

# Reviewing Graham County Sheriff Mack's "The County Sheriff: America's Last Hope"



Bradley Harrington

**R**ichard Mack's book, *The County Sheriff: America's Last Hope* (2009) starts off with a big bang in the very first sentence of his Introduction, and then escalates from there: "The founders of America warned us that we would lose more freedoms from gradual encroachments by those in authority than by sudden usurpations from any foreign enemy."

Mack, a former Graham County, Arizona Sheriff from 1989 through 1995, is definitely not your ordinary law enforcement operative, and he has made it his mission to inform every county sheriff in every state of the Union of the enormous power to resist federal encroachment that they possess but seem to be hardly aware of - or to use.

Nor is Sheriff Mack merely shooting from the hip on this: For it was Mack who decided to sue the federal government over the Brady Act, and who took that case to the Supreme Court and won.

Perhaps a little background is in order. The "Brady Bill" was originally proposed in 1987, and provided for first-time-ever federal background checks on all gun purchasers in the United States.

Despite heavy opposition from the NRA, the bill was finally passed by both houses of Congress and signed into law by President Clinton in 1993, taking effect as the Brady Handgun Prevention Act in 1994. One of the provisions of the Act called for the "chief law enforcement officer" (CLEO) of a potential purchaser's county of residence to receive the contents of the "Brady Form" and to "make a reasonable effort to ascertain within five business days whether receipt or possession would be in violation of the law."

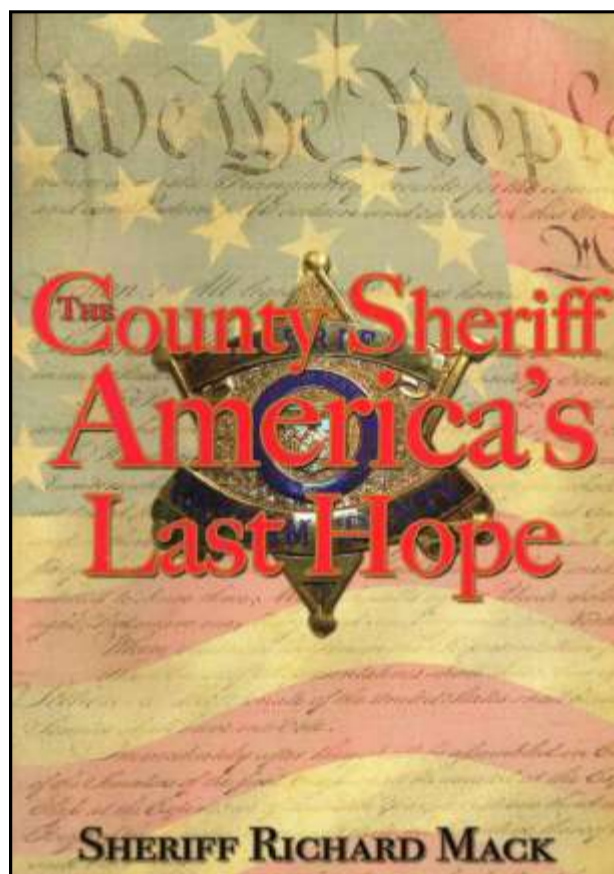
Sheriff Mack decided that such an action on the part of the federal government qualified as a violation of the United States Constitution, and was the first CLEO to bring a federal suit against the Act in 1994. He was soon joined by several other sheriffs in that endeavor - and, by 1997, he and Sheriff Jay Printz of Ravalli County, Montana, were standing front and center before the Supreme Court.

The Supreme Court's ruling in *Printz v. United States* qualifies as "landmark" in its nature, for the Court upheld Mack's and Printz's contention that the Brady Act's provision compelling state and local law enforcement officials to perform the background checks was unconstitutional on 10th Amendment grounds. In the 5-4 ruling, Justice Antonin Scalia spoke for the majority opinion by writing: "The Framers designed the Constitution to allow Federal regulation of international and interstate matters, not internal matters reserved to the State Legislatures. The majority arrives at the conclusion that allowing the Federal government to draft the police officers of the 50 states into its service would increase its powers far beyond what the Constitution intends." Or, as Sheriff Mack puts

it, the federal government could no longer "commandeer state or county officers for federal bidding."

