

## **Hello Fellow Patriots,**

I have taken on the task of researching and reporting on HB 1130, and the Kernan-Shepard Commission Report. If you are not aware of this legislation or the Commission, last year Governor Mitch Daniels commissioned a “Blue Ribbon”, bi-partisan panel to study methods of streamlining “Local” Government, and appointed former Governor Kernan and Supreme Court Chief Justice Shepard as co-chairs. The result of this commission is the Kernan-Shepard report. Rep. Crooks (I’m not kidding) introduced HB 1130, on January 8, 2008, a measure to study methods of implementing the report recommendations.

Mitch wants us to: (Recommendation #3) *Transfer the responsibility for administering the duties of the county auditor, treasurer, recorder, assessor, surveyor, sheriff and coroner to the county executive. Transfer the varied duties of the clerk to the courts, the county election board and the county executive. Establish objective minimum professional qualifications and standards for certain county administrative functions. Indiana counties elect a significant number of autonomous or independent county officers: auditor, treasurer, recorder, assessor, surveyor, sheriff, coroner and clerk. Just as common sense would keep one from hiring three separate executives to run a business, it also recommends against hiring 11 or more. The county offices described above carry out what we describe as administrative functions. Purely administrative positions should be appointed. We recommend that, except for the clerk’s duties, all these responsibilities be assigned to administrative offices under the county executive. The clerk’s court duties should be transferred to the courts; the licensing and similar duties should be transferred to the county executive; and the election duties should be assigned to the election board of which the county executive would be a member.*

Everyone is for less government and lower taxes, but I would like to point out that this legislation only reduces LOCAL elected government, and does not remove a single hog from the State-level trough. Our Gov. Daniels, the same fiscal conservative who sold our toll roads to Spain and Australia for seventy-five years (and thereby our children’s legacy), the same responsible manager who served as George W. Bush’s Director of the Office of Management and Budget, and who advised the President that the “war” with Iraq would only cost fifty or sixty billion dollars, the same civil libertarian who served on the Homeland Security Committee, is now advising us how to cut wasteful and redundant local (only local) government, and still assures Hoosiers that our right to self governance will not be diminished. This can be accomplished by taking away our right to vote on all but one official: the County Executive.

This is not a new idea by any means, and “Ditch our Liberties” Mitch isn’t the original author of streamlined local government (more centralized control): Vladimir Ilyich Lenin had a similar plan: the Politburo and the Supreme Soviet were an extremely streamlined system of government. But even Lenin knew he had to have the appearance of propriety and a peoples voice, so he instituted several levels of “elected” government beneath the Raion (district or county) leaders. Comrade Mitch wants to cut to the chase and go straight to the Raion. Everyone else except the County prosecutor will be appointed by the Comrade Raion Leader, or as tovarich Daniels likes to say “Super Executive” (I’m surprised he didn’t use Bush Administration language and refer to the County “Collective” leader as a “Czar”).

Limit appointed officials to administrative responsibilities, and ensure professional qualifications and performance standards where appropriate. “Too many roles that should require professional qualifications and standards—such as assessor, sheriff and coroner—are in fact elected positions, with few if any requirements for technical or professional expertise. We recommend removing these positions from the ballot and making elected officials responsible for appointing professionals to these roles.” Whose professionals Comrade Mitch, and why? Most of the aforementioned positions are administrative in nature, and can be performed by ordinary Hoosiers, rather than a few “Elitists”. Another recommendation is to drop residency requirements for most appointees. Is that so “Professionals” from outside Indiana could be considered for appointment within the Komosol?

Two elected officials that are critical to maintaining our liberty, and are answerable only to The People, are the County Coroner and County Sheriff. Mitch Daniels wants to have these two Officials appointed by the “County Executive”. Let’s examine these two positions, and you determine why the Governor might want to change our Constitution, so that these two officers become nothing more than functionaries of the new “centralized power”.

### **County Coroner**

Contrary to popular belief, the County Coroner is not a Forensic Pathologist, but has a Law Enforcement function. He supervises the Pathologists, convenes Coroner Inquests, investigates suspicious deaths, and in the event the Sheriff cannot

carry out his statutory duties, becomes Sheriff:

IC 36-2-14-4

Duties as county sheriff

Sec. 4. The coroner shall perform the duties of the county sheriff only in cases in which the sheriff:

(1) is interested or incapacitated from serving; and

(2) has no chief deputy who may perform his duties.

