



## **This Week's Citations at the Capitol Abridge Our Right to Freely Assemble**

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MADISON, WI – The Wisconsin State Capitol Police began ticketing protesters in the Capitol Rotunda last week for holding up signs without a permit. According to a Department of Administration spokesperson, on Monday police issued more tickets both for “unlawful display of a sign and not having a permit.” The citations were served at the protesters home to “avoid confrontation and maintain order at the Capitol.”

Since the extraordinary events of February 2011, the American Civil Liberties Union of Wisconsin has stepped up its efforts to protect the free speech rights of all Wisconsin residents at the Capitol and our volunteer legal observers are now at the Capitol Rotunda every day during the noon hour.

Today, in response to the State Capitol Police Chief's new enforcement strategy, Chris Ahmuty, Executive Director of the ACLU of Wisconsin made the following statement:

David Erwin, the State Capitol Police Chief since July 2012, has had a rocky start. His on-again, off-again, on-again enforcement of regulations governing events and protests in the Capitol Rotunda suggests problems. Either he lacks an understanding of our constitutional rights or is willing to abridge the rights of all Wisconsin residents to peaceable assembly and free speech at the Capitol.

Monday's tickets are unconstitutional. It is ludicrous to say that it is illegal to hold up a sign or groups as small as four people need to apply for a permit 72 hours in advance if they are promoting any cause.

The police served the tickets at the protesters homes. This suggests that the police know the identity of many of protesters who regularly exercise their rights at the Capitol. It also suggests that this new enforcement effort is a high priority for the Capitol Police. The ACLU believes that there are better uses for the Capitol Police force's limited resources.

In a related matter, in an interview posted on wisconsinreporter.com on September 10, 2012 and on the eve of the anniversary of September 11, remarks from Chief Erwin have exposed another problem. According to the site, Erwin said, “And so we have a group of people that come here, and last week they were holding signs and they are part of this group that, for lack of a better word, are terrorizing people at this Capitol.”

It is unclear what group of people he's talking about; it may just be people who allegedly are disrespectful or call others names. Regardless, our in the post 9-11 world, it is inappropriate to accuse someone of terrorizing others in this loose way. It is hard to imagine former Capitol Police Chief Charles Tubbs making such an accusation. Erwin admits that Tubbs did a great job during the large-scale protests as evidenced by the small number of arrests and the fact that no injuries occurred under Tubbs' leadership. Perhaps Erwin needs to learn how to defuse situations rather than engage in name calling.

The ACLU of Wisconsin has approximately 6,500 members who support its efforts to defend the civil liberties and civil rights of all Wisconsin residents. For more on the work of the ACLU of Wisconsin, visit our [webpage](#), like us on [Facebook](#) or follow us on Twitter [@ACLUofWisconsin](#) and [@ACLUMadison](#).

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