

## **Resolution No. 21-05**

### **A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS FOR CUSTER COUNTY DECLARING CUSTER COUNTY TO BE A CONSTITUTIONAL PRESERVATION COUNTY**

**WHEREAS**, the Board of County Commissioners for Custer County (the Board), a political subdivision of the State of Colorado, desires to declare its support for the Constitution of the United States of America, with direct emphasis on the First and Second Amendments, and the Constitution of the State of Colorado, with direct emphasis on Article II as set forth more fully herein; and

**WHEREAS**, §30-11-101 (2), C.R.S., grants to each county the authority to adopt and enforce ordinances and resolutions regarding health, safety, and welfare issues for the well-being of the citizens of the county; and

**WHEREAS**, the First Amendment to the United States Constitution, as part of the Bill of Rights, denies Congress any authority to institute laws that may infringe upon any free exercise of religion, freedom of speech, freedom of press, or any right of the people to peaceably assemble or to petition the Government for any redress of grievances; and;

**WHEREAS**, the Second Amendment to the United States Constitution, as part of the Bill of Rights, additionally denies Congress any authority to infringe upon the people's right to keep and bear arms; and

**WHEREAS**, Article II of the Constitution of the State of Colorado, also known as the Bill of Rights, protects these same freedoms; and

**WHEREAS**, it is the desire of the Board to declare its support of and allegiance to the First and Second Amendments of the United States Constitution and Article II of the Constitution of the State of Colorado, each protecting and guaranteeing these rights; and

**WHEREAS**, the members of this Board took an oath to support and defend the United States Constitution, the Constitution of the State of Colorado, and the laws of the State of Colorado insofar as such laws are constitutional; and

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Board of County Commissioners for Custer County, that we, the Board, on behalf of the citizens of Custer County, pledge to stand and defend the rights and liberties guaranteed by the First and Second Amendments to the United States Constitution and by the following Sections of Article II of the Constitution of the State of Colorado:

- Section 3 (the right of the people to enjoy and defend their lives and liberties);
- Section 4 (the right of the people to enjoy religious freedom);

- Section 10 (the right of the people to freedom of speech and the right to write and publish whatever they desire on any subject);
- Section 13 (the right of the people to keep and bear arms in defense of their homes, persons and property); and
- All other rights of the people expressly enumerated in said Article II.

We, the Board of County Commissioners for Custer County, do hereby approve and adopt this Resolution which shall be known as:

**THE CONSTITUTIONAL PRESERVATION RESOLUTION  
DESIGNATING CUSTER COUNTY TO BE A CONSTITUTIONAL  
PRESERVATION COUNTY**

**AND BE IT FURTHER RESOLVED** that this Board affirms its support for the duly elected Sheriff of Custer County, Colorado, in the exercise of his/her sound discretion, and further affirms its resolve to support decisions by our Sheriff not to enforce any unconstitutional laws against any citizen of this county; and

**AND BE IT FURTHER RESOLVED** that this Board will not authorize or appropriate government funds, resources, employees, agencies, contractors, buildings, detention centers or offices for the purpose of enforcing any law that unconstitutionally infringes upon the rights of the people.

Done this \_\_\_\_\_ day of March, 2021.

\_\_\_\_\_  
William R. Canda  
Chairman, Board of County Commissioners

\_\_\_\_\_  
Tommy G. Flower  
Vice Chairman, Board of County Commissioners

\_\_\_\_\_  
Kevin V. Day  
County Commissioner

SEAL:

ATTEST:

\_\_\_\_\_  
Kelley S. Camper, Clerk and Recorder for Custer County