As added by Acts 1980, P.L.212, SEC.1. Amended by Acts 1980, P.L.125, SEC.24.

IC 36-2-14-5

Service of warrant for arrest of county sheriff; custody of jail and prisoners

Sec. 5. A warrant for the arrest of the county sheriff shall be served by the coroner or any other person to whom it may be legally directed. The coroner, who shall commit the sheriff to the county jail, has custody of the jail and its prisoners during the imprisonment of the sheriff.

As added by Acts 1980, P.L.212, SEC.1.

Indiana Code regarding the Office of Coroner: <http://www.in.gov/legislative/ic/code/title36/ar2/ch14.html>

More information on Coroners and Medical examiners throughout the U.S.: <http://www7.nationalacademies.org/stl/June%20Forensics%20Hanzlick.pdf>

Comrade Daniels would like to narrow the pool of potential candidates for Coroner by requiring each appointee to be a licensed Medical Doctor. I wonder why?

### **County Sheriff**

“Reassigning these functions to the executive officer will create clearer lines of accountability for local citizens and unified policy-setting regarding general operation, staffing, purchasing and other internal management issues. While including the sheriff may be the least anticipated element of our recommendation, we note that no other law enforcement leader is elected within any local, state or federal governments. We do not elect the chief of police or the director of the Federal Bureau of Investigation (FBI). It is important that county law enforcement be led by and accountable to the county executive for the same reasons that the remaining administrative county offices should be: It ensures that local government leadership and responsibility are clear, and gives citizens direct access to that leadership.” –

Kernan Shepard Commission Report, rationale for recommendation #3

A Horror Story from Virginia:

“One such story last month involved the United States Department of Agriculture with the aid of Virginia police raiding a game farm at 5 a.m., handcuffing the owner and shooting his pigs. The authorities said there was a suspicion of Psuedorabies within the herd. Psuedorabies has been controlled for decades by State Departments of Veterinary Medicine by testing herds and paying indemnity for animals if depopulation is necessary.....Could a local sheriff have stopped this event from happening?.....

The sheriff is the only law enforcement official with the authority to summon the power of the county. The sheriff has the right, granted by Posse Comitatus, to assemble a militia or posse, and the power to deputize citizens and require them to assist in the keeping of the peace and the enforcement of laws.

“The sheriff represents the power of the people; he does not represent the power of the state. When it comes to keeping the peace no one’s authority exceeds that of the sheriff. The sheriff of that county not only had the authority; he had the absolute obligation to intercede to protect the constitutional rights of the owner of this farm.

Note the above quote! “The sheriff represents the power of the people; he does not represent the power of the state.” How can we live in a national police state if the sheriff knows his authority and carries out his job? This certainly does not fit well into a new form of global governance or even a North American Community.

We must do away with the office of the County Sheriff and allow the State Police, the BATE, CIA, IRS, USDA, FBI, BLM, Forest Service and dozens of other gun toting bureaucrats to control our lives, harass our people and eat out our substance. This new form of government must render the military independent of and superior to the civil power, and is taking place right before our very eyes.” - Derry Brownfield, December 28, 2006 <http://www.newswithviews.com/brownfield/brownfield56.htm>

In the United States the duly elected Sheriff is the highest Law Enforcement officer of the county and has Law Enforcement powers exceeding that of any other State or Federal Official, and is commander of militia in that county. Thomas

Jefferson wrote in his THE VALUE OF CONSTITUTIONS, "The Office of Sheriff is the most important of all the executive offices of the county". The American Sheriff is the oldest form of organized law enforcement. Indiana's first constitution was adopted in 1816 when Indiana joined the Union; it also created the office of Sheriff as an elected official in each county. Although there were Constitutional amendments in 1948 and 1952 that changed the term of office of the Sheriff, the constitutional provisions establishing the office itself remains the same as it was in 1816.

Comrade Daniels would like to relieve you of the burden of having to vote for County Sheriff, and make the office a position, appointed by, and subordinate to, the County Commissar. Note: Both County Coroner and County Sheriff, will still be fully funded, appointed positions. Where are the savings Mitch? What is the real reason for appointed, rather than elected Sheriffs, Commissar Daniels?

"We say that the status quo in local government is simply not good enough. Indiana can either embolden itself, designing new arrangements for its future prosperity, or continue to trudge along under a system of government erected 150 years ago."

