

**CITY OF MADISON
OFFICE OF THE CITY ATTORNEY
Room 401, CCB
266-4511**

DATE: September 4, 2026

TO: Mayor Satya Rhodes-Conway and Madison Common Council Members

FROM: Michael Haas, City Attorney
Jennifer Zilavy, Assistant City Attorney

RE: **15-Day Notice of Intent to File a Public Nuisance Action Pursuant to Sec. 3.07(2) Madison General Ordinances**

Pursuant to Section 3.07(2) of the Madison General Ordinances, this memorandum is to notify you that the Office of the City Attorney intends to file a public nuisance action under Chapter 823, Wisconsin Statutes, against the Social Justice Center ("SJC") and the building that it owns and operates at 1202 Williamson Street, Madison, Wisconsin.

The City has received numerous complaints and has documented a continuing pattern of disruptive, unsafe, and unlawful activity occurring at, and in association with, the SJC. These complaints have come from neighbors, businesses, the neighborhood association, and even concerned passersby. The activity has continued over an extended period spanning multiple years and has had a significant impact on neighboring residents, private property, public areas, and the neighborhood as a whole. This nuisance action is based solely upon recurring conduct that is unlawful, substantially disruptive, and materially interferes with the rights of neighboring property owners, business owners, and the public.

The City has received and documented reports of the following nuisance activities:

1. Fights and physical disturbances occur on the property at all times of the day and night, at times requiring or resulting in a police response. One such disturbance involved an employee from Madison Street Medicine who was subsequently cited for Disorderly Conduct following a loud and disturbing altercation with a client that began inside and continued outside in the parking lot after the client exited the building. In total there were well over 300 calls for service at the address between January 1, 2025, and August 27, 2026. These resulted in 20 arrests and 47 charges, including battery, theft, disorderly conduct while armed, lewd and lascivious behavior/exposure, possession of meth, and depositing of human waste.
2. Disorderly and disruptive conduct such as screaming and yelling, again, at times requiring, or resulting in, a police response.

3. Consistent and extended camping and sleeping on the terrace, in the parking lot, in the vestibule areas facing Williamson Street, and in other areas associated with the property.
4. Frequent public urination and defecation on SJC property, the adjacent terrace and other public right of way, and neighboring properties and lawns. One instance of public urination involved a Madison Street Medicine employee (his employment was verified during the incident) urinating on a neighbor's property.
5. Use of suspected illegal controlled substances on the property and in the adjacent terrace and front vestibule areas. MPD has documented this activity with photographs and reports incident to arrests.
6. Accumulation of tents, bedding, trash, debris, and personal belongings, including needles and other drug paraphernalia and other materials in areas not intended for residential occupancy.
7. Repeated police calls and fire calls arising from activity at and or associated with SJC.
8. Building Inspection and Zoning have issued nine (9) Notices" to SJC in the past 15 months for various ordinance violations at the property.

The cumulative effect of these conditions is substantially greater than any single incident viewed in isolation. The City's concern is not the presence of individuals at the SJC during business hours or to temporarily receive services, the concern is the persistent conduct and conditions occurring at and in association with the property at all hours of the day and night, and their demonstrable negative impact on the surrounding neighborhood.

The recurring activity has substantially interfered with the ability of neighboring residents, property owners and business owners to safely and peacefully use and enjoy their property. Residents have repeatedly and consistently reported concerns regarding personal safety, noise and disturbances, sanitation, and the presence of individuals engaging in unlawful or disruptive conduct on SJC property and property associated with SJC over a period of several years, without obvious improvement.

Madison Police ("MPD") cannot be expected to manage SJC's property through arrests or threats of arrest. SJC owns the property and, as the property owner, has the ability and obligation to establish and *enforce* reasonable rules governing access to and use of its property. In August 2025, Madison Police and ACA Zilavy met with SJC representatives Brenda Konkel, Stephanie Rearick, Kristen Matthews, and then-board president DaMontae January. The City expressed concern over the issues outlined in this Notice and emphasized SJC's responsibility to manage their property. The City suggested installing "no trespassing" signs so that trespassing violations could be enforced by MPD. SJC declined to install such signs. The City also suggested increasing lighting along Few Street, which SJC addressed at that time, and asked SJC to consider installing cameras in various areas to better monitor activity occurring on and around the property. According to SJC Board minutes, a camera of some sort was installed on the property in February/March 2026, and at its March 18, 2026, meeting SJC stated a second camera would be installed when the snow melted.

The City also discussed with SJC the need for SJC to take reasonable measures to

manage activity on its property. SJC's response was that it had no control over the property once its staff left for the day, despite the fact that a number of complaints and incidents occurred during business hours. This position is consistent with statements previously made by SJC representatives. In a November 22, 2024, communication responding to a neighbor complaint, then-SJC Board President DaMontae January stated that, "unfortunately, many of these issues are beyond our control as they occur in the evenings and outside of the hours of operations of our building." At a May 9, 2025, neighborhood meeting, SJC Board member Kristen Matthews similarly stated, "[w]e close at 3 and have no control of what happens outside after 3." Benda Konkel has also stated that people come to SJC because they feel it is a "safe space." Regardless of the reason people congregate at the property, the recurring fights, disturbances, camping, drug use, and other activity documented in this Notice demonstrate that the current approach has not adequately addressed the ongoing impacts on the surrounding neighborhood.

The consequences of failing to adequately address activity occurring on the property have at times been grave. An individual died on the property after coming there to sleep and subsequently freezing to death. The City is not suggesting that SJC caused that individual's death. Rather, the incident illustrates the serious conditions that can arise when a property becomes a location where individuals congregate and remain for extended periods without adequate property-management measures.

The City has repeatedly attempted to address the ongoing nuisance conditions associated with the SJC property through communication, neighborhood meetings, discussions with SJC representatives, and recommendations for reasonable property management measures. Despite these efforts, the conditions at the property described in this notice have continued and appear to be worsening in recent months. The recurring nature and frequency of the activity demonstrate that the existing measures have not been sufficient to abate the nuisance or protect the surrounding neighborhood.

The City has exhausted reasonable voluntary efforts to obtain meaningful property management by SJC. The burden of managing the recurring activity at this property should not continue to fall on MPD, neighboring property owners, and the surrounding community.

For these reasons, the City intends to file a public nuisance action in Dane County Circuit Court pursuant to Wis. Stat. §823.02, action against the property and pursue appropriate relief to require the nuisance conditions to be abated.

In accordance with MGO Sec. 3.07(2), if the Mayor or any Common Council member wants this matter considered by resolution, they shall, within 15 (fifteen) days of receiving this notice, provide a written request for such resolution to the City Attorney. Any such request shall be submitted to the City Attorney by September 19, 2026.

Copy: Enzo Ciarletta, SJC Board President
Martha Kembel, SJC Registered Agent
Captain Kipp Hartman, Madison Police
Matt Tucker, Building Inspection Director
Jim O'Keefe, Community Development Division Director
Michele Drea, City Assessor
UMB Bank, FNA Wisconsin Bank & Trust, Mortgagee

