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PUBLIC HEARING

before

ASSEMBLY COUNTY GOVERNMENT COMMITTEE

Assembly Concurrent Resolution 108

(This Resolution proposes an amendment to the New Jersey Constitution to extend the term of office for County Sheriff from three years to five years)

December 15, 1986
Room 368
State House Annex
Trenton, New Jersey

MEMBERS OF COMMITTEE PRESENT:

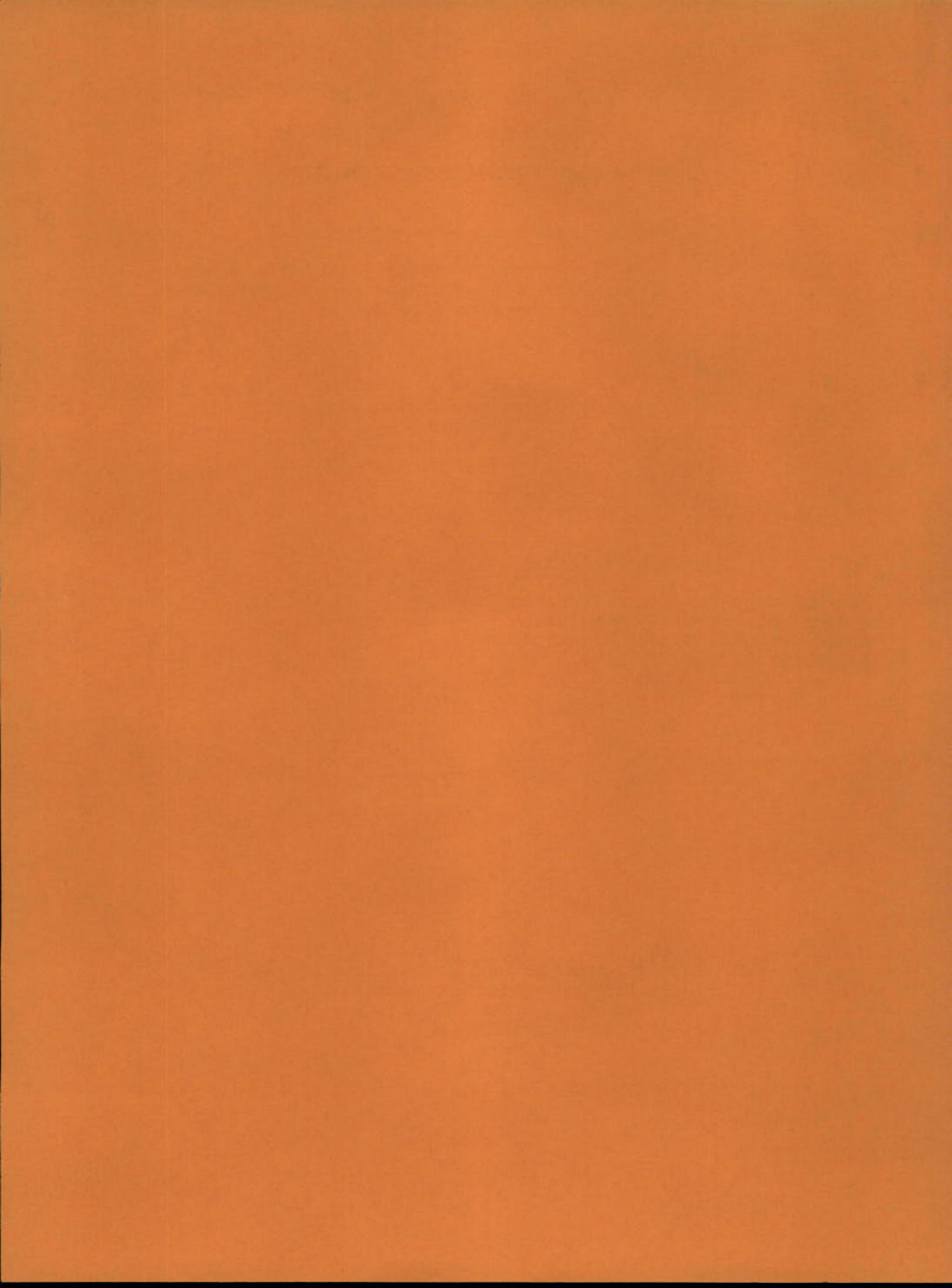
Assemblyman John Penn, Chairman
Assemblyman John T. Hendrickson, Jr. Vice Chairman
Assemblyman J. Edward Kline
Assemblyman Frank M. Pelly

ALSO PRESENT:

David Sallach
Office of Legislative Services
Aide, Assembly County Government Committee

* * * * *

Hearing Recorded and Transcribed by
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Hearing Unit
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CN 068
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ASSEMBLY CONCURRENT RESOLUTION No. 108

STATE OF NEW JERSEY

INTRODUCED MAY 15, 1986

By Assemblymen KLINE and ZECKER

A CONCURRENT RESOLUTION proposing to amend Article VII,
Section II, paragraph 2 of the Constitution.

