



## NESHOPA COUNTY BOARD OF SUPERVISORS

### RESOLUTION

*CAME ON FOR CONSIDERATION before this Board of Supervisors of Neshoba County, Mississippi the matter of establishing Neshoba County as a Second Amendment Safe Haven County.*

*WHEREAS, the Second Amendment of the United States Constitution reads "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.";*

*WHEREAS, the United States Supreme Court in District of Columbia v. Heller, 554 U.S. 570 (2008), affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home;*

*WHEREAS, the United States Supreme Court in McDonald v. Chicago, 561 U.S. 742 (2010), affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the states;*

*WHEREAS, the United States Supreme Court in United States v. Miller, 307 U.S. 174 (1939), opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment;*

*WHEREAS, Article 3, Section 12, of the Constitution of Mississippi provides "The right of every citizen to keep and bear arms in defense of his home, person, or property, or in aid of the civil power when thereto legally summoned, shall not be called in question, but the Legislature may regulate or forbid carrying concealed weapons.";*

*WHEREAS, Article 3, section 5, of the Constitution of Mississippi reads "That all men are by nature equally free and independent and have certain inherent rights, of which, when they enter into the state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety";*

*WHEREAS, Article 3, section 14 of the Constitution of Mississippi reads "No person shall be deprived of life, liberty, or property except by due process of law";*

*WHEREAS, certain legislation that has or may be introduced in the Mississippi Legislature, and certain legislation which has or may be introduced in the United States Congress could have the effect of infringing on the rights of law abiding citizens to keep and bear arms, as guaranteed by the Second Amendment to the United States Constitution and Article 3, Section 12 of the Constitution of the State of Mississippi;*

*WHEREAS, the Neshoba County Board of Supervisors is concerned about the passage of any bill containing language which could be interpreted as infringing upon the rights of the citizens of Neshoba County to keep and bear arms;*

*WHEREAS, the Neshoba County Board of Supervisors wishes to express its deep commitment to the rights of all citizens of Neshoba County to legally keep and bear arms;*

WHEREAS, the Neshoba County Board of Supervisors wishes to express opposition to any law that would unconstitutionally restrict the rights of the citizens of Neshoba County to legally keep and bear arms; and,

WHEREAS, the Neshoba County Board of Supervisors wishes to express its intent to stand as a Safe Haven County for Second Amendment rights and to oppose, within the limits of the Constitution of the United States and the Constitution of the State of Mississippi, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the rights of the citizens of Neshoba County to keep and bear arms, including through legal action, the power to appropriate public funds, the right to petition for redress of grievances, and the power to direct the law enforcement and employees of Neshoba County to not enforce any unconstitutional law.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF NESHOPA COUNTY, MISSISSIPPI, in regular meeting assembled:

That the Neshoba County Board of Supervisors hereby declares Neshoba County, Mississippi, to be a "Second Amendment Safe Haven";

That the Neshoba County Board of Supervisors hereby expresses its intent to uphold the Second Amendment rights of the citizens of Neshoba County, Mississippi;

That the Neshoba County Board of Supervisors hereby expresses its intent that public funds of the County shall not be used to unconstitutionally restrict the Second Amendment rights of the citizens of Neshoba County, or to aid federal or state agencies in the unconstitutional restriction of said rights;

That the Neshoba County Board of Supervisors hereby declares its intent to oppose, within the limits of the Constitution of the United States and the laws of the State of Mississippi, any unconstitutional infringement on the right of law-abiding citizens to keep and bear arms using such legal means as may be expedient, including, without limitation, court action.

RESOLVED to adopt the foregoing resolution upon motion made by Honorable Keith Lillis and seconded by Honorable Kevin Wilcher.

Motion was passed and adopted by the following vote:

Keith Lillis, Supervisor, District I	Aye
Kevin Cumberland, Supervisor, District II	Aye
Kinsey Smith, Supervisor, District III	Aye
Kevin Wilcher, Supervisor, District IV	Aye
Obbie Riley, Supervisor, District V	Nay

ORDERED AND ADJUDGED, this the second day of March 2020.

  
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KEVIN CUMBERLAND, PRESIDENT  
NESHOPA COUNTY BOARD OF SUPERVISORS  
NESHOPA COUNTY, MISSISSIPPI

I, GUY NOWELL, hereby certify that the foregoing is a true copy of the Resolution adopted in the regular meeting of the Neshoba County Board of Supervisors on the second day of March 2020.

ATTEST:

  
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GUY NOWELL  
CLERK OF THE BOARD  
NESHOPA COUNTY BOARD OF SUPERVISORS

