

TOWN OF THETFORD, VERMONT

USE OF EXCESSIVE FORCE POLICY

I. AUTHORITY

The Town of Thetford, Vermont, does hereby adopt this Use of Excessive Force Policy required by the provisions of the Housing and Community Development Act of 1974, as amended [42 U.S.C. 5301, et seq], and the provisions of 24 C.F.R., Part 42, and as a condition of receiving funding under the Vermont Community Development Program. The Policy set forth herein must be adopted by all municipalities using Vermont Community Development Program funds, in accordance with the provisions of the Armstrong/Walker "Excessive Force" Amendment [P.L. 101-144].

II. POLICY

The Town of Thetford does hereby adopt a policy prohibiting the use of excessive force by its law enforcement agencies against any individuals engaged in nonviolent civil rights demonstrations.

III. INCONSISTENT POLICIES REPEALED

This Policy shall amend and replace any provisions of any policy of the Town of Thetford, Vermont, and replace any provisions of any policy of the Town of Thetford in effect at the time of enactment of this Policy governing any activity included in this Policy.

IV. SEVERABILITY

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Policy, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Policy or any part thereof. The Select Board hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional or ineffective.

V. EFFECT

No section of this Policy shall be construed to supersede or replace any Federal law or Vermont statute. This Policy shall be entered in the minutes of the Select Board's meeting.