



City of Madison

City of Madison
Madison, WI 53703
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Master

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Business

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Controlling Body: Council Office

File Created Date : 05/01/2024

File Name: ALTERNATE: Supporting Student Protesters &
Reaffirming Commitment to Peace

Final Action:

Title: ~~ALTERNATE - Reaffirming Support for a Permanent Ceasefire and Supporting Student Protesters~~ Supporting Student Protesters & Reaffirming Commitment to Peaceful Resolution

Notes:

Sponsors: Tag Evers

Effective Date:

Attachments: 83214v1.pdf,
050624-050724_CC_public_comments.pdf

Enactment Number:

Author: Ald. Tag Evers

Hearing Date:

Entered by: imatthias@cityofmadison.com

Published Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	05/01/2024	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055				
Action Text: This Resolution was RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055							

Text of Legislative File 83214

Fiscal Note

No fiscal impact.

Title

~~ALTERNATE - Reaffirming Support for a Permanent Ceasefire and Supporting Student Protesters~~ Supporting Student Protesters & Reaffirming Commitment to Peaceful Resolution

Body

~~WHEREAS, on December 5, 2023, the Madison Common Council unanimously passed two resolutions: one calling for an immediate ceasefire in Gaza and urgent political action to deescalate the crisis and to prioritize truth, reconciliation, restitution, and the building of a future for Palestinian and Israeli people, and the other condemning all acts of Islamophobia and Anti-semitism and encouraging all Madisonians to recognize the diversity of religions as a~~

~~source of strength and to foster an environment of open and constructive dialogue that provides a supportive space to engage in these crucial conversations; and,~~

~~WHEREAS, according to Al Jazeera, the Gaza Ministry of Health reports that armed violence has claimed the lives of over 34,500 people, including more than 14,000 children, as well as over 1,100 Israelis; and,~~

~~WHEREAS, the devastation and death continue with horrific news of a mass grave uncovered at Nasser Hospital in Gaza which included bodies shot in the head; and,~~

~~WHEREAS, according to Al Jazeera and the United Nations, 24 hospitals have been partially or totally destroyed and at least 53 schools have been totally destroyed; and,~~

~~WHEREAS, this conflict is perpetuating a dangerous and costly lack of access to basic human needs in Gaza, such as food, water, medical supplies, and more, which are indispensable for the survival of the civilian population; and,~~

~~WHEREAS, for the safety and security of all civilians and in order to provide humanitarian aid to Gaza, any ceasefire must be agreed upon by both sides and must be guaranteed by the physical presence of international partners who have a vested interest in seeing peace and stability in the region; and,~~

~~WHEREAS, it is reported that both Israel and Hamas attacked and seized hostages and there is unclear reporting on the state of said hostages; and,~~

~~WHEREAS, after over 200 days of violence, leaders have not yet successfully enacted a permanent ceasefire; and,~~

~~WHEREAS, students at over 120 universities across the United States, including the University of Wisconsin-Madison, have organized peaceful protests and encampments to express their first amendment rights and have demand for a permanent and immediate ceasefire, divestment, and action from campus leaders and elected officials; and,~~

~~WHEREAS, on Monday April 29, University of Wisconsin-Madison students began the Popular University for Gaza encampment at Library Mall, joining over 100 universities across the globe participating in encampments in support of an immediate and permanent ceasefire in Gaza, which further called for the University of Wisconsin-Madison to divest from occupation, borders, and prisons from Palestine to Teejop; and,~~

~~WHEREAS, on April 29, the Wisconsin ACLU issued a statement in support of students right to free speech and reminded us that “university administrators are left with a choice—one that will determine which side of history they will be on. They can stay true to the Wisconsin Idea—the founding principle of our state university system—which holds that college campuses must serve as incubators for self-discovery and empower students to critically examine, understand, and interact with the world around them. Or they can, regrettably, decide to follow the path of other universities that have succumbed to political pressure, betraying and punishing their students, faculty, and staff for peacefully exercising their right to dissent”; and,~~

~~WHEREAS, UW-Madison administration and the University of Wisconsin Police Department~~

~~(UWPD) should share the priority of maintaining safety and protecting first amendment rights to free speech; and,~~

~~WHEREAS, clear communication and de-escalation from UW-Madison administration and UWPD is essential to maintaining safety and protecting first amendment rights to free speech; and,~~

~~WHEREAS, during the week of April 29, 2024, Madison area elected officials responded to the peaceful protest at Library Mall to listen and ensure the safety of all involved, despite the lack of clear communication from law enforcement; and,~~

~~WHEREAS, on April 29, 2024, the Wisconsin State Patrol and UWPD physically pushed two Madison alders and a Dane County Board Supervisor at the Fluno Center as they were operating in their capacity as elected officials to represent their constituencies; and,~~

~~WHEREAS, on May 1, 2024, UWPD, Madison Police Department (MPD), Dane County Sheriff (DCSO), and Wisconsin State Police organized and initiated an escalation tactic through executing a raid on the peaceful protest and encampment at Library Mall, resulting in numerous arrests and eyewitness reports of student and faculty injuries that resulted from police brutality; and,~~

~~WHEREAS, during the raid on May 1, 2024, there were numerous eyewitness reports and photographic evidence of UWPD, DCSO, and state troopers using violent tactics, including the use of batons, knees on the upper back, stripping clothes, chokeholds, and other forms of physical violence on UW-Madison students and faculty; and,~~

