

RESOLUTION #93.8

CITY EXCESSIVE FORCE POLICY

A RESOLUTION OF THE CITY COUNCIL OF REXBURG, IDAHO, 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 (P.L. 101 -144 section 519) prohibiting the use of excessive force by a local law enforcement agency against any individuals engaged in nonviolent civil rights demonstrations within its jurisdiction; and the Cranston-Gonzalez National Affordable Housing Act requires units of general local government receiving Title I funds to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

AND WHEREAS the City of Rexburg has received a Community Development Block Grant and is required to comply with the Armstrong/Walker "Excessive Force" Amendment, and the Cranston-Gonzalez National Affordable Housing Act;

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

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

SECTION 1. It is the POLICY of the CITY that excessive force by local law enforcement agencies shall not be used against individuals engaged in lawful and non-violent civil rights demonstrations within the City boundaries, and that the City will enforce applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

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.

SIGNED BY: _____ TITLE: _____

DATE: _____ ATTEST: _____