

RESOLUTION NO. 2021-9

WHEREAS, Article II of Amendments to Constitution, also referred to the Second Amendment to the Constitution of the United States of America recites "The right of the people to keep and bear arms, shall not be infringed."; and

WHEREAS, Article I, Section 1 of the Constitution for the State of Nebraska states that "All persons are by nature free and independent, and have certain inherent and inalienable rights; among these are life, liberty, the pursuit of happiness, and the right to keep and bear arms for security or defense of self, family, home, and others, and for lawful common defense, hunting, recreational use, and all other lawful purposes, and such rights shall not be denied or infringed by the State or any subdivision thereof. To secure these rights, and the protection of property, governments are instituted among people, deriving their just powers from the consent of the governed."; and

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

WHEREAS, the Supreme Court of the United States 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 Amendment is incorporated by the due process clause of the Fourteenth Amendment against the states; and

WHEREAS, the members of the Rock County Board of Commissioners have all executed an oath to support and defend the Constitution of the United States and the Constitution of the State of Nebraska, and this resolution is adopted in furtherance of said oath; and

WHEREAS, it the desire of the Rock County Board of Commissioners to declare its support of the constitutional rights of all of its citizens, including the right to keep and bear arms; and

WHEREAS, the Rock County Board of Commissioners wish to express its intent to stand as a Sanctuary County for the constitutional rights as guaranteed by the United States Constitution and the Nebraska Constitution, including the rights as set forth under the Second Amendment of the United States Constitution, to support the use of all legal and constitutional means to protect the rights of citizens as guaranteed under the Constitution, and to resist and oppose any attempts to unconstitutionally restrict such rights.

NOW THEREFORE, BE IT HEREBY RESOLVED by the County Board of Commissioners of the County of Rock, State of Nebraska, that the Board expresses its intent to uphold all of the rights guaranteed by the Constitution of the United States and the Constitution of the State of Nebraska for all citizens of Rock County and that public funds, resources, employees, buildings or offices shall not be used to restrict the constitutional rights of the citizens of Rock County, nor shall they be used to aid or assist in the enforcement of unconstitutional restrictions of rights guaranteed to the citizens of Rock County, including the right to keep and bear arms, as long as said use is otherwise lawful, thereby declaring Rock County to be a Second Amendment Sanctuary County. The Rock County Board of Commissioners further affirms its support for the duly elected Sheriff of Rock County, Nebraska and all other law enforcement officers in and for Rock County, and the continuing efforts of the Sheriff and other law enforcement officers to uphold the Constitution of the United States and of the State of Nebraska.

IN WITNESS WHEREOF this resolution is hereby adopted on this 6th day of April 2021.

ROCK COUNTY BOARD OF COUNTY
COMMISSIONERS:

By Jim L. Stout
By Glen W. May
By Robert D. Hall

ATTEST:

Daunitta Buoy
Daunitta Buoy, County Clerk

