

SS SCS SJR 40 -- SHERIFFS

SPONSOR: Carter

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Crime and Public Safety by a vote of 13 to 5. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 5 to 0.

This constitutional amendment, if approved by the voters, provides that each county shall elect a sheriff for a term of four years by a majority of the qualified voters of the county. This constitutional amendment shall not apply to St. Louis City, St. Louis County, or St. Charles County.

Additionally, the sheriff shall commit to jail all felons and traitors as well as other duties as provided in the resolution. The sheriff may be removed from office by a quo warranto petition brought by the Attorney General.

PROPONENTS: Supporters say that this puts the office of the sheriff and sheriffs' statutory requirements before the people to ensure that the office of sheriff their duties remain local responsibilities and don't fall under the state in the event of a statewide police department. In the past, there was an effort to remove the office of the sheriff, and this is to protect the office. The quo warranto piece was a compromise to make sure there is a check against the sheriff, and this allows the Attorney General to step in if the sheriff is not doing what he or she is supposed to do. Currently, only the local coroner can arrest a sheriff. Many constituents and even some sheriffs are confused about the office of the sheriff and they are under the impression that it is already a constitutional position. The sheriff is the only law enforcement official who has the ability to protect citizens government overreach by not enforcing ordinances they believe to be unconstitutional.

Testifying in person for the bill was Senator Carter; Sheriff Michael Bonham, Osage County Sheriff; Linda Rantz - Cause of America-Missouri; and Sheriff Steve Pelton, President of Missouri Sheriffs' United.

OPPONENTS: There was no opposition voiced to the committee.