizations to collaborate and jointly present an ongoing series of community education forums designed to inform the public of police procedures, and to communicate what is expected from both citizens and police during a traffic, or similar on street stop or contact. These may include specific presentations to organizations serving troubled/at-risk/adjudicated/court diverted youth.**

4. Officially designate the Officer-In-Charge (OIC) as the receiver of complaints and announce this to the public. Prominently display the phone number of the OIC and the Office of Professional Standards (OPS) in the revised brochure and in the telephone listings. Ensure that the telephone number for citizens to use to complain about police actions is clearly identifiable in the listings.
5. Provide the OPS with voice mail capacity during off hours directing citizens to the OIC, or instructing them to callback during business hours.
6. Pilot the use of in car video cameras/equipment.
7. Plan with the PSRB a series of focus groups (internal and external) aimed at identifying opportunities to improve police practices and training; and neighborhood access and citizen communication.
8. Re-evaluate and implement an annual in-service training block/module aimed at diversity/sensitivity/cultural communications, and assure citizens that all police personnel would cycle through the course at least once every three years.

Long Term Steps

1. The Madison Police Department will develop the capacity (through its current IT project - New World) to record, store and analyze and report traffic stop data. Data elements and timing to be decided in consultation with the Public Safety Review Board (PSRB), and the Task Force or its responsible unit for follow-up.
2. Incorporate annual data on traffic stops into the annual report of the Madison Police Department when the data are available
3. The Madison Police Department will assess the feasibility and plan for implementing a public relations strategy that links it to the public in a variety of ways including enforcement issues, staffing, community service, officer commendations, agency collaborations, and other public information of interest and concern to citizens and organizations across the community.
4. Create the "role" of ombudsman in the police department and assign the responsibility to staff who report to the Chief or Assistant Chiefs.
5. Review, revise (if necessary) and assure that the complaint process is simply described, understandable and logical to anyone who might be considering taking advantage of its existence.
6. Consider the creation of an informal process of dispute resolution that would suspend the formal process while such a resolution is under way, but always having the formal process available.

- 7. Define the roles and identify the persons responsible for each stage of the process; provide for an independent review of this last stage.**
- 8. The Mayor is urged to assign responsibility for follow-up of the short and long term implementation steps and recommendations to a permanent city department or office.**
- 9. Within 60 days of the adoption of the report of the Task Force on Race Relations, the Madison Police Department is to prepare a work plan for implementation of the recommendations.**

City of Madison, Wisconsin

A RESOLUTION _____

approving the report of the Race Relations Task Force concerning the recommendations and findings of the EOC Ad Hoc Committee with respect to Alcohol Licensing of African Americans.

Presented October 6, 1998

Referred 10/2000

Rereferred _____

Reported Back OCT 20 1998

Adopted POF _____

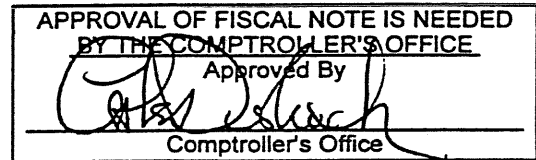
Rules Suspended _____

Public Hearing _____

Drafted By: Ald. Ken Golden

Date: September 28, 1998

Fiscal Note: Adoption of this resolution will not have a direct fiscal impact. The implementation of the recommendations may have an impact on the budget. The fiscal impact will be determined as part of the staff work plans.



RESOLUTION NUMBER 5 5 6 5 2

ID NUMBER 2 4 3 4 3

SPONSORS: Mayor Sue Bauman and Ald. Ken Golden

WHEREAS, in June of 1996 the Equal Opportunities Commission created an Ad Hoc Committee to study Alcohol Licensing and Traffic Stops of African Americans, and;

WHEREAS, in April of 1997 the Committee issued a report and submitted it to the Common Council for approval, and;

WHEREAS, after a lengthy and substantive review by various committees of the Council, the Council chose to not act upon the report but instead created a Race Relations Task Force to consider the report in greater detail, and;

WHEREAS, the charge to that Task Force included a review of the findings and recommendations of the EOC Ad Hoc Committee on Alcohol Licensing and Traffic Stops of African Americans and further charged the Committee with developing a plan for implementing appropriate recommendations, including immediate as well as long term implementation steps, and;

WHEREAS, the Race Relations Task Force has deliberated the EOC Ad Hoc Committee's Report and the issues for a number of months, and;