"This was more than monumental," Mack continues. "Federal agencies could no longer do whatever they damn well pleased. The ruling stated at least three times that the States were 'not subject to Federal direction.'"

Nor does Mack call it good there. "Freedom won that day on June 27, 1997, and it started the snowball rolling for each sheriff in this country to stand tall and to protect his or her constituents from 'all enemies both foreign and domestic.' This is the ultimate check and balance and it falls squarely on the shoulders of the county sheriff. This booklet will show how the sheriff and police are indeed the last line of defense between the people and the criminals, both from the streets and from the Federal Government. If we are to get America back, if



we are indeed to return to the constitutional Republic we were meant to be, then it will be up to us, the sheriffs of America, and hopefully other local officials as well, who have the guts and dedication to tell the feds that we will no longer tolerate their intervention, control, meddling, mandates or criminal behavior." What a life-giving breath of fresh air.

Nor does Sheriff Mack default on his promise: he spends enough time on the millennium-long history of the "shire reeve" to make it clear that the county sheriff, as an individual elected by the people of his jurisdiction, functions as the supreme CLEO for that jurisdiction - and that since he or she (as well as every other law enforcement officer in the country) has sworn an oath to protect their constituency from "all enemies, foreign and domestic," it is the sheriff's moral and political respon-

sibility to do so, no matter what the source of the aggression.

Sheriff Mack certainly didn't shirk that responsibility, and his book implores every other sheriff in the country to do the same: "Will you, as the 'shire reeve,' stand against the most egregious violators of the peace in your county? Will you stand against tyranny? Who is responsible to do so if you won't do it?"

And, as Mack points out, the county sheriffs and the state governors are the *only* officials within a state vested with the power to call out the militia, if need be, to maintain order within their area of jurisdiction. "So," says Mack, "when the Federal Government goes too far, we should not only refuse to go along, but it is up to us to 'erect barriers' against such encroachments and thus be found on the side of the people and provide them with the protection they depend on. Doing so is right and proper and in accordance with our oath to support this constitutional Republic. How could we do otherwise? And if we do otherwise, what does that make us?"

Pointing to the Supreme Court's ruling as a clarion call for the county sheriff, America's last hope, Sheriff Mack implores his fellow sheriffs to take care of business: "What excuse could any sheriff offer to any of his constituents for not helping them or protecting them from the abuse or crimes of the IRS or perhaps some other federal agency? Let's make no mistake here; the sheriff can help and stop federal criminality. For the sheriff to tell his constituents that they should just get a lawyer and fight back the best they can is throwing his people to the dogs and is malfeasance to the tenth power. Most people can't afford such a lawyer, especially for as long as it takes to fight the Federal Government. The people lose either way and are denied justice that is rightfully theirs. Why should they not depend on their 'protector' to protect them?"

Why not, indeed? Yet how many sheriffs in the United States view that as their honest task and role? With well over 3,000 counties in the country, think of the immense power such an approach would wield if actually applied.

Not oblivious to that piece of information, Sheriff Mack began a drive ("No Sheriff Left Behind") back in 2009, with the help of donations on the part of private citizens, to get "The County Sheriff: America's Last Hope" into the hands of every sheriff in the nation. By March of 2010 he had succeeded in that effort - meaning that, as so many law-enforcement officers like to say, "ignorance is no excuse" any longer.

But whether or not *your* county sheriff will choose to live up to his or her responsibilities, is really the task of the *citizens* to promote. *We*, after all, are the ones who vote them into power. And the best way to help ensure they follow through? Demand it of them. Here in Laramie County, you can do that by calling or emailing Sheriff Danny Glick at 307.633.4700, [dglick@laramiecounty.com](mailto:dglick@laramiecounty.com).

