



Governor Tony Evers,

As you know, on January 25, the Senate passed Senate Bill 296, a bill that attacks the core principles of American democracy, including the right to assemble and participate in dissent in the form of protest, which the First Amendment protects.

This bill violates laws that clarify what is and is not illegal at a demonstration and uses vague and contradictory language, making it practically impossible for a person to know whether a protest has crossed the line into a so-called “riot.”

For instance, the bill defines a riot as an assembly where any single person uses violence to “obstruct law enforcement or another government function.” Definitionally, almost anything a government official does could be considered a “government function.” Given that the express purpose of many protests is to get the attention of government officials, this means in practical terms that some forms of civil disobedience could be considered a “riot” and that any attendee is subject to severe penalties.

The bill contains further instances of vague and contradictory language, defining a riot as a “disturbance that involves an unlawful assembly,” and generates several legal questions: must a riot first be an unlawful assembly? Does it mean that a largely peaceful protest can become a “riot” because law enforcement has determined that there are elements of a group engaged in an unlawful assembly? What are the criteria for determining if individuals involved in unlawful behaviors are indeed part of the assembly?

Senate Bill 296 also gives police the authority to make arrests before issuing a warning and order to disperse, providing no notice and the opportunity to leave before an arrest takes place.

On the whole, the bill is unclear on some fundamental questions about how the law would be applied. Practically, this means that police would have a much freer hand in determining when a protest becomes a riot and who can face legal penalties as a result.

We have seen similar bills introduced in legislatures around the country. It is unfortunate that SB 296 is an obvious attack on the constitutional rights of Wisconsinites that believe in calling out injustice. Over the past few years there have been widespread demonstrations from Oakland to Orlando, calling out the unjust murders of George Floyd, Sandra Bland, Ahmaud Arbery, and Breonna Taylor. Those injustices against Black life extend to our own state, where our institutions failed to produce meaningful accountability for those responsible for the shooting of Jacob Blake. The fact is, the overwhelming majority of demonstrations in 2020 and 2021 were peaceful. Narratives suggesting otherwise fall under a broader strategy of preventing

people of color from participating fully in our democracy -- from restricting voter access to delegitimizing the outcomes of elections. Stopping this bill is crucial to fighting back. That is why we are asking you to veto Senate Bill 296. Thank you for your time.

Signed,

- ACLU of Wisconsin
- Sierra Club Wisconsin
- Amalgamated Transit Union
- Peoples Green New Deal of Madison DSA
- Clean Wisconsin
- Safe Skies Clean Water Wisconsin
- Wisconsin Faith Voices for Justice
- League of Women Voters of Wisconsin
- Wisconsin State Energy Alliance
- African American Roundtable
- National Lawyers Guild, Wisconsin Chapter
- One Wisconsin Revolution
- MICAH
- Wisconsin Democracy Campaign
- Black Leaders Organizing for Communities (BLOC)
- 9to5 Wisconsin
- Peace Action of Wisconsin
- Wisconsin Environment
- 350 Milwaukee
- Milwaukee Water Commons
- Wisconsin Network for Peace and Justice
- Echo Valley Hope
- Common Cause Wisconsin
- Menikanaekem
- Physicians For Social Responsibility
- Wisconsin Safe Energy Alliance
- Wisconsin Health Professional for Climate Action
- Citizens Action Wisconsin
- Honor the Earth
- Wisconsin Conservation Voters