

RESOLUTION NO. CO-2021-_____

A RESOLUTION OF THE ELKHART COUNTY COMMISSIONERS REGARDING THE
PROTECTION OF RIGHTS UNDER THE CONSTITUTIONS OF
THE UNITED STATES AND THE STATE OF INDIANA

WHEREAS Indiana Code Chapter 36-1-3 permits any county in the State of Indiana to exercise any power or perform any function necessary to the public interest in the context of its county or internal affairs, which is not prohibited by the Constitution of the United States or of the State of Indiana, or denied or pre-empted by any other law, or is not expressly granted by any other law to another governmental entity;

WHEREAS the Board of Commissioners of the County of Elkhart, Indiana is the County legislative and executive body and authorized by law to adopt ordinances and resolutions for the administration of Elkhart County Government;

WHEREAS the elected and appointed officials of the County of Elkhart, Indiana take an oath of office to support the Constitution of the United States and the Constitution of the State of Indiana and to faithfully, impartially, and diligently discharge the duties of their office, according to law;

WHEREAS the Board of Commissioners of the County of Elkhart, Indiana oppose the adoption of laws, rules, and regulations which unlawfully infringe upon the rights secured by the Constitutions of the United States and the State of Indiana;

WHEREAS the Board of Commissioners of the County of Elkhart, Indiana maintains a strong commitment to all of the rights stated in the Constitutions of the United States and the State of Indiana which are applicable at all times, including, but not limited to, the declaration of emergencies;

NOW, THEREFORE, BE IT DETERMINED, ESTABLISHED, AND RESOLVED by the Board of Commissioners of the County of Elkhart, Indiana as follows:

1. The Board of Commissioners of the County of Elkhart, Indiana does hereby commit to stand and defend at all times, whether during a state of emergency or otherwise, the rights and liberties of all persons as guaranteed by the Constitutions of the United States and the State of Indiana.

2. The County of Elkhart, Indiana is hereby declared to be a county dedicated to the principles contained in the Constitutions of the United States and the State of Indiana.

3. The Board of Commissioners of the County of Elkhart, Indiana encourages and urges all other elected and appointed officers of the County of Elkhart, Indiana to uphold the Constitutions of the United States and the State of Indiana and take due care at all times, whether during a state of emergency or otherwise, not to infringe upon the rights and liberties of all persons as provided in those Constitutions.

RESOLVED this 13th day of September, 2021.

BOARD OF COMMISSIONERS OF THE
COUNTY OF ELKHART, INDIANA

By: _____
Suzanne M. Weirick, President

By: _____
Frank R. Lucchese, Vice President

By: _____
Bradley D. Rogers, Member

ATTEST:

Patricia A. Pickens, Elkhart County Auditor

SHERIFF PROCLAMATION SUPPORTING CONSTITUTIONAL RESOLUTION

Whereas, the Sheriff of Elkhart County (“Sheriff”) supports the above Resolution, No. CO-2021-____ adopted by the Board of Commissioners of Elkhart County, Indiana, on this 13th day of September, 2021 (“Resolution”);

Whereas, the Sheriff has taken an oath of office to support the Constitutions of the United States and the State of Indiana and to faithfully, impartially and diligently discharge the duties of the office of Sheriff for Elkhart County, according to law;

Whereas, the Sheriff maintains a strong commitment to all of the rights of the people in Elkhart County as provided in the Constitutions of the United States and the State of Indiana that are applicable at all times, including, but not limited to, the declaration of emergencies;

NOW, THEREFORE, THE FOLLOWING IS PROCLAIMED BY THE SHERIFF:

1. The Sheriff does hereby support the declaration of Elkhart County as a county dedicated to the principles contained in the Constitutions of the United States and the State of Indiana.
2. The Sheriff does hereby commit to stand and defend at all times, whether during a state of emergency or otherwise, the rights and liberties of the persons and individuals in Elkhart County as guaranteed by the Constitutions of the United States and the State of Indiana.

So proclaimed by the Elkhart County Sheriff this 13th day of September, 2021.

Jeff A. Siegel, Elkhart County Sheriff