

MADISON POLICE DEPARTMENT

Report Completed: 6/18/2011

Case No: 2011-165930 Original

Occurred Incident: 38 - Disturbance Call

Ref. No: 2011-165897

Dispatched as: 60 - Traffic Incident

Sec/Area: 501 NORTH

Grid: EMERSON E

Case Offense: DISORDERLY CONDUCT

Addr of Occurrence: E Washington Av @ Fourth St (Behind Barrymore Theatre)

Call Date/Time: 06/18/2011 12:22

From Date/Time:

Dispatch Date/Time: 06/18/2011 12:22

Thru Date/Time:

Reporting Officer: SGT MICHAEL V HANSON 3229

Report sent:

Special Routing:

SUSPECT CHARLES H WISE

***ARRESTED**

M/W DOB: [REDACTED] (58 yrs) Height: 6'02" Weight: 175

HairColor: BRO EyeColor: BLU

37 CRESCENT ST MAZOMANIE WI

HOW ID'D: WI DL

STATUS: CITED/RELEASED

OFFENSE #1: DC, CITY ORD 24.02(1), CIT. A094060

REPTD BY [REDACTED]

OFFICER NARRATIVE

On 6/18/11 I was on duty as a City of Madison Police Department sergeant, operating unmarked Squad 455, and dressed in full MPD military-style uniform. On this day I was advised that there was a national movement for bicyclists to organize and ride naked throughout the streets of Madison. In the past, these bicyclists had traveled downtown in the central district of Madison, and I was told that if it should become a problem, we would monitor the bike rally.

In speaking with Lieutenant Dave McCaw, I was advised that we would not track and monitor the naked bicyclists unless we were receiving complaints from citizens.

Dispatch was alerted to the fact that there were nude bicyclists via Officer Rebecca Lindsey on East Washington Avenue around 11:10am. Officer Lindsey, two other officers, and I were responding to what was believed to be a burglary in progress in the 600 block of North Frances Street. After clearing from the burglary in progress call, I was wondering where the bike rally protests were headed. At the same time, there were thousands of people at the farmers market and in the State Street area in what I would describe as a typical, busy Saturday downtown. I was unable to locate the nude bicycle rally, so I continued my routine supervisory patrol duties.

Around 11:30am Officer Jeff Pharo announced that about 50 naked bicyclists were in the 500 block of State Street and appeared to be traveling towards the Capitol. I was near the Capitol area and witnessed approximately 50 nude bicyclists in the 100 block of State Street amongst hundreds of ordinary citizens, ranging in age from very young children to adults that were walking around the area. At the same time, the approximately 50 naked bicyclists were chanting and cheering their bike rally message.

As I turned down State Street from the Square, the bicyclists were passing me by. I was by myself at the time and at this point we did not have a formal complaint. It should be noted that at the same

time, Officer Mark Kinderman was on his way to contact [REDACTED], who stated that he wanted to file a complaint reference the nude bicyclists. After the bicyclists passed me, I learned approximately 15 minutes later that [REDACTED] was disturbed by the bicyclists' actions. Officer Kinderman advised that [REDACTED] had said that he had his children in his vehicle and they witnessed the nude bicyclists. Officer Kinderman relayed to me that [REDACTED] was disturbed and was willing to file a complaint against the bicyclists. At this juncture I did not have the naked bicyclists in sight and did not know their direction of travel.

Via talk-around radio communication I advised downtown units that there was a complainant reference the naked bicycle rally, and if anyone knew there whereabouts, I would respond. Approximately ten minutes later, around 12:20pm, Officer Dan Borth located the naked bicyclists' rally around Fourth Street and East Johnson Street. Because I was west of the Capitol Square at this time, I advised Officer Borth to monitor the naked bike rally and told him that I was en route.

The naked bike rally ended and congregated behind the Barrymore Theatre. When I arrived, I observed several males who were still naked and some who were getting dressed. I would describe the crowd as orderly and non-confrontational. I introduced myself to the crowd of naked bike rally members and explained my lawful authority to be in their presence. I explained that we did receive a complaint from a citizen willing to pursue a charge for being disturbed. I was asked by members of the naked bike rally what the charge would be. I explained that they had caused a disturbance in showing their genitalia to citizens, children, and this complainant specifically. I explained that I would be citing one individual, instead of all approximately 50 of them. I asked if there was a leader of this group, at which time several people responded, "There is no leader. We do not have a leader." I explained that one person who participated in the naked bike rally should step forward, and I would issue them a disorderly conduct citation and then the police officers and I would all leave.

It appeared to me that Charles H. Wise was accommodating and would take the citation. Wise professed to the rest of the group that he would take the citation for their cause. It should be noted that at least two video cameras were filming my interaction with Wise the entire time. The group had this videotape, and I explained that I did not have a problem with them videotaping this citation issuance.

Wise had administrative questions about the citation and had questions about why he was receiving it. I explained to him that he and the others who were biking naked and exposing their genitalia to others had caused a citizen to feel disturbed by their actions. I explained the citizen then called police and wanted to file a report.

It should be noted that the approximately 50 members of the naked bike rally traveled on city streets in Madison. During the course of their travels, they biked down the middle of State Street with hundreds of pedestrians and onlookers. In addition, the naked bike rally traveled on the north side of the Square, where hundreds of people were walking around the farmers market. It should also be noted that when I originally turned down State Street and was going the opposite direction of the approaching naked bicyclists, I observed almost all of the individuals to be naked and exposing their genitals. At the same time, I also observed several citizens, with their young children, with a look of what I would describe as "disgust," and they had to shepherd their children from looking. I also observed adults that turned away to avoid looking at the bicyclists. Finally, I did observe adults that stepped out into the street to take pictures with their cell phones or cameras of the naked bike rally.

Throughout the course of my interaction with Wise and the other members of the naked bike rally, they told me that they understood that I had a job to do and appreciated the professional manner. In fact, Wise came up to me as I was returning to my squad and thanked me for being professional. I

explained to Wise that we responded to a complaint just as we would respond for a burglary call, a disturbance, or a traffic crash.

NFI/jas

Supervisory Officer: _____ I.D.: _____

Reporting Officer: _____ I.D.: 3229
SGT MICHAEL V HANSON