

**RACINE COUNTY SHERIFF'S OFFICE
POLICY & PROCEDURE**

SUBJECT: DEMONSTRATIONS/PROTESTS		PROCEDURE: 700.300	
DATE ISSUED: 07/27/15	EFFECTIVE DATE: same	CANCELS:	PAGE: 1 OF 5

POLICY:

This policy establishes our responsibility to safeguard the rights of members of the community in their endeavors to exercise the First Amendment. We must balance those rights with the public's right of free movement, privacy, and freedom from violence. The members of the Sheriff's Office assigned to this type of function cannot permit their personal thoughts or ideas on related issues, to interfere with their assigned responsibilities to safeguard the First Amendment rights of all of those participating.

The manner in which law enforcement deal with unruly crowds and unlawful assemblies has a direct bearing on their ability to control and defuse the incident. The purpose of this policy is to establish guidelines to effectively deal with unruly crowds and illegal gatherings that are engaged in or pose a significant threat of engaging in violence, property damage or a breach of the peace.

STATUTORY PROVISIONS: The Wisconsin State statute in regards to unlawful assemblies can be found at 947.06 "Unlawful Assemblies and Their Suppression." also reference Racine County Ordinance 13-1 "Picketing Regulations."

PROCEDURE:

Upon being assigned to monitor a demonstration the following guidelines shall be observed:

1. **REMAIN NEUTRAL** - Render nonpartisan treatment to demonstrators as well as observers. Once a deputy's objectivity is lost or even appears to be lost, his or her presence at a demonstration may increase tensions and make law enforcement efforts even more difficult.
2. **ENFORCE THE LAW** - Because a demonstration is taking place does not mean that violations of law should be ignored by the deputies.
3. **VIOLENT CONDUCT** - When a demonstrator uses physical violence upon another person or property, an arrest should be made. In those circumstances, when an incident commander or supervisor concludes that effecting the physical arrest would divert limited manpower or be unnecessarily risky by reducing the ability of the deputies to perform their duties, the arrest should be made at a later time through the use of a warrant.
4. **NON-VIOLENT CONDUCT** - Arrests will occasionally be made because of a demonstrator's non-violent but nonetheless illegal conduct (For example: the illegal obstruction of streets or a building entrance). The incident commander or supervisor in charge shall decide what immediate action is to be taken.

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5. **KEEP CALM** - Demonstrations are often highly emotional affairs. The demonstrators, their opponents, and others in the vicinity, who are affected by the demonstration, will feel strongly about their causes and the potential obstruction of their rights. Often, they will make law enforcement the target of abuse. In these situations, it is easy for a deputy to become emotionally involved. Doing so will decrease your effectiveness in handling the situation.
6. **USE OF FORCE** - Whenever force is required, use only the amount of force that is objectively reasonable to accomplish the goal of gaining or maintaining control.
7. **RESPECT THE RIGHT OF THE PRESS** to be present and to observe; however, realize that their right to be present does not give them a right to obstruct, agitate, or interfere.
8. **MASS ARREST** -During a civil disturbance, it may be necessary to make arrests of numerous individuals over a relatively short period of time. In order for this process to be handled efficiently, safely and legally, the following should be considered:
 - a. An arrest team designated to process all arrestees for purposes of transportation.
 - b. An adequate number of vehicles available to remove the arrestees to the Racine County Jail.
 - c. A secure area for the detention of arrestees prior to transport to the Racine County Jail.
 - d. Notification to the jail.
 - e. Notification and staging of emergency medical services.
 - f. The taking of juveniles into custody shall comply with State law.

PICKETING RESTRICTIONS:

- Picketing lines shall not block public use of roads, sidewalks, or public ways.
- Pickets and demonstrators must keep moving. When a picket line stops or becomes unruly, it becomes a mob and as such is subject to arrest. A mob may consist of three or more persons.
- Blocking doors, passageways, driveways, crosswalks or other entrances or exits to a struck plant, house or place of business is strictly prohibited.
- Violence, threats of violence, deception, coercion, or fraud on the part of any person, or on the part of any agent for any person, should not be tolerated.
- All citizens shall be guaranteed access to picketed premises, free from violence or threats against them. Restraining any person's freedom of movement is strictly prohibited.
- Erecting barricades, ropes or other obstructive devices.
- Obstructing, leaning or sitting on any vehicle parked, or in motion.
- Destruction of or damage to property will be cause for arrest.
- Deputies should not escort anyone through a picket line.