If Comrade Daniels thinks that our State Constitution is "Outdated" and simply "not good enough", this should give all Hoosiers some insight into how he truly feels about that two hundred and thirty-one year old "\$%#@!&\*% piece of paper" (as George W. Bush is rumored to have said) known as The United States Constitution. Daniels did learn most of his tricks from the Bush Administration, didn't he?

There are some good, common sense ideas in the report such as consolidation of redundant school districts. But these are actions that should be left to the voters from the affected areas, not by mandate from Indianapolis. Make no mistake my friends; this has nothing to do with saving taxpayer money (did they all wake up in Indianapolis and have a jailhouse conversion?) and everything to do with stripping us of more liberties! As Benjamin Franklin said: "Half a truth is often a great lie." If allowed to pass, this bill will be the end of re-establishing Indiana State Sovereignty.

One of the often-overlooked benefits of township government (and other local offices) is to get people who would not normally be involved in politics, into the political process, as it aids in creating an active citizenry. Many of the best public servants I have known came out of township government.

I have discussed HB 1130 with my: Indiana House and Senate representatives, County Coroner, County Commissioner, and Township Councilwoman, and all agree it is dangerous legislation (I attempted to contact my County Sheriff three times, but he must think he's already been appointed). The bill was placed into committee to die for this session. I was warned that there will be attempts to introduce new legislation enacting sections of the report, in a backdoor move, this session. It most assuredly will be re-introduced in January 2009, and Mitch Daniels is planning to use Kernan-Shepard as his campaign platform. Big surprise!

If you could please take the time to Contact your Assembly representatives, Coroner, Sheriff, Commissioner, and inform your neighbors as to what is going on with this bill. If you could please send me an e-mail with their names, districts they represent, and position on the Kernan-Shepard Commission Report. I plan on dedicating a page on the ICRC website to this issue. If you haven't already, please join the Indiana Conservative Republican Caucus, and help us in the struggle for liberty. If you don't care to receive any further correspondence, please send an e-mail to let me know and I will promptly remove your name from my list: [medici59@gmail.com](mailto:medici59@gmail.com)

This posting is snide, sarcastic, and intended to stir people up. I get real angry when double-speaking politicians attempt to steal my children's and grandchildren's liberty and freedom. I make no apologies, for I will drop the sarcasm when Governor Daniels stops calling himself a Conservative Republican. BTW Mitch: The Russian word for reform is Perestroika. You might as well use the language of your mentors!

Links:

Kernan-Shepard Report: [http://indianalocalgovreform.iu.edu/assets/docs/Report\\_12-10-07.pdf](http://indianalocalgovreform.iu.edu/assets/docs/Report_12-10-07.pdf)

Indiana Commission on Government Reform website: <http://indianalocalgovreform.iu.edu/welcome/index.html>

Video of Daniels promoting the Commission report. Must see! [http://www.indianalocalgovreform.iu.edu/assets/lgr\\_state-house\\_press\\_conf\\_11\\_december\\_2007.asx](http://www.indianalocalgovreform.iu.edu/assets/lgr_state-house_press_conf_11_december_2007.asx)

## Kernan-Shepard Report Opinion Checksheet

Please read through the attached letter. If you'd like, go to the meetup forum and read the actual 40 page PDF...the Kernan-Shepard Report. Public Servants are listed by County. Please choose a county, contact its servants, and gauge their opinion of the KSR proposals.

Let's try to group them (if possible) into one of either three categories: Pro-KSR, on the fence, Anti-KSR. As stated in opening of the KSR "the transformation we propose will be disruptive, even painful, in the short run. Many who have interest in the status quo will resist these changes with great vigor." It is our responsibility to find the public servants in our district who are in line with our position and do our part to organize our efforts to help them maintain the "status quo" (autonomous local sovereignty, versus the dangerous and unnecessary centralization of power to the would be commissars).

If you're working with a County that has missing information, you might call the Clerk first and see if they can email you names, numbers and emails for the seats we're interested in. Start by introducing yourself, then stating your business (which is that you'd like to be in contact with the Auditor, Treasurer, Recorder....etc., to get their opinion on an important legislative matter). In some cases, names and/or numbers are not available. Be sure you get the name of who you talk to.