1 BE IT RESOLVED *by the General Assembly of the State of New*
2 *Jersey (the Senate concurring):*

1 1. The following proposed amendment to the Constitution is
2 agreed to:

PROPOSED AMENDMENT

3 Amend Article VII, Section II, paragraph 2 to read as follows:

4 2. County clerks, surrogates and sheriffs shall be elected by the
5 people of their respective counties at general elections. The term
6 of office of county clerks [and], surrogates *and sheriffs* shall be
7 five years[, and of sheriffs three years]. Whenever a vacancy
8 shall occur in any such office it shall be filled in the manner to be
9 provided by law.

1 2. When this proposed amendment to the Constitution is finally
2 agreed to, pursuant to Article IX, paragraph 1 of the Constitution,
3 it shall be submitted to the people at the next general election
4 occurring more than three months after such final agreement and
5 be published at least once in at least one newspaper of each county
6 designated by the President of the Senate and the Speaker of the
7 General Assembly and the Secretary of State, not less than three
8 months prior to said general election.

1 3. This proposed amendment to the Constitution shall be sub-
2 mitted to the people at said election in the following manner and
3 form:

4 There shall be printed on each official ballot to be used at such
5 general election, the following:

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

Matter printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Assembly committee amendments adopted September 15, 1986.**

- 6 a. In every municipality in which voting machines are not used,
 7 the following legend shall immediately precede the question:
 8 If you favor the proposition printed below make a cross (X),
 9 plus (+) or check (✓) in the square opposite the word "Yes". If
 10 you are opposed thereto make a cross (X), plus (+) or check (✓)
 11 in the square opposite the word "No."
 12 b. In every municipality the following question:

	Yes.	<p style="text-align: center;">CONSTITUTIONAL AMENDMENT TO EXTEND TERMS OF OFFICE OF SHERIFFS</p> <p>Shall the amendment to Article VII, Section II, paragraph 2 agreed to by the Legislature, extending the terms of office of sheriffs elected on or after *[November 4, 1986]* *November 8, 1988* from three to five years be approved?</p>
	No.	<p style="text-align: center;">INTERPRETIVE STATEMENT</p> <p>This amendment extends the terms of office of sheriffs elected on or after *[November 4, 1986]* *November 8, 1988* from three to five years.</p>

SCHEDULE

The five year term for the office of sheriff shall be first applicable to persons elected to that office on and after ***[November 4, 1986]*** *November 8, 1988*.

