

## Formal Statement on the Legal Supremacy of Constitutional and Statutory Law

Statement by:

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Subject:

The Legal Hierarchy Governing Policies, Ordinances, and Statutes in the United States

I submit this statement to clarify a foundational legal principle that is frequently misunderstood or misapplied within public agencies, educational institutions, housing programs, and other administrative systems.

In the United States, policies do not override the U.S. Constitution, federal law, state constitutions, state statutes, or local ordinances. Policies are internal administrative rules created by agencies or organizations to guide their operations. They are not law, and they cannot erase, contradict, or diminish rights that are protected by higher legal authority.

The established legal hierarchy is as follows:

1. U.S. Constitution
2. Federal statutes enacted by Congress
3. State constitutions
4. State statutes enacted by state legislatures
5. Local ordinances
6. Agency regulations
7. Internal agency policies and procedures

This principle is supported by foundational constitutional authority, including:

- Marbury v. Madison (1803), which established the doctrine of judicial review and confirmed that courts must invalidate any law or government action that conflicts with the Constitution.
- The Supremacy Clause (Article VI of the U.S. Constitution), which states that the Constitution and federal laws made pursuant to it are the supreme law of the land, binding on all states and government officials regardless of conflicting state or local rules.

These authorities make clear that no internal policy may supersede constitutional rights, statutory protections, or due-process guarantees. When agencies rely on “policy” to deny due process, parental rights, housing protections, or other legally guaranteed rights, they are acting outside the scope of their authority. Such actions create systemic barriers, inconsistencies, and violations that undermine public trust and the rule of law.

This statement is submitted to ensure clarity, accountability, and adherence to the legal framework that governs all public systems in the United States.

Respectfully submitted,

Elizabeth G. Lapointe