



NATIONAL SHERIFFS' ASSOCIATION

JONATHAN F. THOMPSON
Executive Director

March 2, 2015

The Honorable Craig Tieszen
Chairman, Committee on the Judiciary
South Dakota Senate
Capitol Building, 3rd Floor
500 East Capitol Street
Pierre, SD 57501

Dear Chairman Teiszen:

On behalf of the National Sheriffs' Association (NSA) and the more than 3,000 elected sheriffs nationwide, I write to advise you of our strong opposition to HB 1205 before the Committee on the Judiciary. This bill would (1) unnecessarily involve sheriffs in federal paperwork, (2) impair the sheriffs ability to perform their duties, and (3) deny sheriffs crucial discretion.

To elaborate these points, I must point out HB 1205 would compel sheriffs to sign paperwork which doesn't require their signature. Federal law gives applicants a simpler option of using a legal entity to make an application, thereby obviating the need for a CLEO signature, fingerprinting, and photographs. The NSA sees no law enforcement concern with this route. We are concerned HB 1205 would see an increase in sheriffs administrative workload by forcing them to become involved in this federal paperwork. Additionally, in my canvassing of South Dakota sheriffs, they assure me their refusals to sign this federal paperwork are rare but very much necessary for public safety. If HB 1205 leads to the signing of an application for an unfit applicant, the NSA will ensure the voters understand the fault lies with this legislation, not our members.

Finally we reject the phrase 'shall sign'. It falsely suggests the burdening of a Sheriff should be an entitlement when applicants have simpler alternatives. Instead, I ask the members of the Committee of the Judiciary to consider whether they want their sheriffs to fight crime or federal red tape.

Respectfully,

A handwritten signature in black ink that reads "Jonathan F. Thompson".

Jonathan F. Thompson
Executive Director