



WISCONSIN LEGISLATURE

P.O. BOX 8952 · MADISON, WI 53708

December 6, 2011

Secretary Mike Huebsch
101 E. Wilson Street, 10th floor
Madison, WI 53707

Dear Sec. Huebsch:

Governor Walker's Administration released information last Thursday regarding a new policy for groups visiting the Capitol and other state buildings to express their views. Under this new policy, groups of four or more inside state buildings and 100 or more people outside the Capitol must obtain permits 72 hours in advance. Additionally, a fee of \$50 per hour could be charged to groups for each Capitol Police officer assigned; fees for other law enforcement agencies would vary. Groups could also be required to submit advance payment and liability insurance or a bond and charged cleanup costs – something that most individuals do not have. We request that DOA cease implementation of these policies and save Wisconsin taxpayers from the costly litigation that will undoubtedly flow from the proposed policies.

A wonderful part of living in a democratic society is our freedom to express our views. The right to free speech, especially in a political context, is explicitly protected in the United States Constitution and the Wisconsin Constitution. These new restrictions and fees are onerous, discriminatory, and unnecessary. They are also unconstitutional.

The right to speak freely, to assemble, and to petition one's government for redress of grievances are all explicitly protected by our First Amendment. With this new policy, the Administration will be silencing groups that cannot afford to pay, are spontaneous, or do not have the ability to go through a permitting process – denying them their rights to speak, to assemble, and to petition.

The Capitol is an important symbolic space – perhaps the most important political space in the state of Wisconsin. As both a public building and the seat of government, access to the Capitol must be as open, free, and unrestricted as possible. There is no basis to shut down “the people's house” as a forum for political expression – even unpopular expression.

It appears that this policy is aimed not only at suppressing constitutionally protected political speech but may be directed at groups like the Solidarity Singers, who have been expressing their views peacefully through organized sing-a-longs in the Capitol Rotunda since last March. Their actions, however annoying they may be to some, constitute the purest form of direct political speech, and therefore they are entitled to the highest form of constitutional protection. This would be true of any group that comes to the Capitol in a peaceful manner to protest, advocate, or meet. The executive branch may not act as a gatekeeper to determine which speech or speakers are permissible, which should be allowed only with fees, or which may use public space.



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We strongly oppose any effort to restrict or regulate free speech by instituting a permitting process and police fees and request that DOA cease implementation of these policies.

Sincerely,

KELDA HELEN ROYS
State Representative
81st Assembly Dist.

JIM HOLPERIN
State Senator
12th Senate Dist.

PETER BARCA
State Representative
64th Assembly Dist.

ROBERT WIRCH
State Senator
22nd Senate Dist.

PENNY BERNARD
SCHABER
State Representative
57th Assembly Dist.

TIMOTHY CULLEN
State Senator
15th Senate Dist.

JON RICHARDS
State Representative
19th Assembly Dist.

CHRIS LARSON
State Senator
7th Senate Dist.

ROBERT TURNER
State Representative
61st Assembly Dist.

LENA TAYLOR
State Senator
4th Senate Dist.

TERESE BERCEAU
State Representative
76th Assembly Dist.

SPENCER COGGS
State Senator
6th Senate Dist.





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MARK POCAN
State Representative
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SONDY POPE-
ROBERTS
State Representative
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JANIS RINGHAND
State Representative
80th Assembly Dist.

ANDY JORGENSEN
State Representative
37th Assembly Dist.

SANDY PASCH
State Representative
22nd Assembly Dist.

FRED CLARK
State Representative
42nd Assembly Dist.

JANET BEWLEY
State Representative
74th Assembly Dist.

FRED KESSLER
State Representative
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CHRISTINE SINICKI
State Representative
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