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Deputies shall not accept gifts of any sort, including food or beverages, from anyone involved in a labor dispute.

ON-SITE INCIDENT COMMANDER OR SUPERVISOR:

1. Locate and speak to a group leader. Issue the form "Demonstration/Picketing Guidelines" and explain it to the group leader.
2. Shall coordinate any action taken.
 - a. Firmly supervise and coordinate all law enforcement action during demonstrations.
 - b. Ensure that members follow instructions and act in an objective manner.
 - c. Ensure that a disciplined and coordinated approach is used to address all issues.
3. Activate the Incident Command System and establish a Command Post if the size or nature of the incident warrants it.
4. Deactivation
 1. When the disturbance has been brought under control deputies and supervisors shall ensure the following:
 - a. All law enforcement is accounted for and an assessment has been made to identify any personal injuries.
 - b. All involved personnel are debriefed.
 - c. All reports are completed as required.
 - d. Post scene monitoring is done to detect/deter lingering cells that might reinitiate the situation.

SEE ALSO:

RCSD Policy # 390.100 A – *Use of Force – General Policy*
RCSD Policy # 390.200 A – *Use of Force – Non Jail*

INDEX: Use of Force

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DEMONSTRATION/PICKETING GUIDELINES

Since you are involved in this current strike, labor controversy or demonstration, there are a few guidelines that the Racine County Sheriff's Office is requiring you to follow so that everyone involved stays within the law.

- A. The duties of the Racine County Sheriff's Office in regards to strikes, labor controversies and demonstrations are the same as under unusual conditions of more common occurrences; that is to protect life and property and to maintain order.
- B. Strikes, picketing and demonstrations are legal, only if peacefully conducted. You are required to follow these guidelines:

You are required to follow these guidelines:

- 1. Maintain yourself in a quiet, orderly fashion.
- 2. Stay on the sidewalks, particularly on the outside or curbside of the sidewalk. Stay out of the street, roadway and away from driveways.
- 3. Pickets and demonstrators must keep moving. When a picket line stops or becomes unruly, it becomes a mob and as such is subject to arrest. A mob may consist of three or more persons.
- 4. Communicate your views orally, or by sign or placard, in an even handed, nonthreatening or coercive manner.
- 5. Obey all orders or requests from law enforcement authorities.
- 6. Allow pedestrians, particularly non-striking or non-participating workers to pass freely on the sidewalks and streets, and in and out of all buildings. (Anyone who desires to go into or out of any house or building where there is a labor controversy may do so without being impeded, stopped, or threatened with bodily harm).
- 7. Allow vehicles to pass freely on all streets and driveways, and in and out of all buildings, loading zones, and parking areas. (Anyone desiring to take merchandise in or out of any house or building where there is a labor controversy may do so without being impeded, stopped or threatened with bodily harm. This applies to pedestrians, vehicles, railroad trains, etc.)

You are prohibited from participating in the following:

- 1. Swearing or displaying profane or abusive gestures, placards, or signs.
- 2. Threatening, intimidating, or shouting down persons not participating in the strike, labor controversy or demonstration.
- 3. Fighting.
- 4. Physically touching another individual or their vehicle.
- 5. Blocking doors, passageways, driveways, crosswalks or other entrances or exits to any house or building.
- 6. Erecting barricades, ropes, or other obstructive devices.
- 7. Restraining any persons' freedom of movement.
- 8. Obstructing, leaning or sitting on any vehicle parked, or in motion.

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9. Conducting traffic control of any type.
10. Selling, serving or giving another person any fermented malt beverage or intoxicating liquor while upon any public street or sidewalk, or within a parked motor vehicle located on any street or upon any parking lot open to the public whether privately owned or not, within the County of Racine.
11. Carrying or brandishing any weapon or engaging in or threatening any violent behavior

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