

**A Resolution Declaring Cherokee County, North Carolina,
a Bill of Rights Sanctuary County**

On behalf of the citizens of Cherokee County, North Carolina, the Cherokee County Board of Commissioners affirm and accept the following as true:

1. The Declaration of Independence states that people are “endowed by their Creator with certain unalienable Rights, . . . to secure these rights, Governments are instituted among Men . . . deriving their just powers from the consent of the governed”
2. The Constitution of the United States is the Supreme Law of our nation
3. The North Carolina Constitution, Article I, Section 5, states: “Every citizen of this State owes paramount allegiance to the Constitution and government of the United States, and no law or ordinance of the State in contravention or subversion thereof can have any binding force”
4. The Fourteenth Amendment to the Constitution of the United States, Section 1, 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.”
5. In Article IV, the Constitution requires the Federal Government to guarantee to each State a Republican Form of Government, not a Democracy, whereby the authority of government is derived from Consent of the Governed, each state has equal power as part of the whole, and the rights of the minority are protected against the tyranny of the majority.
6. A study of history demonstrates that it is the natural tendency of civil government to expand beyond the limits of its rightful Constitutional authority and to usurp powers which have not been given to it through the delegated consent of the governed.
7. Whenever the uses of government are perverted, individual sovereignty is overtly endangered or threatened, and all other means of redress are ineffective, the People may, and in fact ought to, force the reestablishment of the original constitutional limits of government.
8. Resistance against arbitrary power and oppression is the obligation of every individual. Moreover, it is the duty of the People of Cherokee County, through the actions of their lesser magistrates and local elected county officials to challenge the civil government when and where it exceeds or threatens to exceed the limits of its authority as required by the U.S. Constitution and the Bill of Rights.
9. Criminals do not obey laws. The criminal behavior of some individuals must not be used to justify curtailing or abolishing the unalienable, constitutionally-guaranteed rights of law abiding citizens. The last protectors of the US Constitution are We the People of the United States. Our ability to fulfill that role successfully rests on our Natural Law Rights and the written words and guarantees in our Constitution and The Bill of Rights.
10. Free individuals consent to be governed as long as the government protects and secures those unalienable rights guaranteed to each of us by the Constitution and the Bill of Rights.
11. As written in The Bill of Rights:

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment II

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.

Amendment III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner; nor in time of war, but in a manner to be prescribed by law.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in a militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed; which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.

Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

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.

THEREFORE, the Board of Commissioners of Cherokee County, North Carolina resolve that **Cherokee County, North Carolina**, is hereby designated a

“Bill of Rights Sanctuary County”

in order to protect and preserve the Individual Rights of the Citizens of Cherokee County, as listed in The Bill of Rights, and to allow them to decide for themselves as free and sovereign individuals about matters which concern their lives, liberty, and property.

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.

Therefore, it shall be the policy of the Cherokee County Government not to authorize the expenditure of or the appropriation of local government funds, resources, employees, agencies, contractors, buildings, detention centers or offices for the purpose of implementing or assisting in the enforcement of any federal acts, laws, orders, mandates, rules or regulations, that infringe on the rights of the people as enumerated and ratified in the Bill of Rights of the United States Constitution.

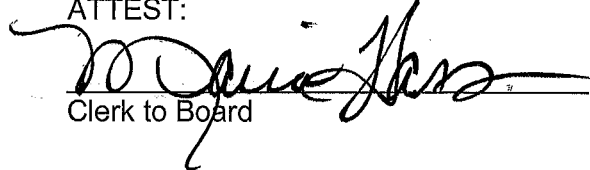
This resolution was assembled and written by Dr. Dan Eichenbaum, Chairman, Cherokee County Commission, using constitutional law references and is based in part on similar ordinances and resolutions from Scott County, Arkansas.

This resolution passed by a vote of 3-2 on June 28, 2021.



Chairman

ATTEST:



Clerk to Board