

JOHNSON COUNTY COMMISSIONERS COURT



RICK BAILEY
Commissioner Pct. #1

ROGER HARMON
County Judge

JERRY D. STRINGER
Commissioner Pct. #3

KENNY HOWELL
Commissioner Pct. #2

Carla Hester
Assistant to Commissioner's Court

LARRY WOOLLEY
Commissioner Pct. #4

JOHNSON COUNTY

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PROCLAMATION

STATE OF TEXAS

DECLARING JOHNSON COUNTY'S SUPPORT FOR THE SECOND AMENDMENT

- WHEREAS,** The Constitution of the United States is the supreme law of our nation, and The Second Amendment to the Constitution states "A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed."; and
- WHEREAS,** The U.S. Supreme Court found in *Miranda v. Arizona* (1966) that "Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them."; and
- WHEREAS,** The U. S. Supreme Court in the *District of Columbia v. Heller* (2008) decision affirmed that the Second Amendment right to keep and bear arms is not connected in any way to service in a militia; and
- WHEREAS,** The U.S. Supreme Court in *United States v. Miller* (1939) stated that firearms that are part of ordinary military equipment with use that could contribute to the common defense are protected by the Second Amendment; and
- WHEREAS,** The Fourteenth Amendment to the Constitution states "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."; and
- WHEREAS,** The U.S. Supreme Court in the *McDonald v. City of Chicago* (2010) decision affirmed that a person's Second Amendment rights to "keep and bear arms" is further secured by the "due process" and the "privileges and immunities" clauses of the Fourteenth Amendment. The decision also protects rights closely related to the Second Amendment, namely the right to manufacture, transfer, purchase, and sell firearms, accessories, and ammunition; and
- WHEREAS,** The Tenth Amendment to the Constitution states "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the People."; and

WHEREAS, The U.S. Supreme Court found in *Printz v. United States* (1997) that the Federal government cannot compel law enforcement officers of the States to enforce federal laws as it would increase the power of the Federal government far beyond that which the Constitution intends; and

WHEREAS, The Texas Constitution, Article 1, Section 23 states "Every citizen shall have the right to keep and bear arms in the lawful defense of himself or the State"; and


WHEREAS, Due to dual sovereignty structure of the Constitution, the Federal government has no authority to enforce state laws and States cannot be compelled to enforce federal laws; and

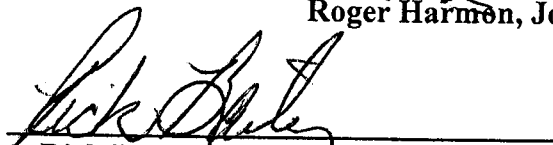
WHEREAS, The last protectors of the U.S. Constitution are the County Sheriffs and "We the People of the United States of America" and our ability to fulfill that role successfully rests on our Second Amendment rights.

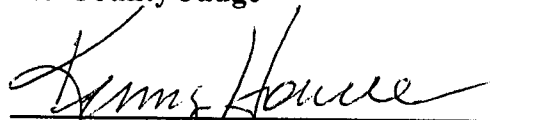
Therefore, Be It Resolved, the People of Johnson County, through their duly elected Commissioners Court, Constables, County Judge and the Sheriff, hereby declare Johnson County's support of the Second Amendment in order to preserve for the People of, on, and in Johnson County, their rights guaranteed by the Constitution of the United States of America, and

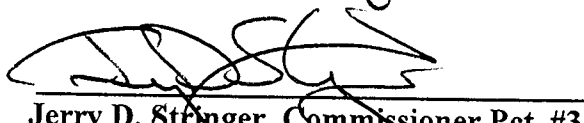
Furthermore, we, the People of Johnson County, Texas, through this Proclamation hereby declare our rights, our freedom and our liberty as guaranteed by the Constitution of the United States of America.

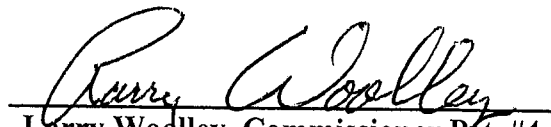
IN WITNESS WHEREOF, we hereto set our hands and cause the Seal of Johnson County, Texas to be affixed on the 23rd day of December 2019.

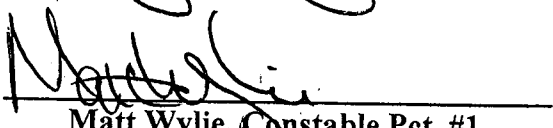

Roger Harmon, Johnson County Judge

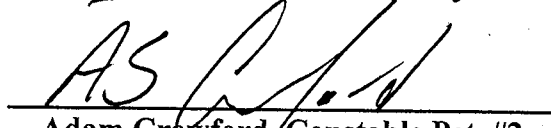

Rick Bailey, Commissioner Pct. #1



Kenny Howell, Commissioner Pct. #2


Jerry D. Stringer, Commissioner Pct. #3

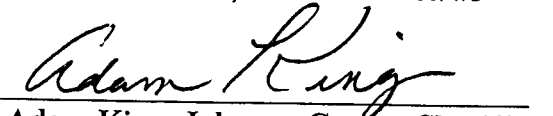

Larry Woolley, Commissioner Pct. #4

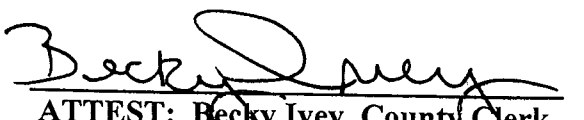

Matt Wylie, Constable Pct. #1


Adam Crawford, Constable Pct. #2


Mike White, Constable Pct. #3


Tim Kinman, Constable Pct. #4


Adam King, Johnson County Sheriff


ATTEST: Becky Ivey, County Clerk