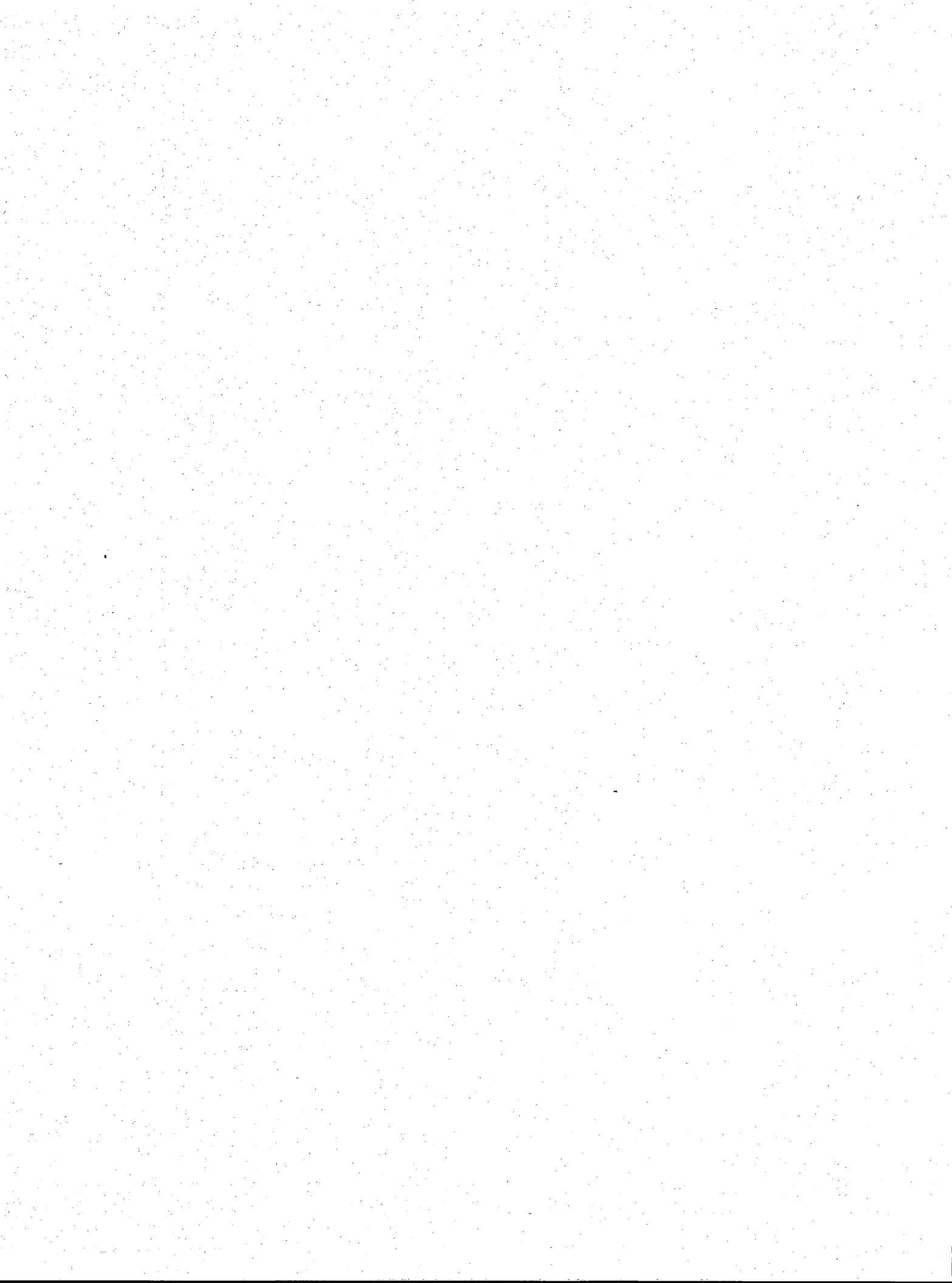
COUNTY GOVERNMENT

Amends Constitution to extend the term of office for sheriffs from three to five years.

TABLE OF CONTENTS

	<u>Page</u>
Russell K. Corby Legislative Agent Sheriffs' Association of New Jersey	1
Peter Kehoe Counsel and Executive Director Sheriffs' Association of New York and Representing the National Sheriffs' Association	6
Sheriff James T. Plousis Sheriff Cape May County	10
Frank W. Haines Ewing Township, New Jersey	11

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ASSEMBLYMAN JOHN PENN (Chairman): The first matter on the agenda this morning will be the Assembly Concurrent Resolution 108. This Resolution proposes an amendment to the State Constitution in order to extend the term of office for county sheriff from three to five years. The sheriff is a Constitutional officer. Under the provisions of Article 7, section 2, paragraph 2 of the Constitution, a sheriff of each county shall be elected for a term of three years.

County clerks and surrogates are covered by the same article and section, however are elected for terms of five years. This bill was amended at the last hearing for the effective date, from November '86 -- which is a little past -- to the 8th of 1988, from three to five years.

We have a number of people that would like to be heard on this, and I think we have someone from the Sheriffs' Association that would like to--

R U S S E L L K. C O R B Y: Thank you, Mr. Chairman.

ASSEMBLYMAN PENN: All right. For the record--

MR. CORBY: My name is Russell Corby. I'm representing -- I'm legislative agent for -- the Sheriffs' Association of New Jersey. I've presented a copy of my testimony to the recorder here as well as to the Committee.

Perhaps the most relevant question that can be asked concerning ACR-108, and which is the purpose of this public hearing today, is what need is there to expand the present three year term of office of the sheriff to a five year term?

