

# Civil Disturbance Event Reference Sheet

## Dispersal Order:

Prior to the utilization of a planned use of force or techniques primarily meant to disperse a crowd, a formal legal and lawful command will be given to the crowd to disperse, three times, when possible. **Example: “I am (Rank and Name of Agency, i.e. “I am Captain Weidner of the Racine County Sheriff’s Office”) this is an unlawful assembly. You are ordered to disperse immediately or face arrest.”** This information should be documented with the times, locations and the manner in which the order is given.

## Legal Statutes:

### 947.06 Unlawful assemblies and their suppression

- (1) Sheriffs, their undersheriffs and deputies, constables, marshals and police officers have a duty to suppress unlawful assemblies within their jurisdiction. For that reason they may order all person who are part of an assembly to disperse. An “unlawful assembly” is an assembly which consists of 3 or more persons and which causes such a disturbance of public order that it is reasonable to believe that the assembly will cause injury to persons or damage to property unless it is immediately dispersed.
- (2) An “unlawful assembly” includes an assembly of person who assemble for the purpose of blocking or obstructing the lawful use by any other persons of any private or public thoroughfares, property or of any positions of access or exit to or from any private or public building, or dwelling place, or any portion thereof and which assembly does in fact so block or obstruct the lawful use by any other person, or persons of any such private or public thoroughfares, property or any position of access or exit to or from any private or public building, or dwelling place, or any portion thereof.
- (3) Whoever intentionally fails or refuses to withdraw from an unlawful assembly which the person knows has been ordered to disperse is guilty of a Class A misdemeanor.
- (4) Whoever causes, attempts to cause, or participates in an unlawful assembly upon any property of a public institution of higher education or upon any highway abutting on such property, is punishable under sub. (3) if he or she fails to withdraw from the assembly promptly upon issuance of an order to disperse, if such order is given in such manner that such person can reasonably be expected to hear or read such order.
- (5) Whoever, being employed in any capacity by or enrolled as a student in the institution, is convicted under sub.(1) to (4) may be sentenced additionally or alternatively to not to exceed 6 months suspension without pay from his or her employment by the institution if

an employee, or suspension from enrollment in the institution if a student, or both if both an employee and a student. If the suspension is thus imposed, the institution shall not thereafter impose any other discipline upon the person for his or her connection with the unlawful assembly. Any period of suspension from employment by or enrollment in the institution already served shall be deducted by the court in imposing this sentence. Any period of imprisonment, whether or not the person is authorized under s. 303.08 to continue as an employee or student while imprisoned, shall count as a period of suspension from employment or enrollment or both hereunder.

### **Sec. 13-1. - Picketing regulations**

(a) Prohibition, exclusions. It shall be unlawful for any person to engage in picketing before or about the residence or dwelling of any individual. Nothing herein shall be deemed to prohibit:

(1) Picketing in any lawful manner during a labor dispute of the place of employment involved in such labor dispute.

(2) The holding of a meeting or assembly on the premises commonly used for the discussion of subjects of general public interest.

(b) Penalty. The penalty for violation of this section shall be a fine of not less than ten dollars (\$10.00) nor more than two hundred dollars (\$200.00).

(Code 1975, § 30.05)