



New Berlin Plan Commission Censorship Violates Free Speech and Undermines Good Planning, Chides ACLU of Wisconsin

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MILWAUKEE, WI – The New Berlin Plan Commission in the midst of the recent controversy over affordable housing in New Berlin altered its bylaws to prohibit virtually everyone except residents and land owners from speaking during the open comment portion of its public meetings. In response the ACLU of Wisconsin has written the Commission chiding it for engaging in censorship that will undermine the planning process.

“Free speech exists in the public spaces of even the most exclusive communities,” said ACLU of Wisconsin Executive Director Christopher Ahmuty today. “The Commissioners are engaged in an important public service. Allowing all interested parties to speak will result in a better future for New Berlin,” he added.

“The New Berlin Plan Commission is refusing to allow public comment from persons who might *want* to live in the community,” noted Karyn Rotker, ACLU of Wisconsin Senior Staff Attorney. “And the timing of its actions - changing its public comment policies in the middle of the affordable housing debate - strongly suggest it is doing this because some people in New Berlin objected to the efforts of faith-based groups and others to try to develop affordable housing.

“These efforts to suppress speech can also have wider-ranging consequences. For example, in addition to shutting out the speech of people who might want to live in New Berlin, the Plan Commission’s new rules would also prohibit other interested persons - like those who work or own businesses in New Berlin, but don’t live there - from commenting at public meetings,” added Rotker.

In a letter sent to Plan Commission members on Monday, the ACLU suggested alternative measures to allow the Commission to efficiently conduct its business without suppressing speech, such as limiting the amount of time given to each speaker.

“As the U.S. Supreme Court made clear many years ago, there is a ‘profound national commitment’ to the principle that ‘debate on public issues should be uninhibited, robust, and wide-open,’” wrote Ahmuty. “We urge the New Berlin Plan Commission to take those principles to heart.”

The ACLU of Wisconsin has approximately 8,500 members who support its efforts to defend the civil liberties and civil rights of all Wisconsin residents. For more on the work of the ACLU of Wisconsin, visit our [webpage](#). You can also get news and opinion on civil liberties in Wisconsin on our [Cap City Liberty blog](#). Find us on [Facebook and Twitter at ACLUMadison and ACLUofWisconsin](#).

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