The most direct response to that, really, is the real need to recognize and sustain a level of professionalism, which is now required by both those who seek the office of sheriff, and those who serve in the office, particularly in New Jersey. It is a response, I think, which could not be made without some understanding of the dramatic changes which have occurred here in New Jersey as well as throughout the country, in the nature and public demands placed upon the sheriffs.

First, the historical perspective and perspective of circumstances which led originally to the limiting of a sheriff as the only Constitutional Officer with a three year term. It should be noted that the same Constitution created the county offices of surrogate and clerk with a five year term in 1947.

The reason for the three year term is really no secret, and it never has been. The minutes of the Constitutional Convention reflect a strong political flavor in the discussion of the sheriff and the duties of the sheriff's office. The convening of that Constitutional Convention in 1947 came also at the zenith of power for political party bosses in New Jersey. We know from our history books they were the most dominant political figures at the time. To them the sheriff's office was really just another political prize in the terms of overall government; a prize they coveted for its law enforcement prestige and historic vote-getting power, while at the same time sought to control because of its public effectiveness and revenues. Yes, a point of fact, prior to 1947, the sheriff's salaries in this State were set based upon the substantial fees they generated in office, and also they were given more than modest living accommodations prior to the '47 convention.

To New Jersey's county bosses, there was a distinct advantage in fashioning the sheriff's office to their liking, in 1947. The sheriff's historic law enforcement role was really never discussed, and the minutes of the Constitutional Convention reflect that. Again, I'd like to emphasize that. The county bosses wanted a friend in the sheriff's office. And again, I'm referring to the fact that this is no secret. They wanted a public figure with strong vote-getting appeal to be on the ballot as often as possible to help their local candidates and to help their political base.

They got what they wanted by influencing the convention -- the members of the convention who came from their

counties. But, we also have to recognize -- and I think it's time to recognize -- that visionaries, they were not. The times, and politics, and government have changed dramatically in the nearly four decades since this portion of the Constitution was drafted. In 1947 you might recall that the United States and Russia were allies. Maybe closer to home, which one of us could imagine this State without the Garden State Parkway?

Today we refer to the era of those party bosses as a long gone, romantic page in New Jersey history. And, that kind of political power and influence is, in fact, gone. The same people who fashioned a three year term of office for political convenience did not envision a sheriff candidate or officeholder college educated, police trained, or FBI schooled.

More than an administrative executive link to the Judicial system which the sheriff remains today, in New Jersey as well as across the nation, the role of the regional county law enforcement agency has had to meet the demands of a newer society; a changing society. In half the counties of New Jersey today the sheriff remains the supervisor of the county correctional system, the jail, provides court security, processes thousands of documents and summonses.

Beyond that which the framers of the Constitution envisioned, today's sheriff administers modern communication systems to serve local law enforcement agencies, and drug enforcement units, has search and rescue teams, has identification BCI units, missing persons units, and police training units. I could go down a list of very very specialized services which they provide the local police, and provide on a regional basis to counties.

Yes, the role of today's sheriff, unlike the political constraints of the 1947 convention is one of ever increasing demands for professionally trained, highly technical service to county regions. The office of sheriff and the services they

provide to local law enforcement are, here in New Jersey, as elsewhere in the country, an integral part of the entire law enforcement picture.

Presently, New Jersey has the dubious distinction of limiting the sheriff and thereby the concentrated, sustained professional effort, to the second shortest term in the entire nation. I had put in my original statement that it was the shortest term. I have since been informed that New Mexico -- the great State of New Mexico -- has a term which is equal or perhaps a few months shorter than the present term. They, I do not believe, are a constitutional sheriff setup. But, every other state -- 48 other states -- have longer terms. And, in fact, two-fifths of those states have constitutional restraints on the term of office; the others are by statute.

Public approval of ACR-108 as a ballot question would even protect the integrity of the office of sheriff by requiring -- thanks to the amendments that are made in this Committee -- every current officeholder -- every current sheriff -- at the end of his current term to seek and win reelection before assuming a new five year term. There should be no mistake about that fact, particularly with respect to the public's interest. No sitting sheriff would be granted an extension of the term. Each one would have to seek reelection and win that election.

Really, it's simply time to put the political tradition of a three year term behind us in New Jersey. To join the rest of the nation in recognizing and sustaining the professional level that is required to effectively administer and perform the duties of the sheriff in their capacity as a critical part of modern law enforcement.

I don't know who else will speak today, but I do know that the New Jersey Association of Counties, as well as other Constitutional offices -- the clerks and the surrogates -- have each passed resolutions in support of the sheriffs' term. And,

I think that should be noted too, because they are close to county government, and respect its integrity.