WHEREAS, two subcommittees were created to separately deal with the two issues, and;

September 28, 1998

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WHEREAS, both of these subcommittees have now issued a report to the Task Force which was endorsed by the Task force in full, and;

WHEREAS, the Task Force has forwarded both these reports to the Common Council for their review and approval,

NOW THEREFORE BE IT RESOLVED the Common Council receives, accepts, and endorses the report of the Race Relations Task Force on approving the Report of Alcohol Licensing of African Americans, and;

BE IT FURTHER RESOLVED that the Council in approving this report directs all appropriate City staff to develop a work plan to be submitted to the Council within 90 days of the adoption of this resolution, and;

BE IT FINALLY FURTHER RESOLVED, that the Mayor's Office will be the designated lead to ensure the implementation of all recommendations contained in this report.

**The Task Force on Race Relations
Final Report
of the
Alcohol License Review Committee Working Group**

September 28, 1998

Introduction

The Task Force on Race Relations (Task Force) was created by Mayor Sue Bauman and approved by the Common Council in March 1998. Madison continues to rank as one of the top ten cities of its size on almost every magazine's list of cities. While the list of accolades for our City seems endless, there are some real, as well as perceived, problems in Madison. The Task Force, according to Mayor Bauman, was "to ensure that all Madison residents are able to share, to the greatest extent possible, in the things that cause us to be highly acclaimed." To this end, the Task Force was given two distinct charges:

1. Review the findings and recommendations of the EOC Ad Hoc Committee on Alcohol Licensing and Traffic Stops of African Americans, and to develop a plan for implementing appropriate recommendations, including immediate, as well as, long-term implementation steps.
2. Develop a plan for community activities including forums, which result in a strategic plan for respecting diversity and undoing racism.

To resolve our first objective, two Working Groups were established: The Traffic Stops Working Group headed by LaMarr Billups, and the Alcohol Licensing Review Committee (ALRC) Working Group headed by Fred Mohs. Keeping in mind the Mayor's challenge:

"In reviewing the findings and recommendations of the Ad Hoc Committee, I ask that the Task Force look beyond the numbers, and the accumulation of statistics. I direct that the Task Force engage in a discussion about the findings and then in a dialogue with the police department and members of the Alcohol Licensing Review Committee to develop recommendations which will not have the potential of causing more conflict but will address underlying perceptions and concerns. ..."

Working Group Methodology

In response to the Mayor's proposed challenge to the Task Force, the ALRC Working Group used the following investigatory methodologies: We utilized the services of the City Attorney's Office, the Police Department, the EOC Ad Hoc Committee, the ALRC, as well as the services of the Madison-Dane County Tavern League and the Staff of the Mayor's Office, to provide the background and understanding needed to address our challenge.

Personnel from these entities spent a considerable amount of time educating our Working Group regarding their policies and procedures. Specifically, then Assistant City Attorney Rick Petri with the assistance of the Police Department provided an extensive review of the Disorderly House and the Point System. They also shared the facts surrounding the closing of bars, the usage of Security Plans, and offered explanations and pulled the files of the bars which have remained open despite problems, and those which have not.

We held Public Forums for the purpose of having the public share their experiences with both the Police Department and the ALRC in relation to obtaining and retaining a liquor license. Alfonso Zepeda Capistran, current President of LUCHA; Fabiola Hamdan, daughter of the former owner of the Latin Club; and Kaleem Caire, a policy analyst for DPI, provided valuable insights, experiences, observations, and advice to the Working Group. In response to the information we heard during the Public Forums, we again asked the previously identified governmental entities to obtain additional clarification of 38.10 MGO, jurisdictional lines and authorities, as well as possible changes to MGOs. We met with members of the ALRC to discuss their policies and procedures. We also met with the EOC Ad Hoc Committee to ensure that we had a clear understanding of the basis behind their findings and recommendations.

Discussion

It was after this assimilation of information that the ALRC Working Group provided its assessment of the Ad Hoc Committee's findings and recommendations. We made a concerted effort to meet with the Police Department, City Attorney's Office, ALRC and Mark Mackesey (the representative for the Madison-Dane County Tavern League) to review our findings, recommendations, and possible solutions in the hope of finding agreement. The information shared by both the public and the fore-mentioned groups of individuals provided the ALRC Working Group with sufficient information.