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## Health Care Costs: Government Serves As Source Of Blame



Roderick Fitts

**I**n 2008, 58.5 percent of Primary Care Physicians were turning away new Medicaid patients, and 48.6 percent were refusing new Medicare patients due to the low reimbursements to doctors and the administrative difficulties inherent in the programs.

According to recent estimates, Medicare is expected to be bankrupt by 2019.

Evidently, our health care system is flawed, and is incredibly close to economic collapse. Journalist Robert Samuelson recently pointed out that Social Security is a "pay as you go" scheme that takes current workers' payroll taxes and uses it to benefit current retirees; he also pointed out that annual benefits already exceed payroll taxes collected, and will increase even further as the number of retirees increase. Total health care spending for 2010 was nearly 25 percent of the government's budget, and has been increasing for years.

In spite of these clear problems with our current system, there are proponents for "universal health care," a government plan which will insure everyone, willing or not. The supporters of universal health care are concerned about everyone being covered, but our real problem is the increasing lack of access to health care for Americans. And the inconvenient truth for these supporters is that the unavailability of medical care is caused by decades of government intervention in health care and health insurance. The real solution is to end such intervention and embrace capitalism and allow it to function in the health care industry.

A look at history will shed some light on these points.

During the Great Depression, two groups of doctors and hospitals collectively formed two new insurance companies: Blue Cross and Blue Shield. "The Blues" competed by seeking government favors and circumventing the market, which led to their "non-profit" charity status, and becoming tax-exempt. This blatant favoritism put the Blues at the top of the health insurance industry, but damaged the industry as a whole.

The Blues made matters worse by offering comprehensive coverage, including coverage for routine, low-cost medical procedures, to insure that their member doctors and hospitals were regularly paid. The point of health insurance was to cover a person in cases of rare, unexpected, and catastrophic costs that could bankrupt his family; the Blues' actions led to pre-paid plans in which the insurance company, not the patient, paid doctors and hospitals. For-profit insurance companies soon offered similar plans in order to compete with the Blues. Health care costs rose due to the comprehensive nature of the insurance.

These distortions of the market were exasperated in 1943 when the IRS declared that employer-sponsored insurance plans were exempt from employee income taxes, which caused the number of companies with such insurance to skyrocket. This led to further increases in health care costs, especially for the unemployed, the poor, and the elderly: The benefactors of the future Medicare and Medicaid programs. These plans have twisted the very point of purchasing insurance: It is now about *avoiding taxes*, not spreading risk and avoiding bankruptcy.

Capitalism's economic view is that health care is a commodity, not a "right," and that the individuals who produce these commodities have the right to trade them on their terms, just as the consumers have the right to accept, reject, or negotiate those conditions.

The cogent solution, therefore, to these spiraling costs is to reject the policy of government intervention in medical care and to embrace capitalism and free markets. Medicare and Medicaid, the programs that supposedly insure the elderly and the poor but actually restrict their access to doctors and hurt the private market for insurance, must be shut down. The tax-exempt status of employer-purchased insurance plans must be nullified, as it unfairly punishes individuals for not having such plans, while also failing to work in favor of individuals who wish to switch employment without losing their health insurance.

Insurance companies would compete for customers, creating plans covering what the customers want covered, not expensive catch-all plans that pay for all expenses of medical care. Patients would take a more active role in determining what medical services they would pay the doctors and hospitals directly for, and which they would pay insurance companies to cover.

Under capitalism, the government cannot force anyone to subsidize the health care of anyone else, and people may choose whom they charitably assist, if anyone at all. In his article "Free to Die" (*New York Times*, Sept. 15th), Paul Krugman seems to dismiss the solution of charity, but Americans have always been the most generous people in the world. Given the aid we manage to offer to foreign countries, the only problem of helping the poor, elderly and the uninsured in the future might simply be a lack of awareness about the condition of these people, a problem which could be resolved with social networking and other forms of communication.

The free market, by allowing insurers, patients, and doctors to deal with each other as they see fit, will drastically increase access to the high-quality health care we need.

