



WHEREAS, Colorado Revised Statutes, Section 30-11-107(2) describes the BOCC as the exclusive and final power to prepare and adopt the budget and appropriation for all offices, departments, boards, commissions and other agencies financed in whole, or in part, by county monies; and

WHEREAS, Colorado Revised Statutes, Section 30-10-516, states that “It is the duty of the sheriffs, undersheriffs, and deputies to keep and preserve the peace in their respective counties, and to quiet and suppress all affrays, riots, and unlawful assemblies and insurrections. Furthermore, is states Sheriffs “may call to their aid such persons of their county as they may deem necessary.”; and

WHEREAS, Colorado Revised Statutes, Section 18-1-704 states that “...a person is justified in using physical force upon another person in order to defend himself or a third person from what he reasonably believes to be the use or imminent use of unlawful physical force by that other person, and he may use a degree of force which he reasonably believes to be necessary for that purpose.”; and

WHEREAS, Colorado Revised Statutes, Section 18-1-706 allows for individual use of force that is reasonable and appropriate to prevent crimes like trespassing, theft, criminal mischief, or criminal tampering; and

WHEREAS, On May 25th, 2020 an officer of the Minneapolis, MN Police Department was filmed restraining Mr. George Floyd in a brutal and callous manner that led to his death in custody and this incident sparked both peaceful demonstrations and violent protest, riots, and looting across our nation and within our state; and

WHEREAS, Such violent demonstrations have led to damage and destruction of property (both public and private) and injury to both citizens and law enforcement officers in Denver, Colorado in addition to peaceful protest there and in counties adjacent to Elbert County; and

WHEREAS, violent protest that results in injury to the innocent and damage to the property of others is both criminal in nature and unacceptable to the citizens of Elbert County;

THEREFORE, BE IT RESOLVED, THAT THE ELBERT COUNTY BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, COLORADO recognizes that it is the solemn duty of all just governments to ensure the rule of law while also protecting the rights of citizens to peacefully assemble and protest in order to obtain a redress of grievances; and

BE IT FURTHER RESOLVED, that this Commission supports the Elbert County Sheriff in taking lawful and necessary actions to keep and preserve the peace and to quell any riot, or affray that threatens the safety of our citizens or property (public or private). Such actions not limited to authorizing additional paid hours of service by sworn deputies and increasing the size and capacity of the trained volunteer posse should violent unrest occur; and