HCS SS SJR 87 -- SHERIFFS

SPONSOR: Carter

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Crime and Public Safety by a vote of 8 to 2. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 7 to 0 with 1 member voting present.

The following is a summary of the House Committee Substitute for SJR 87.

Upon voter approval, this constitutional amendment provides that each county must elect a sheriff for a term of four years by a majority of the qualified voters of the county. This constitutional amendment will not apply to St. Louis City, St. Louis County, or St. Charles County.

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

The following is a summary of the public testimony from the committee hearing. The testimony was based on the Senate perfected version of the bill.

PROPONENTS: Supporters say that sheriffs should be selected by their counties, not appointed or sheltered and protected by politics. The amendment puts power where it belongs: with the people. Law enforcement should be accountable to the people. This is how a constitutional republic should work. This language is already in statute; it just puts this in the Constitution. St. Louis City is included; St. Charles County and St. Louis County are excluded. Sheriffs are in favor of constitutional sheriffs and they are supportive of the people electing them rather than their being appointed. The police department enforces general laws; sheriffs in St. Louis are more responsible for the courts and the court system, like protecting and assisting the judges, etc. General laws are enforced by a sheriff’s deputy but only when that deputy is doing what he or she would otherwise be doing, like serving an eviction notice. The quo warranto process seems to be effective and however it works now is how it should continue.

Testifying in person for the bill were Senator Carter; Liberty Link Missouri; Arnie C. Dienoff; Sheriff Mike Bonham; and John Hayden, St. Louis Sheriff's Office.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.