

CHAPTER 2

CRIMES AGAINST PEACE; FIREARMS

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6-2-1: DISORDERLY CONDUCT: (1224 2001 2366)

(A) It shall be unlawful for any person to commit disorderly conduct. A person commits disorderly conduct if he intentionally, knowingly or recklessly:

(1) Makes a coarse and obviously offensive utterance, gesture or display in a public place, and the utterance, gesture or display tends to incite an immediate breach of the peace, whether or not an actual breach of the peace takes place; or

(2) Abuses or threatens a person in a public place in an obviously offensive manner that tends to incite an immediate breach of the peace; or

(3) Makes unreasonable noise in a public place or near a private residence that he has no right to occupy; or

(4) Fights with another in a public place, except in an amateur or professional contest of athletic skill; or

(5) Not being a police officer, displays a deadly weapon in a manner calculated to alarm.

(B) It is an affirmative defense to prosecution under subsection (A)(2) of this Section that the actor had significant provocation for his abusive or threatening conduct.

(C) Disorderly conduct is a criminal offense, punishable by a fine or imprisonment or both, as provided in Section 1-8-1, W.M.C.

6-2-2: HARASSMENT; STALKING: (1224 2001 2299 2366)

(A) It shall be unlawful to commit harassment. A person commits harassment if, with intent to harass, annoy or alarm another person, he or she:

(1) Strikes, shoves, kicks or otherwise touches a person or subjects him to physical contact; or

(2) In a public place, directs obscene language or makes an obscene gesture to, or at, another person; or

(3) Follows a person in or about a public place; or

(4) Communicates with a person, anonymously or otherwise, by oral or written communication or by telephone, in a manner intended to threaten bodily harm or property damage, or makes any comment, request, suggestion or proposal by telephone that is obscene; or

(5) Makes a telephone call or causes a telephone to ring repeatedly, whether or not a conversation ensues, with no purpose of legitimate conversation; or

(6) Makes repeated communications at inconvenient hours that invade the privacy of another and interfere in the use and enjoyment of another's home or private residence or other private property; or

(7) Repeatedly insults, taunts, challenges or makes communications in offensively coarse language to another in a manner likely to provoke a violent or disorderly response.

(B) It shall be unlawful for any person to commit harassment by stalking. A person commits harassment by stalking if, directly or indirectly through another person, such person knowingly:

(1) Makes a credible threat to another person and, in connection with such threat, repeatedly follows that person or a member of that person's immediate family; or

(2) Makes a credible threat to another person and, in connection with such threat, repeatedly makes any form of communication with that person, or a member of that person's immediate family, whether or not a conversation ensues.

(C) DEFINITIONS: The following words, terms and phrases, when used in this Section, shall have the following meaning, unless the context clearly indicates otherwise:

“Credible Threat” shall mean a threat, whether by language or by action, that would cause a reasonable person to be in fear for the person's life or safety or the safety of his or her immediate family;

“Immediate Family” shall include the person's spouse and the person's parents, grandparents, siblings, or child;

“In Connection With” shall mean acts occurring either before, during or after the credible threat; and

“Obscene” shall mean a patently offensive description of ultimate sexual acts or solicitation to commit ultimate sexual acts, whether or not said ultimate sexual acts are normal or perverted, actual or simulated, including, but not limited to, masturbation, cunnilingus, fellatio, anilingus or excretory functions.

“Repeatedly” shall mean on more than one (1) occasion.

(D) Any act prohibited by subsections (A)(4), (A)(5) and (A)(6) of this Section may be deemed to have occurred, or to have been committed at the place at which the telephone call or written communication was either made or received.

(E) Harassment is a criminal offense, punishable by a fine or imprisonment or both, as provided in Section 1-8-1, W.M.C.

6-2-3: DISTURBING THE PEACE: (1224 2001 2173)

(A) It shall be unlawful for any person to intentionally, knowingly or willfully disturb the peace and quiet of another by unreasonable noise, indecent behavior or offensive conduct.

(B) Disturbing the peace is a criminal offense, punishable by a fine or imprisonment or both, as provided in Section 1-8-1, W.M.C.

6-2-4: ASSAULT: (1224 2001 2365)