

NORTH CAROLINA SHERIFFS' ASSOCIATION
LAW ENFORCEMENT OFFICERS AND STATE OFFICIALS
OF NORTH CAROLINA



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1st Vice President
SHERIFF SAM PAGE
Rockingham County

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Chatham County

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Craven County

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Executive Vice President
and General Counsel
EDMOND W. CALDWELL, JR.

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EXECUTIVE COMMITTEE
MEMBERS
(Past Presidents)

- SHERIFF WAYNE V. GAY
Wilson County
- SHERIFF WE "BILLY" SMITH
Lenoir County
- SHERIFF EARL BUTLER
Cumberland County
- SHERIFF WORTH HILL
Durham County
- SHERIFF DANE MASTIN
Wilkes County
- SHERIFF STEVE BIZZELL
Johnston County

March 18, 2010

News Release

Raleigh, North Carolina --- Do you know that a convicted felon can be elected and can serve as a county sheriff, according to our State Constitution? The North Carolina Sheriffs' Association is strongly opposed to any convicted felon being a sheriff, the head law enforcement official in each county. The North Carolina Sheriffs' Association does not want something as crucial and fundamental to professional law enforcement as the public trust to be placed in the hands of a known felon, having been found to be such in a court of law.

This week, the North Carolina Sheriffs' Association reaffirmed its support for Senate Bill 351, No Felon as Sheriff, a legislative bill currently pending in the North Carolina General Assembly that is eligible for consideration in the legislative session that convenes on May 12th. The Association first supported this legislation in early 2009, but the legislation was not enacted into law. Last year's decision by the Association to support Senate Bill 351 was reaffirmed in a unanimous vote by those sheriffs in attendance at the Association's annual Spring Meeting.

If enacted into law by the General Assembly, Senate Bill 351 would place on the ballot in November, 2010 a constitutional amendment to be voted upon by the people of North Carolina that would prohibit a convicted felon from serving as sheriff in our state. Under current law, a convicted felon who has fully completed the sentence imposed by the court automatically has their "rights restored" by operation of law, and is then eligible to vote and to hold public office in North Carolina, including among others, the Office of Sheriff.

Sheriff James Knight of Edgecombe County, president of the Association said: "The sheriffs of North Carolina vigorously support this legislation and adamantly believe that a convicted felon should not be allowed to run for or be elected or appointed as sheriff in our great state. The standards for our deputy sheriffs established by the sheriffs and other members of the North Carolina Sheriffs' Education and Training Standards Commission prohibit a convicted felon from being certified as a deputy sheriff. The constitutional amendment sought by Senate Bill 351 will apply this same standard to the men and women who serve in the constitutional Office of Sheriff."



"It is the position of the sheriffs of North Carolina that a convicted felon should be barred from holding any elective office in our state, but the Association is continuing to focus its efforts on getting this restriction applied to the Office of Sheriff," said Sheriff Jerry Monette of Craven County, chairman of the Association's Executive Committee. Sheriff Monette continued: "During the upcoming 2010 session of the North Carolina General Assembly that begins in May, we will be working with our friends in the legislature on both sides of the aisle to get this important legislation enacted so the voters can help us get this constitutional amendment adopted on Election Day this November."

The North Carolina Sheriffs' Association is the professional organization of our state's sheriffs and includes as members all of the 100 sheriffs in North Carolina. In the discussion of this issue by the sheriffs, they noted that it is regrettable that convicted felons have filed to run for election to the Office of Sheriff this year, but the sheriffs have confidence that the public will ensure that no convicted felon is elected as sheriff.

Sheriff Sam Page of Rockingham County, first vice president of the Association, noted: "We respect and fully support the constitutional right of the citizens of each of North Carolina's 100 counties to make the decision at the ballot box about who will serve their county as sheriff. However, we are united in our belief that the North Carolina Constitution should be amended to prohibit a convicted felon from serving as an elected or appointed sheriff. As North Carolina's sheriffs, we want our fellow citizens to know that many hardships will result if a convicted felon is allowed to serve as the chief law enforcement officer in the county responsible for protecting and serving you and other citizens in your county."

Federal law prohibits a convicted felon from possessing a firearm. Integrity, professionalism and the confidence of the public in our criminal justice system requires that convicted felons not be eligible to serve as sheriff.

Today – across our state and throughout the nation – sheriffs continue to exercise vitally important responsibilities. In the State of North Carolina, sheriffs are constitutional officers elected by the people of their counties. On call 24 hours a day, 365 days a year, the responsibilities of their Office include:

- Patrolling the counties and enforcing the law.
- Maintaining and operating jails.
- Serving civil process papers, essential to all legal actions.
- Providing security for North Carolina's courtrooms.
- Serving as the public's elected representative for law enforcement and public safety matters.
- Maintaining custody of evidence, including firearms, in criminal court cases.

The Office of Sheriff is the oldest and most respected elected office in America, having been brought to this country by the colonists from England. The founding fathers of our nation made it an elected office because they were determined that the sheriff would be directly responsible and accountable to the people. North Carolina's sheriffs take pride in their office and they take seriously their duties and responsibilities to the people of North Carolina.

From its state headquarters in Raleigh, the North Carolina Sheriffs' Association has been proudly serving the sheriffs and citizens of North Carolina since 1922.

For more information, contact:

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Position Statement

Senate Bill 351, No Felon as Sheriff

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