~~WHEREAS, in MPD's Standard Operating Procedures (SOPs) for "Demonstrations and Assemblies," one of the principles states that "communication between police and event organizers before and during events can create mutual understanding, generate cooperation and compliance, and prevent disorder"; and,~~

~~WHEREAS, on September 1, 2020, the Madison Common Council created Section 5.16 of the Madison General Ordinances to prohibit Madison Police Department employees from intentionally using carotid or neck restraints; and,~~

~~WHEREAS, numerous UW-Madison campus and local organizations, UW-Madison faculty and staff, elected officials, and a broad range of local supporters have called on Madison area law enforcement to discontinue the raid on the encampment and use of force on students and protests;~~

~~NOW, THEREFORE, BE IT RESOLVED that the Common Council calls on Chancellor Jennifer Mnookin to use her authority under Wisconsin Administrative Code 18.07(4) to authorize the Popular University for Gaza at UW-Madison encampment in the spirit of the Wisconsin Idea, as long as students and community supporters are peaceably assembling and exercising their First Amendment rights to dissent.~~

~~BE IT FURTHER RESOLVED that the Common Council calls on Chancellor Mnookin and UW-Madison to discontinue any disciplinary actions against students and faculty, including suspension and expulsion, and instead directly engage protestors in productive conversations~~

to gain mutual understanding.

~~BE IT FURTHER RESOLVED that the Common Council issues a written order per our authority under Wisconsin Statutes 62.09(13)(a) to Police Chief Shon Barnes to update MPD Standard Operating Procedure(s) to clarify that whenever Mutual Aid is rendered for a demonstration where protesters are peaceably assembling, that the Officer in Charge will not direct officers to interfere with the lawful exercise of free speech rights and will communicate with protesters and affected elected officials who may be attempting to facilitate communication, deescalate, and ensure the safety of event participants.~~

~~BE IT FINALLY RESOLVED that the Madison Common Council defends the rights of UW-Madison students to assemble 24/7 as a demonstration of solidarity with the Palestinian people and we reaffirm our call for an immediate ceasefire, cessation of hostilities to all civilians, and urge our federal legislators to use their power for diplomatic and humanitarian ends to stop funding a war being carried out in clear violation of US and international law.~~

Sources:

- <https://www.aljazeera.com/news/longform/2023/10/9/israel-hamas-war-in-maps-and-charts-live-tracker>
- <https://www.aljazeera.com/news/2024/4/24/uncovering-of-mass-grave-at-gazas-nasser-hospital-what-you-need-to-know>
- <https://www.aclu-wi.org/en/press-releases/aclu-wisconsin-emphasizes-importance-students-first-amendment-rights-ahead-protests>

WHEREAS, On Monday April 29th, 2024, UW-Madison students joined over 120 universities nationally and internationally, part of the Popular University for Gaza movement, by establishing an encampment on Library Mall, with the goals of calling for an immediate ceasefire, disclosure and divestment, and action from campus administrators; and,

- WHEREAS, the “Wisconsin Idea” is signified as a general principle “that education should influence people’s lives beyond the boundaries of the classroom”, and “civil disobedience” is defined as “the refusal to comply with certain laws ... as a peaceful form of political protest” (Oxford Languages); and,

- WHEREAS, student protesters maintained a peaceful presence at all times, establishing community guidelines including not engaging with counter-protesters, assuming best intentions, and seeking to create a community of understanding and respect; and,

WHEREAS, student organizers emphasized out-of-class education and community building, through hosting activities including prayer, teach-ins, guest speakers, open mics, pop-up libraries, therapy and wellness spaces, meditations, movie screenings, art-making, t-shirt printmaking, Dabke dancing, Shabbat, providing protective circles for daily Muslims prayers; and,

- WHEREAS, many student protesters were aware of their violation of UWS 18.07(4), and chose to set up tents and sleeping bags overnight on campus property as an act of civil disobedience; and,

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WHEREAS, the peace was broken when the University Police Department initiated an operation to remove student tents on Wednesday morning, an action that was met with resistance on the part of some protesters, resulting in arrests and injuries; and,

- WHEREAS, since Wednesday afternoon the University's administration has been in negotiation with organizers of the encampment; and

- WHEREAS, many colleges and universities including UC Berkeley have decided not to interfere with peaceful encampments, and many campuses, including Rutgers, Northwestern, Brown and the University of Minnesota have diligently worked with protesters and reached mutual agreements to peacefully end encampment protests; and,

- WHEREAS, the continued communication since May 1st has led to de-escalation between the organizers and UW-Madison Administration, during ongoing negotiations; and,

NOW THEREFORE BE IT RESOLVED that the Common Council encourages the Chancellor and the protesters to continue negotiations in good faith; and,

- BE IT FURTHER RESOLVED that the Madison Common Council defends the rights of any student and community member to assemble as part of a peaceful demonstration, and we reaffirm our call for an immediate ceasefire, return of all hostages, cessation of hostilities and an end to the war in Gaza; and,

- BE IT FINALLY RESOLVED the Madison Common Council strongly condemns any and all acts of antisemitism, Islamophobia, and hatred in all forms.