



Written by [Joe Wolverton, II, J.D.](#) on February 14, 2015

## Sheriffs Courageously Stand Between Citizens and Tyranny

As one by one, as the parchment barricades protecting the people from the destructive growth of government are being attacked and overrun, there is one key group of officials who are stepping into the breach — county sheriffs.

Consider [this story](#) from New Mexico:

New Mexico's Eddy County Sheriff Scott London [shown at right] notified the Internal Revenue Service (IRS) via letter that the sale of county resident Kent Carter's property is canceled until Carter receives due process of law and his appeal is heard. The certified letter dated February 4 received an immediate response from the Undersecretary of the Treasury's office. According to the Treasury's website, however, the public auction is still slated for February 19.



"Many officers have stood up over the years for the rights of citizens being victimized by the federal government," said Sheriff Mack, founder of the Constitutional Sheriffs and Peace Officers Association, "But Sheriff London is the first one to stand up to the IRS since the early 1990s." Mack said, "His actions show courage and humility. London is setting a good example for the rest of our sheriffs."

Approximately ten days before Christmas, U.S. Marshals broke in the door of Carter's rental property with their guns drawn. The tenant was a young mother with a new baby — home alone while her husband was at work. Sheriff London was called to the property to intervene. He advised the Marshals that Carter's case was in appeal and he deserved due process. They threatened to arrest London, but he stood his ground and they backed off.

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On February 11, the Tenth Amendment Center (TAC) published the story of an Arizona bill that would legislatively restore the federal government's role as the creation of the states. TAC writes:

An Arizona bill that would require most federal agents to get the county sheriff's permission before making an arrest, or conducting a search or seizure has passed through two committees in the state Senate this week.

SB1384 declares that "the county sheriff is the senior and most authoritative law enforcement officer in the county," and formally places most federal law enforcement officers under the sheriff's jurisdiction.



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A federal employee who is not certified as a peace officer in this state pursuant to section 13-3875 may not make an arrest, search or seizure in this state without written permission from the sheriff or sheriff's designee of the county in which the arrest, search or seizure will occur.

Yesterday, the Senate Federalism, Mandates and Fiscal Responsibility Committee passed the bill with a 4-2 party-line vote and one member not voting. Today, the Public Safety, Military and Technology Committee approved the bill with a 3-2 vote. Republican Sen. John Kavanagh joined with one Democrat to vote no against three Republicans who voted yes. One additional Democrat was recorded as not-voting and a no vote would have killed the bill, 3-3.

The legislation does carve out some exceptions, including allowing arrests or searches that takes place on federal property, if the federal employee witnesses a crime that requires immediate arrest, a pursuit into the state, and for customs and border inspection agents.

The sheriff or sheriff's designee may refuse permission for any reason considered sufficient.

A similar measure is working it's way through the Montana state legislature, as well.

The *Helena (Montana) Independent Record* reports:

House Bill 274, the "sheriffs first" measure, says federal agents may not make an arrest, search or seizure in the state without the written permission of the sheriff — or risk prosecution by the county attorney for kidnapping, trespass, theft or homicide.

"This bill is well intentioned," said sponsor Rep. Nancy Ballance, R-Hamilton. "Federal overreach is a real concern. Our people want to know there is a last line of defense when the feds come into their county. And that's the sheriff."

Sheriffs nationwide are awakening to the reality of their role as the ultimate constitutionally elected county executive. Once aware of this role and its responsibilities, the lawmen are stepping up in defense of the Constitution.

Elected sheriffs, as the top law enforcement officers within their counties, work for the citizens and taxpayers in their jurisdictions, not the federal government. Even the Supreme Court ruled that sheriffs cannot be compelled to follow federal dictates or mandates in a landmark case on gun control.

As *The New American's* Alex Newman [explained in 2013](#):

From coast to coast, at least 60 sheriffs have now publicly gone on record promising to defend the rights of citizens. Some have addressed their constituents in meetings or letters. Others have spoken publicly in the press, slamming Washington, D.C., for even considering further infringements on the right to keep and bear arms. Hundreds of others — probably more — have also pledged to protect their constituents from a lawless federal government that appears to recognize no limits on its power.

One group of lawmen in particular has provided inspiration and information to county sheriffs willing to be an impenetrable roadblock on the federal government's path toward absolutism: Constitutional Sheriffs and Peace Officers Association (CSPOA).

The CSPOA's two-fold mission is to save America and to get enough people involved in that fight to make the dream a reality. The organization's website describes precisely how they propose to achieve this lofty and laudable goal:

The answers lie within our grasp and come from the foundation of our country. The principles are



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embodied within the Declaration of Independence and outlined in the Constitution.

Yes, America is in deep, deep trouble. The good news is that there is hope and my [CSPOA founder, former Arizona Sheriff Richard Mack's] victory at the US Supreme Court proves that it only takes a few to stand to make monumental changes. We do not have to stand by and watch while America is destroyed from within. If our counties, cities, and states and all local officers keep their oaths to protect us from tyranny, we can win this battle to take our country back.

This is our plan, our goal and our quest. We are forming the Constitutional Peace Officers Association which will unite all public servants and sheriffs, to keep their word to uphold, defend, protect, preserve, and obey the Constitutions of the United States of America. We already have hundreds of police, sheriffs, and other officials who have expressed a desire to be a part of this Holy Cause of Liberty.

We are going to train and vet them all, state by state, to understand and enforce the constitutionally protected Rights of the people they serve, with an emphasis on State Sovereignty and local autonomy. Then these local governments will issue our new Declaration to the Federal Government regarding the abuses that we will no longer tolerate or accept. Said declaration will be enforced by our Constitutional Sheriffs and Peace Officers. In short, the CSPOA will be the army to set our nation free. This will guarantee this movement remains both peaceful and effective.

By electing courageous and constitutionally minded sheriffs, citizens of the 3,007 counties in the United States can clearly communicate to Washington, D.C. their determination to protect themselves from the "swarms of officers" sent "to harass our people and eat out their substance."

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