



# ELBERT COUNTY GOVERNMENT

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**For Immediate Release**  
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## **Elbert Approves Resolution Declaring County a “Second Amendment Sanctuary County”**

*Resolution preserves the Second Amendment of the US Constitution*

**ELBERT COUNTY, CO** – Today, Elbert County Commissioners passed a resolution designating Elbert County as a “Second Amendment Sanctuary County.” They join a growing number of rural Colorado counties who have made similar announcements in response to HB 19-1177, also known as “The Red Flag Bill.”

Elbert County has the authority to adopt and enforce resolutions regarding health, safety and welfare issues unique to the community. Board Chair Chris Richardson stated, “Our mission is to ensure a well-run government and, when appropriate, advocate for legislative issues that affect our residents.” He added, “This isn’t about politics, it’s about maintaining our County’s individuality and unique way of life our residents value – and expect.”

The resolution states that members of the Board believe the right to keep and bear arms is a fundamental Constitutional right, with any restrictions to such rights being subject to strict scrutiny and thus justified only when such restrictions accomplish a compelling governmental interest, and even then, only when such law or policy is sufficiently and narrowly tailored to achieve that goal.

They also believe that any reasonable restrictions upon the Second Amendment of the United States Constitution must meet Constitutional standards for due process, presumption of innocence, and a conviction based on the standard of guilt beyond a reasonable doubt or such similar disqualifier meeting the same standard in order for citizens to be disqualified from exercising the rights laid out within the Second Amendment.

The Board interprets “The Red Flag Bill” or “Extreme Risk Protection Order,” as presented in Colorado HB19-1177 as flawed, likely to be abused, and insufficient to safeguard Constitutional Liberties such as the presumption of innocence and the Second Amendment. Moreover, it is the Board’s belief that in the event someone is sufficiently mentally unstable such that they present a danger to themselves or to others, that the 72-hour hold law, or the “M1 Hold Law,” already provides ample opportunity for law enforcement to take that individual into custody and evaluate

whether they remain a danger to themselves or others, while also more effectively safeguarding that individual's constitutional rights.

By designating Elbert County as a "Second Amendment Sanctuary County," the Board affirms its support for the duly elected Sheriff of Elbert County, Colorado in the exercise of his sound discretion and affirms its resolve to support decisions by the Sheriff to not enforce any unconstitutional firearms law against any citizen.

Furthermore, the Board will not authorize or appropriate government funds, resources, employees, agencies, contractors, buildings, detention centers or offices for the purpose of enforcing a law that unconstitutionally infringes on the right of the people to keep and bear arms.

This resolution applies to unincorporated areas of Elbert County, only. The Board of County Commissioners does not have the authority to enact policy for any municipality within the County, including the towns of Elizabeth, Kiowa and Simla.

*About Elbert County*

*Elbert County is located approximately 30 miles southeast of Denver and is home to over 26,000 residents. We are a unique mix of suburban communities and rural agricultural areas. The County provides essential statutory services and supportive infrastructure to our citizens in a professional, respectful, and cost-effective manner while creating a working environment that supports their endeavors, western lifestyle and rights as individuals. We strive to be the best place to live, work and conduct business in Colorado; led in a responsive, effective, transparent, and professional manner.*

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