COLUMBIA COUNTY EXCESSIVE FORCE POLICY

RESOLUTION NO. 2023R-59

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA, ADOPTING POLICY PROTECTING INDIVIDUALS ENGAGED IN NONVIOLENT CIVIL RIGHTS DEMONSTRATION

WHEREAS, the Congress of the United States has passed Section 104(1) to the Title I of the Housing and Community Development Act stating that no CDBG funds may be obligated or expended by any unit of general local government that fails to adopt and enforce a policy of prohibiting the use of excessive force by local law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; or fails to adopt and enforce a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of nonviolent civil rights demonstrations within its jurisdiction;

Excessive force is determined on the 'objective reasonableness' of the force based on the situation. Nonviolent civil rights demonstrations use peaceful tactics to achieve social change and may include distribution of information, picketing, marches, and vigils.

All prior policies and/or directives or parts of policies and/or directives that are contrary to the provisions of this policy are hereby repealed to give this policy full force and effect. If any section, clause, sentence, provision, or any part of this policy is held to be invalid or unconstitutional, the remaining sections, clauses, sentences, or parts not included therein, will remain in full force.

AND WHEREAS, the County of Columbia has received a Community Development Block Grant and is required to comply with the Title I of the Housing and Community Development Act;

AND WHEREAS, the failure to enforce such policies may cause the County to lose its grant or eligibility for future federal grants;

NOW THEREFORE, BE IT RESOLVED BY THE CHAIRMAN AND BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA:

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

SECTION 2 — It is the POLICY of the COUNTY to require law enforcement agencies to use the least amount of force necessary to achieve a lawful objective, to intervene when another law enforcement officer uses excessive force, that allegations of excessive force will be investigated, and that law enforcement officers who use excessive force will be disciplined.

SECTION 3 — It is the POLICY of the COUNTY to enforce applicable state and local laws against the physical barring of an entrance to or exit from a facility or location which is the

subject of nonviolent civil rights demonstrations within its jurisdiction.

SECTION 4 The Board of County Commissioners directs the Police Chief to implement this Resolution by amending applicable police department procedures.

OR

SECTION 4 The Board of County Commissioners will coordinate with the County Sheriff's Office to implement this Resolution by amending, if necessary, applicable Sheriff's Office procedures.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS, OF COLUMBIA COUNTY, FLORIDA.

DATE: Oct 5, 2023

BY: Rocky D [signature]

TITLE: Chairman

ATTEST: [signature]

James M. Smisher Jr.
Clerk of Court

SEAL