

**A RESOLUTION OF THE CITY COUNCIL ADOPTING AND REQUIRING ENFORCEMENT OF A POLICY PROHIBITING THE USE OF EXCESSIVE FORCE BY LAW ENFORCEMENT AGENCIES AGAINST INDIVIDUALS ENGAGED IN NON-VIOLENT CIVIL RIGHTS DEMONSTRATIONS; PROHIBITING THE PHYSICAL BARRING OF ENTRANCES TO OR EXITS FROM FACILITIES THAT ARE THE SUBJECT OF SUCH DEMONSTRATIONS; DECLARING THE CITY'S INTENT TO COMPLY WITH MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT REQUIREMENTS FOR FEDERAL FUNDING ELIGIBILITY**

**WHEREAS**, the City of Republic, Missouri, ("City" or "Republic") is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

**WHEREAS**, the City Council finds that the adoption and enforcement of a policy prohibiting the use of excessive force by law enforcement agencies against individuals engaged in non-violent civil rights demonstrations, and prohibiting the physical obstruction of entrances to or exits from facilities that are the subject of such demonstrations, promotes and protects the public health, safety, and welfare; and

**WHEREAS**, the Missouri Department of Economic Development ("DED") has issued guidance, including an example "Excessive Force Prohibition Resolution," identifying policy elements required for eligibility for certain federal funding programs administered by DED, including the Community Development Block Grant ("CDBG") program; and

**WHEREAS**, DED provides that a municipality shall adopt and enforce a policy prohibiting the use of excessive force by law enforcement agencies against any individual engaged in non-violent civil rights demonstrations, and shall prohibit the physical barring of any entrance to or exit from a facility that is the subject of such demonstrations, and shall enforce all applicable state laws in this regard; and

**WHEREAS**, DED's guidance indicates that the policy adoption and effective date provisions are required for compliance purposes, and that penalty provisions are optional and provided for example purposes only; and

**WHEREAS**, the City Council desires to adopt this Resolution to demonstrate compliance with DED requirements related to federal funding eligibility, including CDBG funding, and to formalize the City's policy commitment consistent with applicable law and the City's authority; and

**WHEREAS**, the City Council finds that adoption of this Resolution is in the best interests of the City and its residents and is consistent with the City's commitment to lawful and constitutional law enforcement practices and nondiscriminatory access to public and private facilities;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:**

**Section 1.** Adoption and Enforcement of Excessive Force Prohibition Policy.

1.1. Policy Adopted. The City hereby adopts, and shall enforce, a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individual engaged in a non-violent civil rights demonstration.

1.2. Prohibition on Physical Obstruction. The City further prohibits the physical barring of any

entrance to or exit from any facility or location that is the subject of a non-violent civil rights demonstration and shall enforce all applicable state laws in this regard.

1.3. Purpose. This Resolution is adopted to ensure the City's compliance with requirements associated with federal funding eligibility administered by DED, including the CDBG program, and to affirm the City's commitment to lawful crowd management and the protection of constitutional rights. This Resolution is intended as a certification of policy adoption and shall not be construed to modify operational standards beyond those established by applicable law and the City's adopted Use of Force Policy.

**Section 2.** Administration and Implementation. The City Administrator, Chief of Police, and all other appropriate City officials and employees are authorized and directed to take such actions as are reasonably necessary to implement and enforce this policy within the scope of their respective lawful authority. The City's adopted Use of Force Policy, as amended from time to time, shall control operational implementation of this Resolution.

**Section 3.** Objective Reasonableness/No Expansion of Standards. This Resolution shall be interpreted and applied consistently with applicable federal and state law governing use of force, including the constitutional "objective reasonableness" standard. Nothing in this Resolution is intended to create, expand, modify, or impose any independent standard of civil or criminal liability beyond those otherwise imposed by federal or state law.

**Section 4.** De-Escalation and Alternative Tactics. The City reaffirms that law enforcement officers are expected to employ de-escalation techniques and alternative tactics consistent with the City's adopted Use of Force Policy and applicable law, when such techniques are reasonably feasible and safe under the totality of circumstances. Nothing in this Resolution shall be construed to require officers to retreat, delay lawful action, or compromise officer or public safety where de-escalation is not reasonably practicable.

**Section 5.** Duty to Intervene and Report. Consistent with the City's adopted Use of Force Policy and applicable law, any law enforcement officer who observes another officer using force that is objectively unreasonable under the circumstances has a duty to intervene when reasonably feasible and to promptly report such conduct through established supervisory channels. This provision reaffirms existing policy requirements and does not create an independent cause of action.

**Section 6.** Preservation of Lawful Authority and Public Safety Operations. Nothing in this Resolution shall be construed to:

- a) Limit the lawful authority of law enforcement officers to use force that is objectively reasonable under the totality of circumstances to protect human life, prevent injury, effect a lawful detention or arrest, prevent escape, or address unlawful conduct;
- b) Restrict lawful crowd management, dispersal, or emergency operations undertaken to protect persons and property; or
- c) Restrict the lawful authority of fire, emergency medical, or other emergency

personnel to secure scenes, control hazards, or protect responders and the public.

**Section 7.** “Physical Barring” Scope and Public Safety Exception. The policy referenced in Section 1.2 regarding “physical barring of any entrance to or exit from any facility or location” is intended to ensure enforcement of applicable State and local laws against unlawful obstruction by any person. This Resolution does not prohibit law enforcement, fire, or emergency personnel from temporarily restricting access to a facility or location when reasonably necessary and lawfully authorized for public safety, emergency response, crime-scene integrity, threat mitigation, or other legitimate governmental purposes.

**Section 8.** No Private Right of Action. This Resolution does not create a private cause of action.

**Section 9.** If any clause, word, paragraph, section, or other portion of this Resolution is held unconstitutional, illegal, or invalid, the remaining provisions shall remain in full force and effect.

**Section 10.** The *Whereas* clauses set forth in the preamble of this Resolution are hereby incorporated by reference as if fully stated herein. These recitals are adopted as findings of the City Council and constitute the factual and legal basis for this Resolution, reflecting the Council’s intent and purpose in enacting its provisions.

**Section 11.** This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

**PASSED AND ADOPTED** at a regular meeting of the Council of the City of Republic, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2026.


**Approved:**

\_\_\_\_\_  
Eric Franklin, Mayor

**Attest:**

\_\_\_\_\_  
Laura Burbridge, City Clerk

**Approved as to Form:**

 Digitally signed by Justin Rogers  
Date: 2026.03.06 10:28:46 -06'00'  
\_\_\_\_\_  
Justin T. Rogers, City Attorney

**Final Passage and Vote:**