

RESOLUTION 03-04

SHERIFF'S DUTY LIMITATIONS

WHEREAS, Samuel "Bebe" Reed, re-elected and installed Sheriff of Niobrara County for a four (4) year term, effective January 6, 2003, is not peace officer certified; and

WHEREAS, a court ruling has been issued which determines that certification is not necessary to be an administrative Sheriff, but that certification is required to be a peace officer; and

WHEREAS, peace officer duties shall be defined as: carrying a gun, making arrests, issuing citations, seizing deadly weapons, questioning suspects or investigating potential suspects, securing or taking charge of crime scenes, operating a sheriff's vehicle with the lights and sirens activated, being in charge of prisoners and transporting prisoners; and

WHEREAS, the Local Government Insurance Pool, the county's liability insurance carrier, recommends "satisfactory completion of all education/non-physical portions of the certification program"; and

WHEREAS, the Niobrara County Commissioners previously adopted RESOLUTION 99-03 on January 5, 1999 restricting Sheriff Reed to administrative functions for liability purposes until said certification was obtained; and

WHEREAS, Sheriff Reed has been fully aware of these limitations and has declined to become certified.

NOW, THEREFORE, BE IT RESOLVED that the Niobrara County Commissioners highly recommend Sheriff Reed complete the peace officer's certification process as soon as possible.

BE IT FURTHER RESOLVED that until said certification is obtained, the Sheriff of Niobrara County will be strictly limited to administrative duties.

BE IT FURTHER RESOLVED in the event Sheriff Reed performs any peace officer duties, prior to becoming certified, it understood that he is acting on his own behalf and indemnifies Niobrara County for any liability incurred there under.

DATED this 7th day of January 2003.

NIORARA COUNTY COMMISSIONERS

Donna I. Ruffing
Donna I. Ruffing, Chairman

Richard A. Ladwig
Richard A. Ladwig

Tom L. Wasserburger

ATTEST:

Becky L. Freeman
Becky L. Freeman, Clerk