### Clay

Auditor		812/448-9001
Treasurer		812/448-9009
Recorder	Angela Modesitt	812/448-9005
Assessor		812/448-9013
Surveyor	John Keller	812/448-9017
Sheriff		812/446-2535
Coroner		
Clerk	Mary Brown	812/448-9032

### Greene

Auditor		812/384-8658
Treasurer		812/384-4378
Recorder		812/384-2020
Assessor		812/384-2002
Surveyor		812/384-2026
Sheriff		812/384-4422
Coroner		
Clerk	Ms. Jackie Winstead	812/384-8532

### Daviess

Auditor		
Treasurer	Joyce E. Goodwin	812/254-8677
Recorder	Gail Doades	812/254-8675
Assessor		
Surveyor		
Sheriff		
Coroner		
Clerk	Sherri Healy	812/254-8669

### Knox

Auditor		
Treasurer		
Recorder		
Assessor		
Surveyor		
Sheriff		
Coroner		
Clerk	Lisa Clark-Benock	812/ 885-2521

### Fountain

Auditor		
Treasurer		
Recorder		
Assessor		
Surveyor		
Sheriff		
Coroner		
Clerk	Patty Gritten	765/793-2192

### Martin

Auditor		
Treasurer		
Recorder		
Assessor		
Surveyor		
Sheriff		
Coroner		
Clerk	Julie Fithian	812/ 247-3651

### Gibson

Auditor		
Treasurer		
Recorder		
Assessor		
Surveyor		
Sheriff		
Coroner		
Clerk	Becky Woodburn	812/385-2541

### Owen

Auditor		812/829-5000
Treasurer		812/829-5011
Recorder		812/829-5013
Assessor		812/829-5018
Surveyor		812/829-9117
Sheriff		812/829-4874
Coroner	Darin Crum	812/828-1105
Clerk	Harley E. Melton	812/829-5015

**Parke**

Auditor  
 Treasurer  
 Recorder  
 Assessor  
 Surveyor  
 Sheriff  
 Coroner  
 Clerk Kimberly Shorter 765/569-5132

**Pike**

Auditor  
 Treasurer  
 Recorder  
 Assessor  
 Surveyor  
 Sheriff  
 Coroner  
 Clerk Shirley Van Meter 812/354-6025

**Posey**

Auditor  
 Treasurer  
 Recorder  
 Assessor  
 Surveyor  
 Sheriff  
 Coroner  
 Clerk Donna K. Butler 812/838-1306

**Putnam**

Auditor 765/653-5513  
 Treasurer 765/653-4510  
 Recorder 765/653-5613  
 Assessor 765/653-4312  
 Surveyor 765/653-5603  
 Sheriff 765/653-3211  
 Coroner  
 Clerk Marty Watts 765/653-2648

**Sullivan**

Auditor  
 Treasurer  
 Recorder  
 Assessor  
 Surveyor  
 Sheriff  
 Coroner  
 Clerk Shelly Hiatt Parris 812/268-4657

**Vanderburgh**

Auditor Bill Flutey 812/435-5763  
 Treasurer Z. Tuley 812/435-5248  
 Recorder Betty Knight-Smith 812/435-5218  
 Assessor Johnathan Weaver 812/435-5969  
 Surveyor Bill Jeffers 812/435-5117  
 Sheriff Eric Williams 812/421-6263  
 Coroner Erk, Sr., Donald 812/435-5746  
 Clerk Susan K. Kirk 812/435-5160

**Vermillion**

Auditor  
 Treasurer  
 Recorder  
 Assessor  
 Surveyor  
 Sheriff Bob Spence 765/492-3737  
 Coroner  
 Clerk Florinda Pruitt 765/492-3500

**Vigo**

Auditor Jim Bramble 812/462-3361  
 Treasurer David Crockett 812/462-3251  
 Recorder Nancy S. Allsup 812/462-3301  
 Assessor Deborah J. Lewis. 812/462-3358  
 Surveyor 812/462-3380  
 Sheriff Jon R. Marvel 812/462-3226  
 Coroner Roland Kohr, MD. 812/237-1616  
 Clerk Patricia R. Mansard 812/ 462-3211

**Warren**

Auditor  
 Treasurer  
 Recorder  
 Assessor  
 Surveyor  
 Sheriff  
 Coroner  
 Clerk Jacki Brier 765/762-3510

**Warrick**

Auditor Larry Lacer 812/897-6111  
 Treasurer Charles R Christmas 812/897-6166  
 Recorder Pat A. Brooks 812/897-6165  
 Assessor Angela Wilder 812/897-6125  
 Surveyor  
 Sheriff  
 Coroner  
 Clerk Shannon Weisheit 812/897-6163