

RESOLUTION NUMBER 03-09

A RESOLUTION ESTABLISHING A POLICY PROHIBITING THE USE OF EXCESSIVE FORCE BY LAW ENFORCEMENT AGENCIES WITHIN THE APPLICANT'S JURISDICTION AGAINST INDIVIDUALS ENGAGED IN NON-VIOLENT CIVIL RIGHTS DEMONSTRATIONS

WHEREAS: The City of Cotter is applying for funds through the Arkansas Community and Economic Development Program; and

WHEREAS: As required by the Housing and Community Development Act of 1974, as amended, it shall be the policy of the City of Cotter to ensure that the following are true:

1. The City of Cotter has adopted and is enforcing this policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations.
2. The City of Cotter will ensure that all law enforcement agencies within its jurisdiction will enforce all 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.
3. In response to non-violent civil rights demonstrations, the City of Cotter will be mindful and protective of the rights of all participants in such demonstrations, as well as any onlookers, bystanders, or any other persons located in the vicinity or owning property in the vicinity.
4. In connection with such demonstrations, the use of force shall be permitted only when necessary to protect the rights of individuals or to uphold the law. In no event shall the use of force be in excess of that necessary to achieve the lawful goals of the City be permitted.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COTTER, ARKANSAS, THAT: consistent with the goals and objectives of activities assisted under the Act, as amended, the City of Cotter will adopt and enforce the policy contained herein.

This Resolution is to be in full force and in effect from the date of its passage.

PASSED this 12th day of June, 2003

APPROVED:


Bill Jennings, Mayor

ATTEST:


Mary E. McLaughlin, Recorder/Treasurer