Today, you'll be happy to note, Mr. Chairman, that there are more than half a dozen New Jersey sheriffs in this room who feel very strongly on the issue about the future of law enforcement. Not their current status, but the future of where New Jersey is going to go.

There are some practical aspects to this as well I think, and they'll certainly be mentioned, in terms of cost of election and so forth. But, I'd rather not go into that, and introduce to the Committee if I could the next speaker--

ASSEMBLYMAN PENN: Well, I'm certain we may have some questions, sir.

MR. CORBY: Oh, fine. Okay.

ASSEMBLYMAN PENN: Assemblyman Pelly, have you any questions at this time?

ASSEMBLYMAN PELLY: Yeah. With respect to your testimony on the back page, dealing with a sheriff candidate or officeholder -- college educated, police trained, FBI schooled. Are these requirements for the office of sheriff?

MR. CORBY: No, they're not, Assemblyman. They are not presently requirements. I made that statement to really emphasize and dramatize the difference between the perception of the sheriff in 1947, and the majority of the current sheriffs who hold office. I don't think someone can run for the office of sheriff today, very frankly, with the kind of credentials they were allowed to run for sheriff in 1947. I think the public demands someone who has a knowledgeable law enforcement background. Who has shown a willingness to get the additional training in terms of a highly technical training. That's really required today.

Perhaps I can make a stronger case and be a little more dramatic by pointing out some of the sheriffs in this room. Some are former State Policemen, some are street cops

who worked their way up and went to school and learned their profession; and there's a number of them in this room. A street cop from Elizabeth -- I don't know if he's here -- there's a street cop from Parsippany. That's where they started. In 1947, I don't think that was the case. I think the demands are much greater today.

I hope that in some way addresses your question.

ASSEMBLYMAN PELLY: What are the requirements?

MR. CORBY: I believe the same for any elective office, in that they have to be residents of the county. The test of time that they stand, and the test of the public that they stand, which I might mention that some of the other law enforcement agencies don't have to stand -- for instance, the prosecutor has a five year term; they're not elected. It's an appointed position. Even judges are an appointed position. They have to stand a public test of their credentials, which some other areas of law enforcement do not have to do.

ASSEMBLYMAN PELLY: Yeah, I'm aware of that. I'm trying to seek some clarification with respect to the statements made with respect to their actual requirements, so that there's no misinterpretation of that.

MR. CORBY: Correct. Fine.

ASSEMBLYMAN PENN: Who is your next speaker?

MR. CORBY: I'd like, if I could Mr. Chairman, to introduce Mr. Peter Kehoe, who is from the New York State Sheriffs' Association, but also is associated with the National Sheriffs' Association and took this opportunity to come down here today and address the Committee.

ASSEMBLYMAN PENN: Fine. Mr. Kehoe, welcome to New Jersey.

P E T E R K E H O E: Thank you, Mr. Chairman.

ASSEMBLYMAN PENN: I hope you have your sheriff's card with you. (laughter)

MR. KEHOE: That was in 1947. Mr. Chairman and members of the Committee, for the record I'm Peter Kehoe. I'm Counsel and Executive Director of the New York State Sheriff's Association, and I'm appearing today on behalf of the National Sheriffs' Association as well as a neighbor and friend, and resident of a neighboring state that recently went through this same process that you're considering now.

The National Sheriffs' Association was formed over 40 years ago for the purpose of improving the office of sheriff and improving the delivery of sheriffs' services to the public. And, one of the first public policy positions taken by the National Sheriffs' Association was that the office of sheriff across the country should be increased to a minimum of four years, and preferably a five or six year term. At that time, most states had a three year term, as did New York, and as does New Jersey still.

In the 1940's, as the previous speaker said, the office of sheriff was quite a different animal than it is today, but it was changing even in the '40s. And, that's why the National Sheriffs' Association was formed, and that's why they took that policy position. It was in recognition of the fact that, although the office of the sheriff had traditionally been a political office, and the sheriff had usually come from the political ranks and not from the law enforcement ranks, and for good reason in those days, the National Sheriffs' Association realized that that was changing in those days and took an early public policy position that the laws of the various states should recognize the changing character of the office of sheriff.

