

# COMMISSIONERS OF WAYNE COUNTY

BRIAN W. SMITH, CHAIRMAN  
Damascus Township, PA

JOSEPH W. ADAMS  
Salem Township, PA

JOCELYN CRAMER  
Damascus Township, PA



ANDREW M. SEDER  
Chief Clerk

WENDELL R. KAY  
Solicitor

## **Wayne County Excessive Force Policy May 19, 2022**

Wayne County, PA is adopting this Excessive Force Policy as a recipient of Community Development Block Grant (CDBG) funding as described in 24 CFR § 91.325 and as required by Section 109 of the Housing and Community Development Act (HUD) of 1974, Title I, Section 519 of the 1990 HUD Appropriations Act (Public Law 101-140), and Section 906 of the National Affordable Housing Act (NAHA) of 1990 amended Title I of the Housing and Community Development Act of 1974.

The use of excessive force is prohibited by local law enforcement agencies under the jurisdiction of the County of Wayne against individuals engaged in lawful and nonviolent civil rights demonstrations in Wayne County. Physically barring the entrance to or exit from a facility or location, which is the subject of nonviolent civil rights demonstrations within buildings owned by Wayne County is prohibited. Wayne County will maintain safe entrance and exit to and from County-owned facilities and locations for general public access during nonviolent civil rights demonstrations. Wayne County shall enforce state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent 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and/or directives or parts of policies and/or directives that are contrary to the provisions of this policy are hereby repealed to give this policy full force and effect.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.

Upon adoption of this policy, the County chief clerk will inform the County sheriff to implement this policy by reviewing and amending, if necessary, any applicable sheriff department policies or procedures pertaining to these excessive force provisions.

# COMMISSIONERS OF WAYNE COUNTY

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Attest:

Signatures:

\_\_\_\_\_  
Andrew Seder, Chief Clerk      Date

\_\_\_\_\_  
Brian W. Smith, Chairman      Date

\_\_\_\_\_  
Joseph W. Adams, Commissioner      Date

\_\_\_\_\_  
Jocelyn Cramer, Commissioner      Date