

FILE NO. 111164

RESOLUTION NO. 465-11

1 [Expressing Support for Occupy Wall Street Protest Movement and the People's Right to
2 Peaceful Assembly in San Francisco]

3 **Resolution supporting the Occupy Wall Street Protest Movement and urging the City**
4 **to uphold people's right to peaceful assembly and collaborate with OccupySF to**
5 **ensure safety of the protestors, their supporters, and the greater public.**

6
7 WHEREAS, "Occupy Wall Street" was formed by a broad spectrum of people coming
8 together to protest the corporate-serving economic and political system controlled by the 1
9 percent, profiting at the expense of 99 percent of the people; and

10 WHEREAS, Three years after the current financial crisis caused by Wall Street
11 speculators and profiteers, the unemployment rate in the United States is still at the highest
12 level since the Great Depression with the unemployment rate in San Francisco currently at 8.3
13 percent; and

14 WHEREAS, The United States' major banking institutions, which have been bailed-out
15 by the government and United States taxpayers, have done little to prevent massive
16 foreclosure of residential properties or support the revitalization of local economies by
17 sustaining small businesses; and,

18 WHEREAS, Since 2008, there have been 1.2 million foreclosures in California, with
19 12,410 homes in San Francisco alone; and

20 WHEREAS, The "Occupy Wall Street" protest movement has struck a chord with the
21 people of the United States and around the world, inspiring over 900 similar protests and
22 solidarity actions across the country, where tens of thousands of people have come out to
23 express their deep indignation against Wall Street greed and systemic socio-economic
24 injustices; and

1 WHEREAS, The "Occupy" demonstrations are a rapidly growing movement of people
2 from all walks of life with the goal of occupying public space in order to create a shared
3 dialogue and assert demands for economic justice; and

4 WHEREAS, The "Occupy" demonstrations have been supported by the California
5 Nurses Association/ National Nurses Association, American Federation of Labor -Congress of
6 Industrial Organizations, Change to Win, International Longshore and Warehouse Union-
7 International, Teamsters Joint Council 7, Services Employees International Union, Laborers
8 International Union of North America, the San Francisco Labor Council, Building Trades
9 Council, Interfaith Religious Communities in solidarity with OccupySF, and many others; and

10 WHEREAS, The OccupySF demonstrations began in September with small gatherings
11 of people and have since grown and gained support from thousands of individuals, community
12 and faith-based organizations, and unions; and

13 WHEREAS, On October 12, a 500-person march and civil disobedience organized by
14 local community groups received national media attention, exposing the struggles of San
15 Francisco residents against foreclosure, corporate control, and spiraling unemployment; and,

16 WHEREAS, The October march and protest action culminated in civil disobedience
17 and, despite the arrest of 11 people, lacked any antagonistic conflict between the police and
18 protestors; and

19 WHEREAS, Similar to demonstrations in hundreds of cities across the United States,
20 OccupySF demonstrators are asserting their rights to free speech and peaceful assembly 24
21 hours a day, seven days a week, in order to create public dialogue around corporate control of
22 the political process and public space; and

23 WHEREAS, Numerous and various groups continue to join the protesters at
24 OccupySF, including an interfaith clergy contingent and the California Nurses Association,
25 which has set up a First Aid tent to support the protestors and help ensure public safety; and

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1 WHEREAS, The City of San Francisco has a right and duty to ensure the safety and
2 security of the general public including the protestors and their supporters; and

3 WHEREAS, Since the beginning of the protest, City actions have resulted in the
4 confiscation of food, tents, sleeping bags, and other belongings from the OccupySF
5 demonstrators; and

6 WHEREAS, The City has a lengthy and proud history of political protest and has
7 upheld the rights of people to free speech, freedom of assembly, and peaceful protest; and

8 WHEREAS, San Francisco is one of the few places where the city has provided
9 portable toilets in order to accommodate the Occupy movement; and

10 WHEREAS, With clear leadership from the Mayor and the Board of Supervisors, City
11 departments can set a tone of cooperation and collaboration with OccupySF protestors and
12 supporters, help mitigate harm, and address any public safety, health and sanitation
13 concerns, all while avoiding unnecessary conflict; now, therefore, be it

14 RESOLVED, That the Board of Supervisors supports the Occupy Wall Street protest
15 movement and the rights of all who protest to assemble peacefully and enjoy free speech in
16 the City and County of San Francisco; and, be it

17 FURTHER RESOLVED, That the Board of Supervisors recognizes that Free Speech
18 and Freedom of Assembly should not be limited to daytime nor short-term activities and we
19 deem reasonable the need of protesters to have adequate shelter, First Aid supplies,
20 environmentally clean and fire-safe energy sources, and access to food, subject to the need
21 for public health and public safety; and, be it

22 FURTHER RESOLVED, That the Board of Supervisors urges the Mayor, the Police
23 Department, and other City agencies to uphold the rights of protestors to political speech and
24 public assembly, and to recognize that the full exercise of such rights requires that
25 participants are able to attend to the needs of everyday life, and have a space free from

1 intrusions that are not necessitated by legitimate public health or public safety needs; and, be
2 it

3 FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to direct the
4 Recreation and Park Department, the Department of Public Works, the Police Department,
5 and other City agencies, as relevant, to be flexible and to collaborate with protestors for the
6 safe sharing of public spaces, in which demonstrators can exercise their political rights and
7 the City can address legitimate safety and health concerns while avoiding unnecessary
8 antagonism; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors urges the Mayor, in order to
10 prevent harm and conflict to any members of the public, including protestors belonging to
11 OccupySF, to direct the Police Department to ensure that there will be no use of force to
12 dislodge the OccupySF demonstrators and confiscate their belongings, unless there is an
13 objective threat to public safety or public health.

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City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 111164

Date Passed: November 01, 2011

Resolution supporting the Occupy Wall Street Protest Movement and urging the City to uphold people's right to peaceful assembly and collaborate with OccupySF to ensure the safety of the protestors, their supporters, and the greater public.

October 31, 2011 City Operations and Neighborhood Services Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

October 31, 2011 City Operations and Neighborhood Services Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

November 01, 2011 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

November 01, 2011 Board of Supervisors - AMENDED

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell and Wiener

Noes: 5 - Avalos, Campos, Kim, Mar and Mirkarimi

November 01, 2011 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Mirkarimi and Wiener

Noes: 3 - Chu, Elsbernd and Farrell

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I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 11/1/2011 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

Unsigned

Mayor Edwin Lee

11/11/11

Date Approved

Date: November 11, 2011

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.



Angela Calvillo
Clerk of the Board

File No.
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