I can speak even more confidently with respect to New York because all of the things that I've heard here -- and I've heard about this issue in New Jersey -- I faced a few years ago in New York. And, I think that the development of the office of sheriff in New York parallels almost exactly what has

happened in New Jersey. Our constitution had a three year term for sheriff from memorial in our earliest constitutions -- a three year term. By the 1980s we had very few political sheriffs, and today we have none. All of our sheriffs come from the law enforcement ranks. Either up through the ranks of the sheriffs departments, or from state police or other municipal police agencies.

We presented this case to our state legislature with some very straightforward and unemotional arguments, the main one being that a longer term would present increased stability in office for the people of the state. And I think that would hold true in New Jersey too. It would mean lower turnover of high management employees in the sheriff's department; it would mean continuity of programs in the sheriff's department.

I know in New York State, we are going through the process of building county jails almost all across the state. All of our jails are in bad shape, and we're in jail projects. And, it takes a minimum of three or four years from conception to opening of a jail, and usually more -- five or six years, sometimes.

And, many of our departments now are computerizing their civil process offices. Most of our departments are computerizing their jail operations. And, their law enforcement operations have already been computerized. But, any of those major projects that you undertake, a sheriff who has only a three year term probably is not assured that he is going to be there to see that project through. And that makes it difficult for him to get enthusiastic about some of those long range projects, and I think it also hurts the public because those projects don't get done, or they don't get done by the same person who started them, which means you have a committee designing many of these projects.

And finally, the final argument that we presented in New York was that there really is no school where you can go to

become a sheriff. Most of a sheriff's training comes on the job. Many of the sheriffs come up from the ranks of policemen, or even come up from the ranks as a deputy sheriff. But the sheriffs' duties are so broad in New York and likewise in New Jersey that no deputy probably knows all of the aspects of the office of sheriff. And the way you learn to be a sheriff is on the job. And with a three year term, the public really doesn't get to use that expertise that's developed on the job -- doesn't get the benefit of that expertise that's developed on the job. So, a four, five, or six year term would, again, be to the benefit of the public in that they get the longer use of this expertise.

Now, when we presented this, in New York again, we faced opposition from the politicians who wanted the sheriffs to be on the ballot as often as possible to get the heavy vote getters on the ballot, and the only other objection we faced was some of the legislators felt that the public should have stricter control over this office. And a three year term gave them stricter control.

We balanced those concerns off of the positive aspects of changing the term to a longer term. The legislature agreed with us in the end, and when it was presented to the people in a referendum, it was overwhelmingly approved by more than a 2 to 1 vote by the people. So, I think the people of New Jersey would appreciate you putting this proposition before them, and I think that if you try it, and if the people of New Jersey try it, you'll like it.

ASSEMBLYMAN PENN: Okay, thank you very much. Frank, do you have any questions?

ASSEMBLYMAN PELLY: No, I don't.

ASSEMBLYMAN PENN: Assemblyman Kline?

ASSEMBLYMAN KLINE: No, I agree with him.

ASSEMBLYMAN PENN: Okay, fine. Thank you. Thanks for coming over, and taking the time to come from New York today. I appreciate it.

Is there anybody else, or any of the sheriffs that would like to say anything at this time?

SHERIFF JAMES T. PLOUSIS: Yes, I will.

ASSEMBLYMAN PENN: All right.

SHERIFF PLOUSIS: I'm Sheriff Plousis from Cape May. I'm also President of the Association. I didn't plan on saying anything, but I want to clarify a few points. Mainly, I don't believe we really felt the full gist of what Mr. Corby said about the historical perspective. Let's reiterate some of that.

If you go back historically, we did keep our fees. To give you an idea how much money that generated, Grover Cleveland, who was a Sheriff of Erie County, New York, ran his presidential campaign, and won, with his sheriffss fees. Al Smith, in 1926, the Sheriff of New York County, did the same thing. Again, he lost as president, but he had that kind of money to do that. Also, if you look back in your history books in New Jersey, many Congressmen left Congress to become sheriffs because they made so much money.

I'll give you an example. I'm from a very small county, the third smallest. Last year my office generated \$180,000 in fees. We turned that back to the county, and I made a salary of \$36,000. So there's no question that the fee factor had a lot to do with our three year term.

Also, until just 12 years ago, some sheriffs had dwellings that they were given at no cost as part of the fringe benefit of being sheriff. As I say, as of 12 years ago, no sheriff today lives in a county house and gets the services of that home -- food, phone, etc. So, those things must be brought in.

