

ITEM #76

**ADDITIONAL MATERIAL
REGULAR MEETING**

JUNE 10, 2025

**SUBMITTED AT THE REQUEST OF

OFFICE OF
INTERGOVERNMENTAL AFFAIRS**

PROPOSED

RESOLUTION NO.

1 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, ADOPTING AN EXCESSIVE FORCE POLICY FOR FEDERAL
3 AWARDS OF COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG"),
4 CDBG-DISASTER RECOVERY, AND CDBG-MITIGATION PROGRAM FUNDS;
5 AUTHORIZING THE COUNTY ADMINISTRATOR TO TAKE ALL NECESSARY
6 ACTIONS IN CONNECTION THEREWITH; AND PROVIDING FOR SEVERABILITY
7 AND AN EFFECTIVE DATE.

8
9 WHEREAS, the United States Department of Housing and Urban Development
10 ("HUD") administers the Community Development Block Grant ("CDBG"),
11 CDBG-Disaster Recovery ("CDBG-DR"), and CDBG-Mitigation ("CDBG-MIT") programs,
12 which provide funding to local governments to address community development and
13 disaster-related needs;

14 WHEREAS, the Florida Department of Commerce ("FDOC") has allocated to
15 Broward County ("County") federal funds, subject to the County's completion of an
16 application process and satisfaction of certain federal and state requirements, including
17 Section 24 C.F.R. 91.325(b)(6);

18 WHEREAS, Section 24 C.F.R. 91.325(b)(6) requires that each State certify that it
19 will require units of local government receiving CDBG funds to certify that they have
20 adopted and are enforcing: (i) a policy prohibiting the use of excessive force by law
21 enforcement agencies within their jurisdictions against any individuals engaged in

nonviolent civil rights demonstrations; and (ii) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within their jurisdictions;

WHEREAS, similarly, 42 U.S.C. § 5304, enacted as Section 104 of the Housing and Community Development Act of 1974, requires subrecipients of federal funds to adopt and enforce a policy prohibiting the use of excessive force; and

WHEREAS, in order to ensure the County receives its allocation of FDOC funds and is eligible for future awards of CBDG funds, the Board desires to approve an excessive force policy, as detailed below, NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. The Board hereby approves the following policy on excessive force: “The Broward Sheriff’s Office is a separate constitutional office responsible for law enforcement activities, including maintaining an excessive force policy. In addition, it is the policy of Broward County (the “County”), to the extent and within the limits of the County’s power, to enforce all applicable State and local laws prohibiting any individual or group from physically barring entrance to or exit from a facility or location that is the subject of a nonviolent civil rights demonstration within its jurisdiction. The County Administrator or their written designee shall ensure compliance through departmental procedures, and any observed violations shall be addressed promptly through appropriate administrative, legal, or contractual remedies.”

Section 2. Severability.

If any portion of this Resolution is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Resolution. If any court determines that this Resolution, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Resolution to any other individual, group, entity, property, or circumstance.

Section 3. Effective Date.

This Resolution is effective upon adoption.

ADOPTED this day of , 2025. **PROPOSED**

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Claudia Capdesuner 05/30/2025
 Claudia Capdesuner (date)
 Assistant County Attorney

By: /s/ Annika E. Ashton 05/30/2025
Annika E. Ashton (date)
Deputy County Attorney