Jackson County Board of Commissioners

Resolution No. 02-20.03

to Declare Jackson County to be a “Second Amendment Refuge County”

The County Board of Commissioners of the County of Jackson, State of Michigan, States:

WHEREAS, the County Board of Commissioners of the County of Jackson, State of Michigan, pursuant to Michigan statute, is vested with the authority of administering the affairs of the county government of Jackson county, Michigan and is organized as a body corporate with the powers and immunities provided by law, and to protect the health safety and welfare of the residents of Jackson County and the employees of the Jackson county government; and

WHEREAS, the Second Amendment to the United States Constitution, ratified in 1791 as part of the Bill of Rights, protects the right of the people to keep and bear arms; and

WHEREAS, the United States Supreme Court in District of Columbia v. Heller, 554 U.S.570(2008), affirmed an individual’s right to possess a firearm, unconnected with service in a militia, and to use that firearm for traditionally lawful purposes, such as self-defense within the home; and

WHEREAS, the United States Supreme Court in McDonald v Chicago, 561 U.S. 742(2010) affirmed that the right of an individual to keep and bear arms”, as protected under the Second Amendments, is incorporated to the States by the Due process clause of the Fourteenth Amendment; and

WHEREAS, the United States Supreme Court in United States v. Miller, 307 U. S. 174(1939), opined that possession or use of a firearm that has some reasonable relationship to the preservation of a well-regulated militia is protected by the Second Amendment; and

WHEREAS, Article I, section 6 of the Michigan Constitution (1963) provides that “Every person has a right to keep and bear arms for the defense of himself and the state”; and

WHEREAS, it is the desire of this Board to declare its support of the Second Amendment to the United States Constitution and to the provisions of the Michigan Constitution which protect Jackson County citizens’ individual rights to keep and bear arms; and

WHEREAS, each Jackson County Commissioner, as provided by Article IX, Section I, of the Michigan Constitution (1963) took an oath to support the United States Constitution and the Michigan Constitution.

NOW THEREFORE, IT IS HEREBY RESOLVED, by the Jackson County Board of Commissioners, that the County of Jackson, Michigan, be and hereby is, declared to be a “Second Amendment Refuge County.”

IT IS FURTHER RESOLVED, that this Board affirms its support for the Jackson County Sheriff and the Jackson County Prosecuting Attorney, in the exercise of their sound discretion to not enforce against any citizen an unconstitutional firearms law.
BE IT, FURTHER RESOLVED, that the Board directs its staff to forward a copy of this resolution to the County’s fellow County elected officials, the Michigan State Legislature (House of Representatives and State Senators), the Governor of Michigan and all the Michigan U.S. Congressmen.

This resolution was adopted by the Jackson County Board of Commissioners at a regular meeting held at the Jackson County Board Chambers, Jackson County Tower Building located at 120 West Michigan Ave 5th Floor, Jackson Michigan, Jackson County Michigan, by an affirmative vote of no less than FIVE of the members of the Jackson County Board of Commissioners who are elected and serving on this 18th day of February, 2020.

_______________________________________
James E. Shotwell, Jr, Chairperson
Jackson County Board of Commissioners
February 18, 2020

STATE OF MICHIGAN )
) ss.
COUNTY OF JACKSON )

I, Amanda Kirkpatrick, the duly qualified and acting Clerk of the County of Jackson, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the County Board of Commissioners of the County of Jackson, State of Michigan, at a regular meeting held on February 18, 2020 at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

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Amanda Kirkpatrick, County Clerk