



City of Racine Police Department
Policy and Procedure

Number: 612

Subject: Demonstration/Picketing Guidelines		
Date Issued: 12-04-81	Date Revised: 06-21-18	Revision Number: 5

POLICY

This procedure 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 Department 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 officers 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.

PROCEDURE

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

MEMBER

1. **REMAIN NEUTRAL** - Render nonpartisan treatment to demonstrators as well as observers. Once an officer'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 police.
3. **VIOLENT CONDUCT** - When a demonstrator uses physical violence upon another person or property, an arrest should be made. In those circumstances, when a commanding officer or supervisor concludes that effecting the physical arrest would divert limited manpower or be unnecessarily risky by reducing the ability of the police 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 commanding officer or supervisor in charge shall decide what immediate action is to be taken.
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 police the target of abuse. In these situations, it is easy for the police officer 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 prisoners for purposes of transportation.
 - b. An adequate number of vehicles available to remove the prisoners to the Racine County Jail.
 - c. A secure area for the detention of prisoners prior to transport to the Racine County Jail.
 - d. Notification of the jail.
 - e. Notification and staging of emergency medical services.
 - f. The taking of juveniles into custody shall comply with State law.

NOTES

PICKETING RESTRICTIONS ARE:

- 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 persons' 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.
- Officers should not escort anyone through a picket line.
- Officers shall not accept gifts of any sort, including food or beverages, from anyone involved in a labor dispute.

ON-SITE COMMANDING OFFICER OR SUPERVISOR

1. Locate and speak to a group leader. Issue the RPD form "Demonstration/Picketing Guidelines" and explain it to the group leader.
2. Shall coordinate any action taken.
 - a. Firmly supervise and coordinate all police 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 - When the disturbance has been brought under control officers and supervisors shall ensure the following:
 - a. All law enforcement officers are 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.

RELATED PROCEDURES

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