Findings:

- i. The current point system for alcohol beverage violations provides an objective standard for determining which license holders should be subject to suspension or revocation procedures. The use of this point system is restricted to violations of Chapter 3 (Discrimination), Chapter 9 (Non-Alcohol Nights) and Chapter 38 (Alcohol Beverage Violations) of Madison General Ordinances.

The ALRC Working Group agrees with this Finding.

- ii. There is a lack of explicit standards and criteria to be used in the exercise of discretion at critical states in the decision-making process as related to disorderly house violations; that is, the Police Department when making referrals to the City Attorney's Office, and the City Attorney when making a determination to institute formal action.

The ALRC Working Group disagrees with this Finding to the extent that it implies that existing standards criteria are deficient. For the most part, Disorderly House closings are justified by a concern for public safety. We felt that on a whole tavern owners are given the opportunity to show good faith in running an orderly house. Steps are taken, including the implementation of a security plan, before a tavern is closed using the Disorderly House provision. However, the current system of checks and balances could be enhanced by the continued involvement of the minority communities in Madison through their membership and appointment to the ALRC and other committee boards and commissions.

- iii. The lack of such standards creates a situation where the process invites disparate impact in the exercise of judgment.

The ALRC Working Group was not presented with examples to support this Finding. We did find evidence that several City agencies, including the ALRC, attempted to provide guidance and technical assistance to those taverns in danger of losing their license. In most cases, the taverns closed due to circumstances outside of the City's control. If a better system of technical support, cooperation from both sides, help in enhancing management skills, and a clearer understanding of the Madison General Ordinance (MGOs) had been in place, many of the establishments may have been able to continue operating.

- iv. Proprietors of licensed establishments lack information about the expected standards of behaviors, the impact of violations and the progressive disciplinary process (i.e., security plan, formal expression of concern, suspension, revocation and non renewal).

The ALRC Working Group agrees with this Finding. It is important to note that the ALRC does provide license holders with a packet of information. However, this information is not explicit as to the standards of behaviors as it relates to disorderly house, suspension of license, or potential revocations. Steps should also be taken to ensure that information is presented in a culturally-sensitive fashion.

- v. In some cases, the security plans mandated by the ALRC failed to consider the economic impact of the requirements stipulated by the Plan without consideration of the relative egregiousness of the offenses.

The ALRC Working Group disagrees with this Finding. While it is evident that security plans did have economic impact on licensed establishments on which they were imposed, the impact on public safety was of primary and overriding concern. Evidence showed that both sides work together to come up with the security plan before it is imposed. In the event that the owner of the establishment disagrees with the security plan, the plan can be appealed before the ALRC and City Council.

- vi. In some cases, subjective criteria and standards that are not neutral and reflect cultural bias, adversely impact certain groups.

The ALRC Working Group disagrees with this Finding because we were not presented with examples to support it. However, we do realize that in any regulatory process of enforcement, subjective judgement is inherent and could be culturally biased. For instance, the perception that some patrons of establishments that play Hip-Hop music are more likely to engage in criminal behavior. Refer to the fourth implementation step.

- vii. The majority of enforcement actions are reactive precipitated by police calls and citizen complaints.

The ALRC Working Group as well as the ALRC agrees with this finding. It is our belief that by further educating license holders, providing better technical support, and public acceptance of cultural diversity, the number of enforcement actions precipitated by citizen complaint should decrease. Members of the ALRC have agreed to develop an early education and technical assistance program to newly-licensed establishments.

Recommendations for Alcohol Licensing

The Point System, as defined in MGO 38.10, appears to be an objective system that standards to be equitably applied to all establishments. Therefore, it is recommended that:

- i. The Madison General Ordinances be amended to extend the application of the point system to include offenses which constitute a disorderly house violation (drug offenses, weapons violations, fights, and other disorderly conduct, sexual assaults, batteries, etc.).

While we took both views into consideration, the majority of panel participants favored not making any changes to the current system. The major concern was

weakening the effectiveness of the Disorderly House Ordinance. It was felt after much discussion that noise was the main violation that could be considered under both the current Point System and Disorderly House System, without concern for public safety. Further discussion invited the possibility of including noise violations into the area of technical support. It was felt that certain steps could be taken to solve the noise issue through the Alcohol License Application process which is currently being reviewed.

- ii. Steps be taken to assure that the point system and other relevant information are clearly and systematically communicated in writing to all licenses establishments.

