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SJR 40 - Supporting Constitutional Sheriffs

What is SJR 40?

Senate Joint Resolution No. 40 (SJR 40) is a proposed amendment to Article VII of the Missouri Constitution. This amendment seeks to strengthen the role of sheriffs by ensuring that each county (with certain exceptions) elects a sheriff to serve as the chief law enforcement officer. The resolution outlines the sheriff's duties, election process, and protections against removal, emphasizing local accountability and authority.

Key Provisions

- **Election of Sheriffs:** Requires that sheriffs be elected by a majority vote in each county (except as noted) for a four-year term, reinforcing democratic control at the local level.
- **Sheriff's Duties:** Establishes specific responsibilities, including:
 - Maintaining peace and quelling riots.
 - Apprehending felons and other lawbreakers.
 - Executing court processes and managing deputies.
- **Protection from Removal:** Limits the removal of sheriffs to a writ of quo warranto initiated by the Missouri Attorney General, ensuring stability and due process.
- **Exceptions:** Excludes cities not within counties (e.g., St. Louis City) and certain charter counties with existing governance structures.

Why ACT4MO Supports SJR 40

ACT4MO supports SJR 40 because it champions the concept of Constitutional Sheriffs—elected law enforcement officers who are directly accountable to the people and dedicated to upholding the U.S. and Missouri Constitutions. This resolution supports this goal by:

- **Empowering Local Communities:** By mandating elected sheriffs, SJR 40 ensures that law enforcement answers to citizens, not political appointees or distant bureaucrats.
- **Protecting Constitutional Rights:** Sheriffs with clear authority and independence can safeguard individual liberties against overreach, aligning with ACT4MO's core values.
- **Ensuring Stability:** Protections against arbitrary removal allow sheriffs to perform their duties without undue political pressure.

Addressing Potential Concerns

Critics might suggest that SJR 40 grants sheriffs excessive power or risks inconsistent law enforcement across Missouri. Here's why these concerns are unfounded:

- **Local Accountability:** Elected sheriffs are directly answerable to their constituents, ensuring their actions reflect community needs and values.
- **Legal Oversight:** The writ of quo warranto provides a clear mechanism to address any misuse of authority, maintaining checks and balances.
- **Defined Duties:** The amendment establishes a consistent framework for sheriffs' responsibilities, promoting uniformity where it matters most.