



2010-1

**NATIONAL SHERIFFS' ASSOCIATION RECOGNIZES
AMERICA'S RIGHT TO VOTE IN A REPRESENTATIVE DEMOCRACY
FOR THE OFFICE OF SHERIFF**

WHEREAS, the Constitution & Bylaws of the National Sheriffs' Association ("NSA") recognizes the special trust and confidence granted by the citizens of the United States through the Right to Vote to elect the Office of Sheriff;

WHEREAS, the Right to Vote is the Essence of America's Republican form of government;

WHEREAS, NSA recognizes the long-standing popular democratic practice in our American Republic to elect our local, state and federal executive offices. An "Elected" Office of Sheriff is "Directly" accountable and responsible to the will of the people in our Representative Democracy in providing public safety/law enforcement for their local communities;

WHEREAS, for over 350 years in America into the 21st century, the "Elected" Office of Sheriff is not directly controlled in the day-to-day operations/administration by county boards/commissioners, executives, supervisors, mayors, etc. Currently, over 99.0% of America's 3,084 Offices of Sheriff are "directly" elected by voters to perform the public safety activities and law enforcement duties in our nation's local communities;

WHEREAS, across our nation, the popular election of/to the Office of Sheriff is the uniform means used in forty- six (46) states. Throughout America, the elected Office of Sheriff is deemed to be the "Chief Law Enforcement Office" in most of our nation's local jurisdictions (counties, cities, townships, parishes, etc.).

NOW, THEREFORE BE IT RESOLVED, that America's Election of the Office of Sheriff shall continue as:

1. The Office of Sheriff is "directly responsible" to the local citizenry (the Public). The Public is the ultimate source of any Office of Sheriff's legal authority, duties and responsibilities.
2. The Office of Sheriff is not a "Department" subject to the direct authority/control on a day-to-day basis by a county, board of supervisors, county executives, mayors, etc.
3. The Office of Sheriff protects the Public from undue political influence from county board/supervisors, county executives, mayors, etc. on various local law enforcement and public safety issues (i.e., local politicians and not the voters may "remove" appointed department/agency officials).

4. Our representative democracy provide for a built in system of checks and balances on the ultimate authority/power/duties by the Office of Sheriff. The Public may directly remove an individual Sheriff for misfeasance or nonfeasance of duty/authority while serving in Office.

5. Under our republican form of government, America's voters enjoy various U.S. and State Constitutional protected rights to vote in determining who will serve as their own local, state and federal elected officials, including the Office of Sheriff.

6. The election of the Office of Sheriff by local jurisdictions (cities, counties, parishes, etc.) in the 21st Century is consistent with our nation's democratic traditions and historical political practices. In local jurisdictions in which a Sheriff is "appointed," a Sheriff's Department's activities/operations are subject to day-by-day management, control and operation by non-law enforcement, political officials.

Adopted at a Meeting of the General Membership in Anaheim, CA on June 29, 2010.