

**City of Rexburg EXCESSIVE FORCE POLICY**

**RESOLUTION# 2004-06**

**A RESOLUTION OF THE CITY COUNCIL OF REXBURG, ADOPTING A POLICY PROHIBITING THE USE OF EXCESSIVE FORCE AGAINST NON-VIOLENT CIVIL RIGHTS DEMONSTRATORS.**

**WHEREAS** the Congress of the United States has passed the Armstrong/Walker “Excessive Force” Amendment (Section 104 (L) (1) of the Housing and Community Development Act of 1974 as amended) prohibiting the use of excessive force by a local law enforcement agency against any individual engaged in nonviolent civil right demonstration within its jurisdiction;

**AND WHEREAS** the City of Rexburg has received an Idaho Community Development Block Grant and is required to comply with the Armstrong/Walker “excessive force” Amendment;

**AND WHEREAS** the use of excessive force against demonstrators may cause the CITY to lose its grant or eligibility for future grants;

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF REXBURG, IDAHO:**

**SECTION 1.** It is POLICY of the CITY that excessive force by local law enforcement agencies shall not be used against individuals engaged in lawful and nonviolent civil rights demonstrations within the City boundaries.

**SECTION 2.** The City Council directs the Police Chief to implement this Resolution by amending applicable police department procedures.

**PASSED BY THE CITY COUNCIL, City of Rexburg, IDAHO**

**DATE: June 02, 2004**

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**SIGNED BY: Shawn Larsen, Mayor**

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**ATTEST: Blair D. Kay, City Clerk**