

**CONSTITUTIONAL LAW 101 – CHIEF LAW ENFORCER**    What is “Chief Executive & Administrative Officer”

**TO:** all County Sheriffs and all U.S. Marshals

**cc:** all Federal and State elected and appointed servants

**FROM:** *We the People*

**RE:** Your Duty to know and enforce the Law

**The U.S. Supreme Court has concluded as supported by more than 800 years of history:** *“The Sheriff is the ‘Chief Executive and Administrative Officer’ of a county chosen by popular election. His principal duties are in aid of the criminal and civil courts of record (common law courts); such as serving process, summoning juries, executing judgments, holding judicial sales and the like. He is also the chief conservator of the peace within his territorial jurisdiction.”* Harston v. Langston, Tex. Civ. App., 292 S.W. 648, 650

Sheriffs and U.S. Marshals need not feel intimidated by Judges, Attorneys or other elected officials. The duties, responsibilities and authorities of the Sheriff and Marshal cannot be diminished by those in the legislature, courts and state constitutions. According to Marbury v. Madison, which has been well-settled law for more than 200 years, the commission of the U.S. Marshal, being the Chief Law Enforcer, is the sole act of the President of the United States Article II Section 2 Clause 2; once the Secretary affixes his seal to the act it cannot be undone, not even by the president. Thereby, like the Sheriff, so is the U.S. Marshal, in that only the People, through an indictment, can remove him from office for not upholding the “Law of the Land”. As concluded by Marbury v. Madison, if it were not the case, they could not enforce the law unimpeded as Chief.

When a Sheriff or Marshal depends upon lawyers to interpret the law, he shirks his responsibility, abdicating it to another; and, We the People did not elect lawyers to be our Sheriffs. If the Sheriff concludes that a Judge or any other elected or appointed official has violated the “Law of the Land”, it is his “DUTY” to make the arrest; the final conclusion of the matter is then in the hands of the People through the Grand Jury. If the Sheriff or Marshal had mistaken, the People will not indict; and, the Sheriff or Marshal cannot be held liable for doing his best to enforce the law; and, quite frankly, you should arrest anyone who threatens you for enforcing the law as you see it.

More often than not, Sheriffs and Marshals are intimidated by judges and prosecutors (lawyers); and, feel frustrated in not being able to indict the “many” criminal judges and prosecutors for fear of removal from office by the same; or, by some other elected criminal that would perform the “felony rescue” for them. “FEAR NOT” for We the People are behind you; and, if you need help summoning a Grand Jury from your county, you may call the Unified United States Common Law Grand Jury, which has a presence in all fifty (50) states, at (845) 229-0044; and, we will assist and inform you. The Sheriff should not rely on a prosecutor [fox guarding the hen house] to call the Grand Jury. Your authority is clearly found in history and Harston v. Langston, quoted above, the **“SHERIFF OR THE MARSHAL ARE TO SUMMON THE GRAND JURY”**. And, remember, if you are still concerned, you can always seek the indictment first, putting the weight of the decision of the arrest onto the People. This memo is to assure you that We the People are willing to assist you in any way we can in order to bring Justice back to our “out-of-control courts”. Be consoled by Jefferson who said:

*“Every government degenerates when trusted to the rulers of the people alone. The people themselves, therefore, are its only safe depository. And, to render even them safe, their minds must be improved to a certain degree.”* Thomas Jefferson: Notes on Virginia Q.XIV, 1782. ME 2:207. *“Whenever the people are well-informed, they can be trusted with their own government... whenever things get so far wrong as to attract their notice, they may be relied on to set them to rights.”* Thomas Jefferson to Richard Price, 1789, ME 7:253. Let this memo serve as invitation to join the People to set things right in our courts; and, thereby in our Government.