The ALRC Working Group agrees with this Recommendation. Steps are currently being undertaken to disseminate this information for use by the Alcohol License holder.

- iii. Recommend that Madison Police Department establish and implement a process of systematic unannounced inspections of all licensed establishments.

The ALRC Working Group disagrees with this recommendation. In the context of developing tolerance among members of the community, we felt that this recommendation could not effectively occur without the perception of possible adverse treatment. The City may want to look into the possibility of increasing inspections overall in the interest of public safety, but we feel that more research needs to be done before a formalized system of inspection can be implemented. Currently, Madison police do routinely visit establishments that are in danger of license revocation. We did not feel additional resources should be used to seek out places not currently being monitored. As many police inspections are precipitated by citizen complaints, we again feel that by further educating license holders, better technical assistance, and public acceptance of cultural diversity, the number of enforcement actions precipitated by citizen complaint would be decreased.

- iv. While the Committee recommendations have focused on matters related to the point system, a license holder orientation or informational packet outlining all relevant requirements and mandates would be a proactive step to enhance compliance on an ongoing basis.

The ALRC Working Group agrees with this Recommendation.

Plan and Implementation

All through this process, we have tried to operate under the premise that you educate before you can regulate. This has been a crucial part of our response to our charge as the ALRC Working Group but ultimately in our conclusions related to the EOC Ad Hoc Committee Report. In addition, during the meeting of both the ALRC Working Group and the Task Force as a whole, we had to first acknowledge that there is an issue that relates to the subjectivity of any regulatory process of enforcement. Based upon this realization, we have included what we believe to be implementation steps which may effectively alleviate some of the subjectivity which has resulted in the perception of racism.

The ALRC Working Group, in cooperation with the ALRC, Police Department, Rick Petri (former Assistant City Attorney), EOC Ad Hoc Committee, Mark Mackesey (Madison-Dane County Tavern League), and the Mayor's direct staff, Enis Ragland and Peter Munoz, has come to the following conclusions associated with the Findings and Recommendations from the EOC Ad Hoc Committee Report.

As a means of facilitating this philosophy, the ALRC Working Group offers the following Immediate and Long-Term Implementation Steps.

Immediate Implementation Steps

- The ALRC, the City Clerk's Office, and the Police Department concur with our request to continuously refine and improve the current alcohol license application process.
- The Police Department would continue to afford beat officers, using their discretion, the opportunity to meet with those establishments which they have had to respond to a significant number of calls, as well as those establishments which they feel are in risk of having ALRC or the City Attorney's intervention.
- The ALRC should make available an annual listing of the informational seminars held by the Madison-Dane County Tavern League to all prospective bar owners who have asked for technical assistance. Please note: There should be a disclaimer attached that indicates the City of Madison does not endorse joining the Tavern League.
- To ensure cultural sensitivity of the ALRC, the Task Force supports the continued involvement of the minority communities of Madison through their membership and appointment to the ALRC or by actions to be taken by the ALRC which involve outreach to the minority community.

Long-Term Implementation Steps

- The City Attorney's Office and the Police Department should review and update annually the curriculum, materials, and overall makeup of the required MATC course for bartenders.
- The ALRC should continue working toward making its regulatory processes easier to understand, along with developing a technical support program for the holders of alcohol licenses.
- The ALRC will work toward having the liquor/bar license application material translated into several different languages to meet the needs of Madison's minority populations.
- Review the feasibility of having public education forums for owners of licensed establishments, and/or patrons, hosted by the Police Department, ALRC, EOC, and the City Attorney's Office as a means of increasing management and personnel skills, the upside of having a Security Plan, tools for maintaining an orderly house, discussing different venue possibilities for existing or new establishments, patron etiquette, and what to expect in a police raid or response to a police call. This could be included as part of the technical support program.

Conclusion

The overall consensus of the ALRC Working Group is that the technical nature and the amount of information needed by the prospective liquor license holder is substantial, whether they are minority or not. In order to prevent the unfortunate perception of possible wrong doing, a change in the perception of the regulatory bodies from being "enforcers" to "advocates" should take place.

The Working Group also believes to prevent cultural bias, the ALRC and all other committees, boards, and commissions should be reflective of Madison's diverse population.

It is the consensus of the ALRC Working Group that an increase in technical support provided by the ALRC would be of benefit to all Alcohol License Holders.

Throughout our entire Working Group process, we did not find evidence of discriminatory practices based on race by the ALRC or the Madison Police Department.