

**STATE OF INDIANA
BEFORE THE BOARD OF KOSCIUSKO COUNTY
COMMISSIONERS**

ORDINANCE NO. 21-04-27-___

2ND AMENDMENT FREEDOM POLICY AND ORDINANCE

WHEREAS:

1. The Board of Commissioners (“Board”) of Kosciusko County, Indiana (“County”), is the executive body of County government pursuant to the provisions of I.C. 36-2-2-2 and the legislative body of County government pursuant to the provisions of I.C. 36-1-2-9;
2. The Constitution of the United States of America (“U.S. Constitution”) is the supreme law of the United States of America and the Constitution of the State of Indiana (“Indiana Constitution”) is the supreme law of the State of Indiana;
3. The 2nd Amendment to the U.S. Constitution (“2nd Amendment”) 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;*
4. Article I, Section 32 of the Indiana Constitution (“Article I, Section 32”) states: *The people shall have a right to bear arms, for the defense of themselves and the State;*
5. An act, law, treaty, order, rule, regulation, and any other governmental document of purported legal force (each a “Law,” and collectively, “Laws”) of the federal government that violates the 2nd Amendment or a Law of the state government or the state’s political subdivisions that violates Article I, Section 32 is null, void, and unenforceable; and,
6. The County is a Constitutional Rights Sanctuary County pursuant to Ordinance 20-12-22-002 adopted and passed by the Board on December 22, 2020, and the County will steadfastly and proactively support and defend the U.S. Constitution and the Indiana Constitution, including, but not limited to, the 2nd Amendment and Article I, Section 32.

NOW, THEREFORE, THE FOLLOWING IS HEREBY ORDAINED BY THE BOARD:

1. The County shall not comply with, assist, or use any personnel or financial resources to enforce, administer, or cooperate with, any Law that violates the 2nd Amendment or Article I, Section 32.
2. Any Law that eliminates, reduces, represses, diminishes or subverts the rights of any law-abiding citizen to keep and bear any arms, ammunition, magazines, parts, or accessories of arms in any amount, size, form, capacity, or function that is legal as of **January 1, 2021**, shall be presumed to be a violation of the 2nd Amendment and Article I, Section 32, unless and until such time as it is rightfully and legally determined, without further right of appeal, to be otherwise by the Indiana Appellate

Court, Indiana Supreme Court, the U.S. 7th Circuit Court of Appeals, or the Supreme Court of the United States.

3. The County supports and advocates that Indiana become a 2nd Amendment Sanctuary State and hereby directs the County Attorney to prepare a letter to the State Representatives and Senators for the County in support and advocacy of such.

So passed and adopted by the Board of Commissioners of Kosciusko County, Indiana, this 27th day of April, 2021.

ATTEST:

BOARD OF COMMISSIONERS,
KOSCIUSKO COUNTY, INDIANA

Michelle Puckett, Auditor

Robert M. Conley, President

Bradford Jackson, Member

Cary Groninger, Member

**KOSCIUSKO COUNTY SHERIFF'S OFFICE
KYLE P. DUKES, SHERIFF**

**PROCLAMATION SUPPORTING THE 2nd AMENDMENT FREEDOM POLICY
AND ORDINANCE OF KOSCIUSKO COUNTY**

WHEREAS:

1. Kosciusko County has passed and adopted this day of April 27, 2021, the 2nd Amendment Freedom Policy and Ordinance, Ordinance number **21-04-27-___**; and,
2. The Sheriff of Kosciusko County ("Sheriff") has taken an oath of office to support the Constitution of the United States of America and the Constitution of the State of Indiana and to faithfully, impartially and diligently discharge the duties of the office of Sheriff for the County, according to law.

NOW, THEREFORE, THE FOLLOWING IS PROCLAIMED BY THE SHERIFF:

1. The Sheriff does hereby declare his support in favor of the 2nd Amendment Freedom Policy and Ordinance.
2. The Sheriff does hereby adopt the policy stated in the 2nd Amendment Freedom Policy and Ordinance as his own and that of the Kosciusko County Sheriff's Office.

So proclaimed by the Kosciusko County Sheriff's Office this 27th day of April, 2021.

Kyle P. Dukes, Sheriff