

Sheriff



Larry Ashley, Okaloosa County Sheriff

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Sheriff Ashley has gotten a number of emails, phone calls, and Facebook messages asking for his stance on the firearms issue so we wanted to share his response:

Thank you for your recent inquiry seeking my position regarding the recent fears of federal inference of constitutional rights in respect to firearm laws.

The simple and short answer is that as Sheriff I will support and defend the constitution and thereby the constitutional rights of our citizens. The 10th Amendment states the Constitution's principle of federalism by providing that powers not granted to the federal government by the Constitution, nor prohibited to the States, are reserved to the States or the people. Those rights reserved to the States and the people includes opposing state or federal regulators who would attempt to implement unconstitutional regulations without a warrant.

With that said, the bigger concern, in my view, is not the defense of the constitution rather the process by which we interpret its meaning and thus the confirmation of what is and is not constitutional. In so far as we abide in a self-governing society, we must come to agree upon those laws which we willingly subject ourselves to. As is evident in the recent Obama Care case and many other split court decisions, our own Supreme Court frequently disagrees about the legal interpretation of what our constitution allows and does not allow.

As Sheriff I swore to the following oath upon taking office:

"I do solemnly swear that I will support, protect and defend the Constitution and Government of the State of Florida, and the Government of the United States of America; that I am duly qualified to hold office under the Constitution of this State; and that I will well and faithfully perform the duties of Sheriff on which I am now about to enter. So help me God."

According to the oath I swore, I cannot and would not under any circumstance support the implementation of regulations by either state or federal authorities which are deemed to be unconstitutional. In my view, any attempt to implement an "unconstitutional" regulation would by its very nature be unlawful. I will use my authority as Sheriff to detect, investigate, arrest and present for prosecution anyone involved in such activity. The challenge comes when attempting to determine through judicial process and authority what is deemed by the courts to be "unconstitutional". In order for me to legally intervene and use the force of my office to prevent such activity, would require



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that the act be blatantly unconstitutional and detrimental to the safety and wellbeing of our citizens requiring immediate intervention. Absent that standard, my actions as Sheriff would be limited to investigating the matter and requesting either the federal and/or state judicial arm of government to enjoin the parties from continuing such activity until such time as the constitutionality of the activity could be determined by the courts. Once such an injunction was issued, I could and would lawfully use the force of my office to enforce the injunction.

I hope this brief summary of my position provides you with the answers to your inquiry. If not, please do not hesitate to follow-up with an e-mail or phone call.

Thank you for your concern and be assured that I will protect and defend the principles of freedom on which this country was founded. As Sheriff, I am a second amendment advocate. And as long as I am Sheriff, I will oppose any unconstitutional measures that would seek to disarm our citizens.

Sincerely,

Larry Ashley

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