

**RESOLUTION \_\_\_\_\_**

**PRINCIPAL SPONSOR: THE MAYOR**

**DECLARATION OF EMERGENCY REGARDING POTENTIAL CIVIL  
UNREST FOLLOWING THE KENOSHA COUNTY DISTRICT ATTORNEY  
RELEASING HIS CHARGING DECISION TO THE PUBLIC IN REGARD  
TO AN OFFICER INVOLVED SHOOTING OF MR. JACOB BLAKE**

**WHEREAS**, from August 23, 2020 to September 2, 2020 the City of Kenosha experienced violent, riotous activity which was geographically widespread throughout the City of Kenosha following the officer involved shooting of Mr. Jacob Blake; and,

**WHEREAS**, such riotous activity included the burning of building premises, personal property, and government property, vandalism, and other damage producing activity; and,

**WHEREAS**, such riotous activity resulted in personal injury, including at least two deaths; and,

**WHEREAS**, despite the efforts of law enforcement, specifically including the City of Kenosha Police Department in addition to assistance having been provided by the Kenosha County Sheriff's Department, Kenosha Joint Services, Wisconsin State Patrol, Wisconsin National Guard, and other federal and state law enforcement agencies, such riotous activity continued and took time to quell; and,

**WHEREAS**, the City of Kenosha recognizes the First Amendment value of peaceful protests; and,

**WHEREAS**, violence, arson, and vandalism cannot be tolerated; and,

**WHEREAS**, the Kenosha County District Attorney is considering whether to file charges against any law enforcement officers involved in the incident regarding Mr. Blake; and,

**WHEREAS**, in a phone call with the Mayor on December 29, 2020, the Kenosha County District Attorney said that he would release his charging decision to the public within the first two weeks of January 2021; and,

**WHEREAS**, other communities, such as Wauwatosa, Wisconsin, experienced significant additional violence after charging decisions were made in regards to officer involved shootings; and,

**WHEREAS**, the City of Kenosha was one of many communities nationally that experienced a period of violence and destruction in May of 2020, following the death of Mr. George Floyd; and,

**WHEREAS**, other communities near the City of Kenosha, including the Cities of Madison and Milwaukee, experienced similar events; and,

**WHEREAS**, when the people of the City of Kenosha are faced with danger, it is the constitutional obligation of its Government to protect them; and,

**NOW, THEREFORE, BE IT RESOLVED**, pursuant to Wisconsin Statute § 323.11, the Common Council for the City of Kenosha declares an emergency to exist in the City of Kenosha. This emergency declaration will automatically take effect immediately following the Kenosha County District Attorney making his charging decision public in regard to an officer involved incident with Mr. Jacob Blake.

**BE IT FURTHER RESOLVED**, based in part on the duration of the violence the City of Kenosha experienced in May, August, and September 2020, as well as that of other communities nationally, the Common Council for the City of Kenosha finds that emergency conditions are likely to persist for at least eight (8) days. Therefore, pursuant to Wisconsin Statute § 323.11, the period of this emergency declaration will end automatically at 11:59 P.M. on the eighth (8<sup>th</sup>) day after the emergency goes into effect, and this Resolution will no longer be effective beyond that point, unless otherwise extended. In counting the eight (8) days, the first day will be the date the Kenosha County District Attorney makes his charging decision public. Should the Kenosha County District Attorney delay his planned announcement beyond the second full week of January 2021, ending January 16<sup>th</sup>, 2021, this Resolution will not go into effect and will remain permanently inoperative.

**BE IT FURTHER RESOLVED**, the Common Council for the City of Kenosha finds that conditions have arisen by reason of a riot or civil commotion, a disaster, or an imminent threat of a disaster, that impairs transportation, food or fuel supplies, medical care, fire, health or police protection, or other critical systems of the City of Kenosha.

**BE IT FURTHER RESOLVED**, the Common Council for the City of Kenosha grants to the Mayor

of the City of Kenosha, for his personal exercise only, the authority vested in the Common Council for the City of Kenosha pursuant to Wisconsin Statutes §§ 323.11 and 323.14, and any common law emergency authority the Common Council for the City of Kenosha has, during the period this emergency declaration is effective.

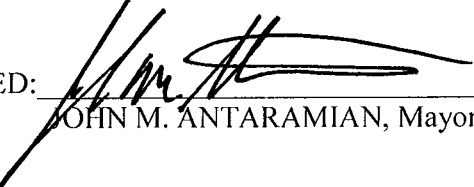
**BE IT FURTHER RESOLVED**, this Resolution does not limit the Mayor's authority under Paragraphs 1.4 to 1.45 of the City of Kenosha Code of General Ordinances.

**BE IT FURTHER RESOLVED**, the City of Kenosha Clerk/Treasurer and Public Relations Liaison are directed to immediately publish this resolution on the City of Kenosha's website and to otherwise provide notice of this resolution to news outlets.

Adopted this 4 day of January, 2021.

ATTEST:   
MATT KRAUTER, City Clerk/Treasurer

Date: 1-4-21

APPROVED:   
JOHN M. ANTARAMIAN, Mayor

Date: 1-4-21

Drafted By:  
BRYAN A. CHARBOGIAN  
Assistant City Attorney