

The County Sheriff: America's Last Hope

By Sheriff Richard Mack—2009

See www.sheriffmack.com

Excerpts Selected by Christian Meister

COUNTY SHERIFFS SEND UNCONSTITUTIONAL LAW BACK TO CONGRESS

FEDERAL LEGISLATION CANNOT BE ENFORCED UNLESS WE SAY SO

MACK: "In retrospect, and looking at the entire ordeal regarding the case I ultimately won at the U.S. Supreme Court, I wish I had never filed it. The most effective and inexpensive measure that should have been taken was for all sheriff of Arizona **to simply send the Brady bill back to Congress with a CC to the White House** and with a strongly worded explanation as to why the Brady bill or 20 more just like it, would have no place in Arizona. The federal government, the White House, or Congress **do not hire us**, they cannot fire us, and they cannot tell us what to do. Therefore, their legislation aimed at the sheriffs **or any other officer** of the counties in this nation, are entirely meaningless and **have no way of being enforced** unless **we say so**. If we refuse to go along would the feds disown us? Cut us out of all the entitlements? The only thing they could possibly do is throw their popsicle in the dirt and run home!" (Page 36).

WYOMING AND NEVADA SHERIFFS PROTECT FROM ALL INJUSTICE

CHECK AND BALANCE

There are already several examples of sheriffs and local governments standing against federal intrusiveness. The **sheriff of Nye County**, Nevada, in 1997 **informed federal agents who came in to confiscate** cattle from a local rancher . . . that **if they tried to take the cows that he would arrest them**. The cattle stayed right where they were. Then the sheriffs of **Wyoming made a policy that ALL federal agents** would have to check with them before they could make arrests, serve papers, or confiscate property within their respective jurisdictions of Wyoming. This should be the law throughout the land and is a **tremendous check and balance** for all involved. What's more, it is working and the feds are surviving just fine" (Page 32).

"You guessed it: His plan was to have all federal agents require to go through [the sheriff] before they could do anything in Big Horn County ever again. **Sheriff Mattis proved that this type of 'check and balance' works** and more importantly, that doing so hurts no one! For federal officers to come in to the county and take over in any respect is the epitome of usurpation and he who is the rightful steward of the county, needn't tolerate such usurpations whatsoever" (Page 33). "The . . . **sheriff . . . needn't ask anyone else, not the Supreme Court . . . nor the Federal Government, how** or if he keeps his oath of office. You keep your word to your constituents and defend them from all injustice, even if it's from legislators, judges, or federal agents. **Or if we choose, we can continue to go along with the smooth hypocrisies of DC bureaucrats and turn our backs on our citizens**" (Page 35).

SHERIFFS CALL OUT CITIZEN VOLUNTEERS TO PROTECT CONSTITUENTS

CITIZEN VOLUNTEERS – POSSE

MACK: "**The sheriff is one of perhaps two or three public officials nationwide who has the authority to call out** the militia or 'posse.' In most states this authority is detailed by statute and merely reiterates that which has been

practiced for decades. The sheriff and the Governor are the only state officials who have the authority to call out citizen volunteers in such a manner” (Page 24). “We must **start at home**, in our own counties, in our own 'spheres.’ We must **erect the barriers** and keep those at bay who would confiscate bank accounts, guns, land, property, and children. Sheriff, you are the people's sworn protector. You cannot shrink from that duty merely because the violator comes in to town with a three-piece suit and a fancy attache case” (Page 26).

SHERIFFS DO NOT NEED TO HIRE ATTORNEYS TO STOP ABUSE

SUPREME KEEPER OF THE PEACE

MACK: “So, what do we do? **Hire a lawyer** and use to have all this turned around? Write a letter to our congressman? Send a petition to the White House? These measures and hundreds of others have all been deployed and have fallen on **deaf ears** and blind eyes. There is a man who can stop the abuse, end **the tyranny**, and restore the Constitution, once again, as the supreme law of the land. Yes, it is you Sheriff! You have the power, the authority, and the responsibility. You are the supreme keeper of the peace, you are the people's protector, you are the last line in the sand. It's already happening in some places” (Page 31).

ROLE WHEN FEDERAL GOVERNMENT REFUSES TO CONTROL ITSELF

OUT-OF-CONTROL GOVERNMENT

MACK: “James Madison . . . said, **‘We can safely rely on the disposition of the state legislatures to erect barriers** against the encroachments of the national authority.’ In other words, it was anticipated by the Founders of our country that state legislatures would ‘erect barriers’ against the overzealous acts of an out of control Federal Government” (Page 15).

THE TENTH AMENDMENT AND THE SEPARATION OF THE TWO SPHERES

“The feds must stay within their proper ‘sphere’ and it's our job to make sure that they do just that. A point to emphasize once again is the original intention by our Founders to maintain the federal ‘sphere’ as small and impotent” (Page 16). “Justice Scalia emphasized this point: **‘This separation of the two spheres is one of the Constitution's structural protections of liberty, a healthy balance of power between the States and the Federal Government** will reduce the risk of tyranny and abuse from either front.” Madison's wisdom is thus employed once again: ‘Hence a double security arises to the rights of the people. The different governments will control each other, at the same time that each will be controlled by itself.’ So, who is charged with safeguarding the people from the Federal Government when it refuses to control itself?” (Page 16). The Sheriff!

MACK: “In this most monumental Tenth Amendment Supreme Court ruling, Justice Scalia stated: **‘The power of the Federal Government would be augmented immeasurably if** it were able to impress into its service—and at no cost to itself—the police officers of the 50 States.’ Scalia seemingly makes it clear that the federal government DOES NOT have the power or authority to ‘impress’ the police from the states into federal regulatory programs. On the other hand, the power of the Federal Government would be ‘augmented immeasurably’ if the police from the 50 states went along with or allowed the federal government to do whatever it wanted” (Page 17).

SHERIFFS SUPPORT A CONSTITUTIONAL REPUBLIC

STATES ARE NOT SUBJECT TO FEDERAL DIRECTION

“Finally, and . . . unambiguously, the Supreme Court rules repeatedly in this case: “state legislatures are not subject to federal direction.’ So, when the Federal Government goes too far, we should not only refuse to go along, but it is up to us to ‘erect barriers’ **against such encroachments and thus be found on the side of the people** to provide them with the protection they depend on. Doing so is right and proper and in accordance with our oath to support this Constitutional Republic” (Page 17).