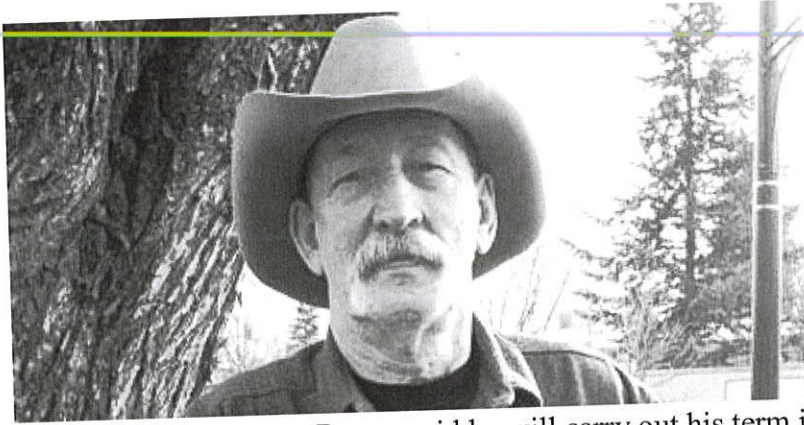


Resser to run as constitutional sheriff



If elected sheriff, Dave Resser said he will carry out his term in office as a “constitutional sheriff.” He attended a conference in Las Vegas last month that discussed what it means to be a constitutional sheriff. - Summer Crosby

By Summer Crosby

Sheriff candidate Dave Resser thought he understood the sworn oath of office for elected officials.

After attending a conference in Las Vegas last month, he said he has a clearer picture of what it means to be a constitutional sheriff and what that would look like should he be elected sheriff.

“The sheriff, the sheriff’s deputies and other elected officials take an oath to protect and defend the Constitution of the United States and the state of Idaho to the best of their ability,” Mr. Resser said. “A constitutional sheriff will make sure that what is done in his county to his people abides by the constitution.”

A constitutional sheriff is an official who protects and upholds the constitutional rights of his constituents, the people he serves. He will not allow anyone to conduct business inside of his county that is unconstitutional.

The Constitutional Sheriffs and Peace Officers Association (CSPOA) believe that the county sheriff has the legitimate authority to prevent federal agents from entering the county, or has the power to ask them to leave.

Mr. Resser said that he believes that the sheriff is the highest constitutional executive in the county.

The inaugural Constitutional Sheriffs Convention was held over three days in Las Vegas at the end of January. One hundred and fifteen county sheriffs (there are 3,143 counties

nationwide) met to reaffirm their oath, discuss their constitutional responsibilities and to learn how they can defend the Constitution.

“The oath, in layman’s terms, says that as sheriff we are hired by the citizens of our county. They are our boss,” Mr. Resser said. “And as the sheriff, we will provide the citizens a safe and secure environment from all enemies.”

The convention was sponsored by the CSPOA. The event featured sheriffs from 35 states. Speakers talked about their experiences in dealing with federal agencies and their efforts to stop mandates they believed to be unconstitutional.

The movement was started by Sheriff Richard Mack, from Arizona, who is also the founder of the CSPOA.

In 1994, Sheriff Mack filed a lawsuit in Federal District Court against the federal government claiming that interim provisions of the Brady Handgun Violence Prevention Act were unfunded and unconstitutional.

The act mandated state and local law enforcement officers to conduct background checks on prospective purchasers of handguns.

Sheriff Jay Printz, of Ravalli County in Montana, also filed suit against the act stating it was unconstitutional. He and Sheriff Mack objected to being pressed into federal service.

In each case, the district court held that the provision requiring the sheriffs to perform background checks was unconstitutional.

It’s hard to determine what impact, if any, the movement has had at the federal level.

Wendy J. Olson, United States Attorney for Idaho, has heard of the constitutional sheriff movement, according to Pam Bearg, public information officer, but declined to comment.

Debbie Bertram, public affairs specialist for the FBI, did not say if the agency was familiar with the movement and declined to comment.

Still, the CSPOA believes that if 10 percent of the sheriff’s in America are on board, it can start to change the direction of the country.

“At the conference, I was able to talk to several sheriffs who have experienced such problems,” Mr. Resser said. “The CSPOA wants to create a network of support that sheriffs can draw from. Fortunately, for right now, we don’t have any severe problems in Benewah County, but we’ve all seen what’s going on in our country where our rights are being taken away.”

Mr. Resser said he would require all federal agencies check in with him prior to conducting any business in Benewah County.

“I would require that they give me a ruling from a court of competent jurisdiction to show me where they have the right to do whatever they intend to do,” Mr. Resser said. “If someone comes into my office and wants to seize someone’s property, I want them to show me where they have the right to do so.”

Mr. Resser said that he would also want to train the deputies in what it means to be a constitutional sheriff if elected as well.

“We all take the same oath of office,” Mr. Resser said.

While Mr. Resser doesn’t describe himself as a constitutionalist, he feels that the constitution is very important.

“I’m a conservative and a United States citizen,” he said. “We should all be constitutionalists. It’s up to each of us to read and understand our rights just because we don’t agree with everyone else doesn’t mean that this is a crackpot idea. It’s not a matter of wrong or right, but a matter of knowledge. It all goes back to what I said earlier about the oath that we take.”

Mr. Resser said that people might think that it’s all about protesting taxes, but argued it’s not. He said any allegation that he’s never paid income taxes is false.

“First and foremost, we all have to pay taxes. That’s what runs the local, state and federal governments. I have always paid what I owed, but that doesn’t mean I didn’t take every tax deduction I could,” he said.

Mr. Resser said he is open to talk to anyone about his views and opinions.

“If anyone has questions, I’m happy to talk with them. I invite anyone to challenge me and to look into this,” Mr. Resser said. “My number is in the phone book.”