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# Constitution Party Would Represent Real Change For American Political Choices



Liberty Blacksmith

**G**eorge Wallace said it best back in 1968:

"There's not a dime's worth of difference between the Republicans and the Democrats." With over 40 years of inflation since, it's down to a plugged nickel.

We have Socialist Party A and Socialist Party B, and political debate is too often constrained to: More social-

ism, or a tad less?

Case in point: The Medicare prescription drug plan. Democrats put forth a proposal, and the Republicans counter with theirs - slightly less expensive. *Nowhere* does it enter into the discussion that Medicare is an unsustainable expense and blatantly unconstitutional.

A careful examination of our political problems reveals the root cause to be what Thomas Jefferson called making the Constitution "a blank paper by construction."

The cancerous growth of government, and the rising costs to support the social elite running it, is "harassing us and eating out our substance" with programs, agencies and policies which are completely unconstitutional. The EPA and OSHA, which hamstringing our industries until they flee our shores; the Homeland Gestapo and TSA airport gropers; they are all unconstitutional.

To solve our problems is simple: Return to constitutional government. But neither Socialist Party A nor B are interested in *that*. Both are interested only in expanding government until we are reduced to tax slaves.

As proof, consider: When Congressman Ron

Paul introduced legislation requiring every bill in Congress to cite the appropriate article of the Constitution authorizing it, his measure was soundly defeated.

Both parties are dedicated to growing government patronage, with no interest in constraining it to its proper functions, in order to buy votes - with *our* money! - and to remaining in power and continuing to feast at the public trough.

There is only one national party dedicated to returning government to its proper course: The Constitution Party. Currently on the ballot in 37 states (and counting), there is an effort to gain ballot access in Wyoming. In a drive which began last April, the Wyoming Constitution Party is already 65 percent of the way to ballot access by next fall's election.

Backroom deals between Republicans and Democrats would be a thing of the past. No more uncontested primaries or general elections amongst the Good 'Ole Boys ensuring the *status quo* of more taxation and government. "The Constitution Party," said rancher and political activist Taylor Haynes, "will keep the game honest."

After all, competition enhances the product, especially in politics.

To sign the petition for ballot access does not require that a registered voter change his registration, nor obligate him to vote for the Constitution Party; it merely ensures ballot access for a new party to appear on the ballot. In a state with overwhelming Republican registration, it will not "split the vote" as is so often claimed.

Other arguments against a third party are similarly shopworn and false. Third parties do not take away votes from existing parties, but bring voters into the political process who didn't bother to vote because "the fix is in."

We don't need a "third" party; we need a *second* party!

The Wyoming Constitution Party requires all its party leaders and candidates to be of good moral character and be committed to both the United States and Wyoming Constitutions. They are pro-life, pro-family, pro-Second Amendment, and opposed to illegal federal intrusion on our land, education or health care.

Continuing to vote for the "lesser of two evils" is evil. That's why we're in this political fix in the first place. Don't buy the political sock puppets' empty rhetoric. Help a political party dedicated to the restoration of constitutional government get on the ballot and make a difference in Wyoming.

"To succeed in politics, it is often necessary to rise above your principles," wrote sage H.L. Mencken. The trouble is we have, despite their righteous bloviating, a herd of politicians in power who wouldn't recognize a principle if they stumbled over it. Their only principles are re-election and continuing this disastrous course of unconstitutional government coupled with out-of-control taxation.

The Constitution Party does not offer more of the same or less of the same: It brings us back to basic good government, liberty, and a redress of the proper balance between the federal government and our sovereign state.

The platform of the Constitution Party can be found on the Web at <http://www.wyomingcp.com>. To sign the petition here in Cheyenne, visit Liberty Blacksmith, 2714 S. Greeley Highway. To volunteer to help, contact State Chairman Rex Fritzier in Glendo at 307.735.4103.

Liberty Blacksmith is a real guy, despite the way he looks in his picture. And, since he doesn't have any more use for email addresses than he does for pictures, if you want to respond to his piece, you'll need to write a Letter To The Editor to Liberty's Torch at [editor@libertystorch.us](mailto:editor@libertystorch.us).