Also, we touched on the level of professionalism that we have today in the sheriffs. Seventeen of the 21 sheriffs were policemen in either state or local police before becoming sheriff. And with the new Gun Control Act that has been in effect since last March, and with the new training commission

acts, there's no question that if somebody came in who was a civilian today, he would almost be mandated to go to the National FBI Academy to get further training if he was going to be able to exercise some of our powers of carrying a weapon and executing arrests.

So, we have statutes already on the books today that would almost dictate that any sheriff in the future will be a policeman. I think with those things in mind I think it is timely and appropriate that we would go for a longer term. And, as we said, it wouldn't serve any of us in this room at this stage of the game. We would have to run for it in the future.

Also, to answer the question, the requirement today to become sheriff is that you must be 21 years of age, a resident of that county, and bondable. They're the only criteria. It doesn't sound like much, but I believe the same criteria is mandated for Governor for the State. So--

That's all I wanted to mention. And, if anybody had a question, I was a history teacher before being a policeman before being a sheriff, so I might be able to answer some historical questions, if you had any.

ASSEMBLYMAN PENN: We have a Governor that is a former history teacher, also. (laughter) Frank, do you have anything?

ASSEMBLYMAN PELLY: No, I don't. Thank you for your testimony.

ASSEMBLYMAN PENN: Thank you very much. Is there anybody else that wishes to be heard? Mr. Haines?

F R A N K W. H A I N E S: Good morning, gentlemen.

ASSEMBLYMAN PENN: For the record, Frank.

MR. HAINES: My name is Frank W. Haines. I'm a resident, and taxpayer of Ewing Township. I retired a year ago after working for a private, non-profit governmental research organization in Trenton for over 34 years. I do not represent any organized group, and appear before you today as

an individual representing -- interested in good government. I apologize for not having a prepared statement. I no longer have access to stenographic facilities since I retired.

As an amateur historian, prior to preparing my remarks today, which I might say is somewhat in opposition of the proposed amendment, I undertook some brief historical research on the office of sheriff as reflected in the New Jersey Constitution. I trust you'll permit me to review a little bit of that background. I think it's a little bit broader than you've already heard.

When the English settled in New Jersey, they brought with them their traditions and governmental officials, including the office of sheriff, which was an important office in England. We find that the office of sheriff is one of the original Constitutional offices in New Jersey, again reflecting that English tradition. Although the sheriff is mentioned in the fundamental Constitution for the Province of East New Jersey in 1683, we find also that the office was provided for in the State's first Constitution, dated July 2, 1776. Under that Constitution, each county was required to elect a sheriff annually. However, after being elected for three annual terms, the individual had to stay out of office for three years before he could be elected again.

The New Jersey Constitution of 1844 continued the office of sheriff, essentially as provided in the original Constitution. The elected offices of county clerks and surrogate were included in that Constitution with terms of five years. The term of office of sheriff was increased to three years by a Constitutional Amendment effective on September 28, 1875. And the time prohibition against running for a second successive term was also fixed at three years at that time.

During the 1947 Constitutional Convention -- you've already heard some comment about the rationale of that convention -- I found that the Committee on the Judiciary

considered and rejected provision for the five year terms for sheriffs, as had been fixed years earlier for county clerks and surrogates. A motion to amend the section as released from the committee to make the terms of all three county offices five years was brought to a full vote of the entire convention on August 13, 1947. Following a very brief discussion with one delegate talking in favor, and three in opposition, the motion was declared lost following a show of hands without even a roll call vote. The major argument for change, as reflected in the minutes, was removal of the inconsistency in the terms of the three constitutional county offices. The opposition speakers cited the facts that:

- 1) The prohibition on a sheriff succeeding himself had been removed by convention action the previous day, which they felt was a significant concession, and;

- 2) Since the sheriffs position was at that time considered -- as has been reflected earlier -- a very lucrative one-- And they brought up the fact with more patronage in the other two positions, then the three year term was considered adequate and should be retained.

Two earlier efforts to increase the sheriffs' term to five years have been overwhelmingly rejected by the voters. On November 6, 1956, the amendment was defeated by a vote of over half a million to almost -- for -- and not quite a million against. An opposition percentage of 65. In other words, 65% of those voting on the question voted against it. Six years later, to the very day, November 6, 1962, an identical amendment was also defeated. The vote at that time being less than half a million in favor, and just a little over 600,000 against. This time, the opposition percentage was 59%. However, the vote cast on the question in the second referendum was over 400,000 fewer than had been cast the first time.

