

**Board of County Commissioners
Mille Lacs County, Minnesota**

Resolution No.: 08-18-2020-02

Constitutional Rights of Mille Lacs County Citizens

WHEREAS, the County of Mille Lacs and its citizens are governed by the Constitution of the United States including the Amendments to the Constitution of the United States of America, the Minnesota State Constitution, and all federal and state statutes, laws and regulations; and

WHEREAS, the Mille Lacs County Board of Commissioners, including all duly elected and appointed officials of the County take their oaths of office seriously to "support the Constitution of the United States, the Constitution of the State of Minnesota", and faithfully execute and discharge the duties of their respective offices "according to law" and to the best of their ability and understanding; and

WHEREAS, the Mille Lacs County Board of Commissioners supports the Amendments to the Constitution of the United States of America, also known as the Bill of Rights which includes:

Amendment 1	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 2	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 3	No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, or in time of war, but in a manner to be prescribed by law.
Amendment 4	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, support by Oath or affirmation, and particularly describing the place to be search and the persons or things to be seized.
Amendment 5	No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the 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 law; nor shall private property be taken for public use, without just compensation.
Amendment 6	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 defence.
Amendment 7	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-examines in any Court of the United States, than according to the rules of the common law.
Amendment 8	Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.
Amendment 9	The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.
Amendment 10	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.

WHEREAS, the determination whether a law is constitutional or unconstitutional rests with the federal and state courts, and not the Mille Lacs County Board of Commissioners, and

WHEREAS, the Mille Lacs County Board of Commissioners cannot direct the Mille Lacs County Sheriff or other duly elected or appointed officials, current or future, of the County to take specific actions including litigation; and

WHEREAS, the Mille Lacs County Board of Commissioners wishes to express opposition to any law that would unconstitutionally restrict the rights of the citizens of Mille Lacs County; and

WHEREAS, the Mille Lacs County Board of Commissioners wishes to express support for the Constitution of the United States including the Amendments to the Constitution of the United States of America, the Declaration of Independence, the Minnesota State Constitution.

NOW, THEREFORE, BE IT RESOLVED that the Mille Lacs County Board of Commissioners hereby declares Mille Lacs County, Minnesota supports the Constitution of the United States including the Amendments to the Constitution of the United States of America, the Declaration of Independence, and the Minnesota State Constitution and hereby expresses its intent to support the rights of citizens of Mille Lacs County, Minnesota.

Adopted this 18th day of August, 2020.

Roger Tellinghuisen
County Board Chairman

Pat Oman
County Administrator

The foregoing resolution was introduced by County Board Member _____ and duly seconded by County Board Member _____.

The following voted in favor of the Resolution:
The following voted against the Resolution:
The following were absent:

CERTIFICATION

State of Minnesota
County of Mille Lacs

I do hereby certify that the foregoing resolution is a true and correct copy of a resolution presented to and adopted by the County of Mille Lacs at a duly authorized meeting thereof held on the 18th day of August, 2020.

Pat Oman
County Administrator