



WESTERN STATES SHERIFFS' ASSOCIATION

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RESOLUTION 26-01

THE WESTERN STATES SHERIFFS' ASSOCIATION OPPOSES FEDERAL RULEMAKING THAT ENCROACHES ON POLICE POWER AND JURISDICTION INHERENT TO THE OFFICE OF SHERIFF

WHEREAS, the Tenth Amendment to the United States Constitution explicitly 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 United States Supreme Court has long recognized the "Police Power" - the authority to provide for the public health, safety, and welfare of the people- as a power primarily reserved to the States and, by extension, the Office of Sheriff within their respective counties; and

WHEREAS, the Western States Sheriff's Association (WSSA) represents the elected Sheriffs of nineteen Western States who serve as the primary law enforcement authority and the "last line of defense" for the constitutional rights of their constituents; and

WHEREAS, there is a growing and concerning trend of federal executive agencies utilizing the administrative rule-making process to bypass Congressional intent, effectively creating regulations that carry the weight of criminal law without legislative oversight; and

WHEREAS, such federal rulemaking frequently seeks to assimilate state-level code into federal code or grant federal agents authority over persons and property on lands of proprietary interest, thereby eroding the sovereign jurisdiction of the States and the Office of Sheriff; and

WHEREAS, the expansion of federal regulatory authority into traditional areas of local policing - such as land management, firearms regulation, search and rescue, and emergency response standards - creates a centralized governing structure that is unresponsive to the unique needs of individual western communities; and

WHEREAS, federal agencies often fail to conduct meaningful impact analyses or consult with local Sheriffs before implementing rules that significantly disrupt local public safety operations and the victim-offender relationship codified in state law.,

NOW, THEREFORE, BE IT RESOLVED, that the Western States Sheriff's Association remains steadfast in its commitment to protecting the Office of Sheriff from federal encroachment and opposes any federal rule-making that purports to exercise police power reserved to the States; and

BE IT FURTHER RESOLVED, that the WSSA calls upon the United States Congress to exercise its oversight authority to strike down administrative rules that infringe upon state sovereignty or the constitutional and/or statutory authority of elected Sheriffs; and

BE IT FINALLY RESOLVED, that the WSSA supports the codification of federalism principles within the Administrative Procedure Act (APA) to ensure that no federal agency can expand its enforcement authority without an express narrow grant of power from the People's representatives in congress within the boundaries of legislative jurisdiction granted by the several states.

Adopted this 4th day of March 2026, by the membership of the Western States Sheriffs' Association at its Annual Conference

Mark J. Dannels

Sheriff Mark Dannels
Cochise County, Arizona
President, WSSA