



EXECUTIVE ORDER

N^o: 47

AN EXECUTIVE ORDER

Giving Orders to the State Police about the SRA Protests

16th of March, 2020

I. DECLARATION

- a) The State of Lincoln recognizes and upholds the right of peaceful protest of all participants in the ongoing demonstrations in Springfield. The State further acknowledges that the need to maintain order must be counterweighted by the constitutional requirement to protect free and open expression.
- b) It is the position of the State of Lincoln to encourage protest leaders in Springfield to ensure the peaceful nature of their demonstration and avoid any signs of intimidation or endangerment towards State officials or residents of Springfield.
- c) It is the official policy of the State of Lincoln to pursue deescalation and support a peaceable resolution to the current political crisis. The State further affirms that the dispute can only be resolved by dialogue between the concerned parties, i.e. the State, the counties and civil society groups, and strongly protests the unlawful intervention of the Federal government in an intrastate matter.

II. DEFINITIONS

As used in this Order,

- 1) the “Capitol Police” means the Secretary of State Police of Lincoln; and
- 2) the “Lincoln Defense Force” means the force activated by the Gubernatorial Proclamation of March 16, 2020.

III. DEFENSE FORCE READINESS

- a) The Adjutant General shall continue all necessary and proper preparations to equip and train the Lincoln Defense Force and ensure the Force's readiness in the event of deployment in aid of the civil power.
- b) All personnel of the Lincoln Defense Force currently in the city of Springfield shall be assigned to protect and patrol State buildings and property but shall not be used in a law enforcement or other public facing capacity without further orders.

IV. CONTINUED EMERGENCY RESPONSE IN SPRINGFIELD

- a) The Capitol Police shall have overall operational command to ensure protection of public order in relation to the protests in the proximity of the Capitol Complex.
- b) The Capitol Police shall:
 - 1) preserve the peace and prevent violent activity or destruction of property;
 - 2) monitor the protests for signs of escalation or unlawful activity while respecting the First Amendment rights of all participants;
 - 3) balance the enforcement of State law concerning the public carry of firearms with the need to prevent violence and ensure the continued preservation of the peace;
 - 4) where practicable, attempt to facilitate the provision of sustenance and safety equipment to participants; and
 - 5) avoid detaining participants except when the arresting officer believes that they will imminently engage in violence, destruction of property, or other severe criminal behavior.
- c) All individuals previously detained whose circumstances of detention do not comply with subsection (b)(5) of this Order shall be released immediately.
- d) The Capitol Police, upon the detention of a protester, shall report such detention to the Governor forthwith and indicate the reason for detention.
- e) The Capitol Police may request, and the Lincoln State Police and the Lincoln Defense Force shall provide, all necessary assistance in the protection of public order within the confines of this Order.
- f) Nothing in this section prevents a duly-sworn law enforcement officer from declaring the said protest an unlawful assembly if the conditions for such a declaration are met.

V. CONSEQUENTIAL AMENDMENTS

Executive Order 46 ("Protecting The Public From Inciteful Violent Threats") is revoked with immediate effect.

VI. EFFECTIVE DATE

This Executive Order shall be of full force and effect upon its filing with the Secretary of State.

Signed,

OK Black Belt
Governor of Lincoln