



Written by [Joe Wolverton, II, J.D.](#) on June 9, 2013

Exclusive Interview With Liberty Co. Sheriff Nick Finch: “I Will Never Back Down!”

On June 4, agents of the Florida Department of Law Enforcement (FDLE) arrested Nick Finch, sheriff of Liberty County, Florida. About 11 p.m. the previous Friday night, May 31, four agents of the FDLE served a search warrant on employees of the Liberty County, Florida jail, seized arrest and booking documents, and issued subpoenas to the employees.



Sheriff Finch, a veteran of the U.S. armed forces, was booked into his own county jail and later released on his own recognizance.

After Sheriff Finch was released, [Governor Rick Scott suspended Sheriff Finch](#) and replaced him with an agent of the FDLE, the very agency that is investigating the case against the sheriff.

According to the [affidavit for arrest](#), Sheriff Finch is charged with one count of official misconduct as set forth in [Florida State Statutes, Title 46, Chapter 838.022](#). That section defines the crime of official misconduct — a third degree felony — as follows:

- (1) It is unlawful for a public servant, with corrupt intent to obtain a benefit for any person or to cause harm to another, to:
 - (a) Falsify, or cause another person to falsify, any official record or official document;
 - (b) Conceal, cover up, destroy, mutilate, or alter any official record or official document or cause another person to perform such an act; or
 - (c) Obstruct, delay, or prevent the communication of information relating to the commission of a felony that directly involves or affects the public agency or public entity served by the public servant.

This reporter is also a constitutional attorney and recognizes not only the inadequacy of the arresting affidavit, but also that the key phrase in the crime of official misconduct is “with corrupt intent.”

It should be noted at this point, that the man arrested by the deputy — Floyd Eugene Parrish — was never booked. He was merely being detained in a holding cell while the booking documents were being worked up by the jail administrative staff. A sheriff — any sheriff — may choose not to formally charge a detainee. Then, any documents related to that case may be destroyed as they are no longer legally required to be filed. Nothing Sheriff Finch did in this case is corrupt, illegal, unethical, or unheard of. Every single act falls well within the normal course of business for a county sheriff and a county jail.

Back to the charges. In the law, the “corrupt intent” element is known as the mens rea, or requisite mental state of the crime. Basically, if a person commits an act, but does so without the requisite mental state, a crime is not committed.

Apparently, then, Governor Scott believes that Sheriff Finch had some sort of corrupt intent when he



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refused to book Floyd Eugene Parrish of carrying a concealed weapon.

Ironically, after conducting an exclusive interview with Sheriff Finch, it seems that the political machines in Liberty County and Tallahassee were the only parties whose intent was corrupt. Corruption is not unknown in Liberty County, one of the smallest and poorest in the Sunshine State. Take, for example, this quote from an unidentified citizen when asked about possible motives behind the unconscionable treatment of Sheriff Finch.

“Since he’s considered what people consider an outsider and not from Liberty County, that they finally railroaded him out. In my personal opinion he was doing his job and people didn’t like it,” said Samuel Coover, [as quoted in a story by WCTV.com](#).

Coover’s version of the events is corroborated by Sheriff Nick Finch in his interview. In the wide-ranging discussion of his arrest and his beliefs, Sheriff Finch showed himself to be a dedicated, humble, resilient public servant who is determined not to back down from his bold support for the Second Amendment and the God-given rights guaranteed by it.

The New American: Sheriff, thanks so much for talking to me. How are you and your family holding up?

Sheriff Nick Finch: We’re doing fine. We’re doing as well as we can under the circumstances.

TNA: Tell us a little bit about how you became sheriff of Liberty County.

Sheriff: After serving 20 years in the military — I enlisted when I was 19 — I moved to Liberty County to be close to my wife’s family. In 2008, I ran for sheriff the first time as a Republican. I came in third, but got over 500 votes. After working for a while as an investigator in the Florida Department of Transportation’s Inspector General’s office, I contacted the man who was the sheriff of Liberty County and asked if there was anything I could do for him. I worked for two years as a room deputy and I could not believe the sorts of things that went on there. I would shake my head everyday at what I saw. The sheriff’s office was rife with corruption. So, I decided to run again in 2012, but this time without party affiliation. I believe both parties have lost their way. This was unheard of. To everybody’s surprise but my own, I won the election by a narrow margin and was sworn in. This wasn’t the first time I swore an oath to uphold the Constitution and ever since that day I first took the oath when I joined the military at 19, I have never violated that oath and I never will.

TNA: What was the reaction to your unprecedented election?

Sheriff: Well, the local politicians didn’t like it because I was beholden to nobody. I accepted one \$500 donation to my campaign and that was from a family member. I financed the rest entirely out of my own pocket. I don’t owe anybody or any party anything and local politicians don’t like that. My only obligation is to the Constitution and I will continue to act according to my oath and that duty.

TNA: Do you think your non-partisan and self-made status is behind your arrest and suspension?

Sheriff: I imagine so. Local politicians wanted me gone because they can’t control me. I don’t know who Governor Scott’s advisors are, but they are not advising him very well. This is a political witch hunt.

TNA: Did you vote for Governor Scott?



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Sheriff: No, I didn't. I'm not a Republican or a Democrat, I'm just a man who believes in the Constitution and believes that it is the highest law in the land.

TNA: What about the allegations made against you in the arresting affidavit?

Sheriff: There is no truth to it. I can't say much about the specific events until the criminal case against me is over.

TNA: What can you tell me about the man, Floyd Eugene Parrish, that you released from the holding cell?

Sheriff: I didn't know him before I saw him in the jail that day. I know a member of his family, but not well. When I ordered him released from the holding cell I say that he has a right to carry a gun under the Second Amendment, and so I let him go.

TNA: What prompted you to take that step?

Sheriff: My beliefs and my stand on the Second Amendment.

TNA: Going forward, is there a time you might give up this case?

Sheriff: Never! I will take this case all the way to the Supreme Court.

TNA: Are you surprised by the outpouring of support from around the country?

Sheriff: Yes, I am. I am so humbled and grateful for everybody's support. As I talk to people around Liberty County, it seems that everybody is up in arms.

TNA: Given what has happened, being arrested and suspended without pay, would you go back and let Parrish be booked into jail?

Sheriff: Absolutely not. I did nothing wrong. I violated no state law and I upheld the Constitution. What I did was based on the Constitution and my commitment to the Second Amendment and I would do it all again.

As the foregoing interview demonstrates, Sheriff Richard Mack, founder of the Constitutional Sheriffs and Peace Officers Association, was right when he described Sheriff Finch as a man who is "the real deal who has done nothing wrong."

[A rally in support of Sheriff Nick Finch](#) and the right to keep and bear arms he is suffering to support will be held on June 14 at 11:00 a.m. at 400 S. Monroe St. in Tallahassee, Florida.

Sheriff Finch revealed to me for the first time that he will indeed speak at the rally and he will let people know why he believes so firmly in the right to keep and bear arms and why he took the stand he took in defense of that right.

Readers are encouraged to check [the Facebook page dedicated to Sheriff Finch](#) for updates and to express their support for a duly elected constitutional sheriff who is being persecuted and prosecuted for his actions in defense of the Constitution.

Photo: Sheriff Nick Finch

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