A number of subsequent similar amendment attempts have been made in the Legislature, but have been unsuccessful in

being brought to a full vote in both houses. So much for history.

I must say, I clearly understand the position of the sheriffs. But briefly, my views and opposition are, that while a shorter term for the sheriffs than for the clerks and surrogates may seem illogical, the more important alternative, I think which merits consideration, although it isn't before you today -- it would appear much more logical to me to appeal the Constitutional terms of all three offices. Or to appeal the entire paragraph of Article 7, section 2 which makes these offices Constitutional.

Why? First, because they are not policy-making offices, so why should they be elective? We don't elect the Superintendent of the State Police -- the State's chief uniformed law enforcement officer, so it seems the only reason to continue to elect sheriffs, clerks, and surrogates is strictly an historical one.

It does not appear logical to have the terms of those three Constitutional offices exceed those of the Governor, members of the Senate, or even members of the common Legislative body.

I would not challenge the increased professional stature of the office of sheriff; that's unchallengeable. There's no question that there's been tremendous advancement in the qualifications of these officers, so that you have to recognize them as being professional.

Finally, there appear to be far more important Constitutional questions that should be submitted to the public than this one for increasing the sheriffs' terms.

Thank you gentlemen for the opportunity to present this statement to you today.

ASSEMBLYMAN PENN: Thank you. Frank, do you have a question?

ASSEMBLYMAN PELLY: Yeah. Mr. Haines, if we did away with the Constitutional aspect of the three officeholders, who would be making the decision as to--

MR. HAINES: It's in the statute. You'd provide for it simply by statute. So, that would be the alternative. They're recognized partially by statute now -- the salaries and so on. So, you would just carry them over, drop it out here. They would no longer be Constitutional officers, they'd be statutory administrative officers.

ASSEMBLYMAN PELLY: Appointed by?

ASSEMBLYMAN KLINE: The board of freeholders, or the executive.

MR. HAINES: However. However you decide.

ASSEMBLYMAN PELLY: On a county by county basis. Is that what you're saying?

MR. HAINES: They could be. Yes, sir.

ASSEMBLYMAN PELLY: So it would then be a political office by virtue of the fact that the government in control at that time would then have the authority and the right to make a political appointment.

MR. HAINES: You have that alternative. I agree with that. You also have the alternative of making them subject to Governor's appointment -- as prosecutors are -- with confirmation. Now that-- There are several-- I haven't gone into this, but there are several possibilities.

ASSEMBLYMAN PELLY: All of the possibilities, though, would be of a greater political nature than the current method of election.

MR. HAINES: Yes. I'm not sure that's necessarily bad. I admit you the point. Yes. Anything where an appointment is made by an elected official has to become political where there's a party involved. Yes, sir.

ASSEMBLYMAN PELLY: And it would then be dependent upon the amount of pressure that a sheriff candidate would be

placing upon that person or those people who would be making that appointment rather than applying the pressure to the -- making a case before the people to be elected.

MR. HAINES: Yes. Or you could even shift it into a qualification basis with basic examination. Not necessarily Civil Service, but with a separate qualification term. There are possibilities there.

ASSEMBLYMAN PELLY: Thank you, Mr. Haines.

MR. HAINES: Thank you.

ASSEMBLYMAN PENN: Do you have anything?

ASSEMBLYMAN KLINE: No, I think what Frank's saying should be researched. I think I'm still in favor of the bill we have today, and what we're doing today, but I believe, in the future, what Frank's speaking of could be a possibility. I'd want that researched by staff; I want the opinion of the sheriffs and everyone involved before we move on something like that, but I don't think it should be ruled out.

ASSEMBLYMAN PENN: Okay, fine. Thank you, Mr. Haines.

MR. HAINES: Thank you, Assemblyman.

ASSEMBLYMAN PENN: There isn't anybody else to testify. Senator Brown, do you wish to speak today in favor or anything on this particular bill? (Senator Brown indicates she does not wish to testify on this bill)

Okay, fine. All right, at this time, does anyone entertain a motion on this?

ASSEMBLYMAN KLINE: Yeah, I'll move it.

ASSEMBLYMAN PELLY: I'll second the motion.

ASSEMBLYMAN PENN: Okay, moved and seconded, and it's released. The public hearing is now over, and it is released. Thank you gentlemen for taking the time to come down and join with us today.

(HEARING CONCLUDED)