

**TOWN OF RED CLIFF
RESOLUTION 3, SERIES 2020**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
RED CLIFF, COLORADO, ADOPTING A POLICY REGARDING THE
USE OF EXCESSIVE FORCE AGAINST INDIVIDUALS ENGAGED IN
NON-VIOLENT CIVIL RIGHTS DEMONSTRATIONS.**

WHEREAS, the Town of Red Cliff, Colorado (“Town” or “Red Cliff”) is a statutory town and political subdivision of the State of Colorado, duly organized and operating under the constitution and laws of the State of Colorado and the Town Municipal Code (the “Code”); and

WHEREAS, the Town has made application for Community Development Block Grant (CDBG) Funds from the State of Colorado; and

WHEREAS, in accordance with Section 519 of Public Law 101-144 (the HUD Appropriations Act) certain statements of assurances and certifications are required; and

WHEREAS, The Armstrong/Walker “Excessive Force” Amendment, (P.L. 101-144) & Section 906 of Cranston-Gonzalez Affordable Housing Act of 1990 requires that a recipient of HUD funds adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies within their jurisdiction against individuals engaged in nonviolent civil rights demonstrations; and

WHEREAS, The Armstrong/Walker “Excessive Force” Amendment, (P.L. 101-144) & Section 906 of Cranston-Gonzalez Affordable Housing Act of 1990 requires that a recipient of HUD funds adopt and enforce a policy enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstration within its jurisdiction; and

WHEREAS, The Town’s law enforcement operations are delegated to the Eagle County Sheriffs Office through an Intergovernmental Agreement, which office has adopted a policy in accordance with the foregoing laws; and

WHEREAS, the Red Cliff Board of Trustees finds it is in the best interests of the health, welfare, and safety of the residents of the Town of Red Cliff to adopt a policy in conformance with the foregoing laws.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE
TOWN OF RED CLIFF THAT:**

Section 1. The above recitals are hereby incorporated as findings by the Red Cliff Board of Trustees.

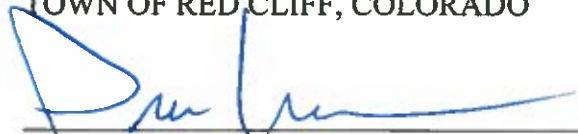
Section 2. Pursuant to the Town of Red Cliff being granted CDBG funds by the State of Colorado; the Board of Trustees, does hereby adopt a statement of policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations and against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstration within its jurisdiction.

Section 3. All Town orders, bylaws, ordinances and resolutions, or parts thereof, that are inconsistent or conflict with this Resolution are hereby repealed to the extent an inconsistency or conflict exists.

Section 4. Upon adoption hereof, this Resolution shall be recorded in a book kept for that purpose and shall be authenticated by the signatures of the Mayor and Town Clerk.

INTRODUCED, READ, AND PASSED THIS 7th DAY OF JULY 2020.

TOWN OF RED CLIFF, COLORADO



Duke Gerber, Mayor

ATTEST:



Barb Smith, Town Clerk