

Mesa County Sheriff's Office

Sheriff Matt Lewis



215 Rice Street
P.O. Box 20,000
Grand Junction, Co. 81502

970-244-3500 Phone
970-244-3503 Fax
www.sheriff.mesacounty.us

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To Whom It May Concern:

I have been asked to assert my position regarding enforcement of Colorado Revised Statute 18-12-302 Large-capacity magazines prohibited – penalties – exceptions and Colorado Revised Statute 18-12-303 Identification markings for large-capacity magazines – rules. I have made clear my stance in support of the Second Amendment and use this opportunity to address expectations of this office in regard to these laws.

The Legislative Branch of our government is charged with the creation and modification of our laws. They are interpreted by the Judicial Branch and ultimately the responsibility for enforcement of the law falls to the Executive Branch of our government. The Colorado State Constitution makes it clear that the Judicial Branch has the responsibility of interpretation and constitutionality of statutes, and ultimately our country's Supreme Court has the final say on what is constitutional or not constitutional in our nation. I have been elected by the residents of Mesa County to be a chief law enforcement officer, a member of the Executive Branch of Government and a county officer. As part of the Executive Branch the decisions of what laws are passed are not up to me.

As your sheriff, I may not ignore the existence of certain laws simply because I may disagree with them; however, I clearly possess full legal authority to decide how to use the resources of this Office and what the enforcement and work priorities are for the men and women of the Mesa County Sheriff's Office. To be clear, I have no interest in giving any priority to enforcement of these measures, and in fact because of the widely discussed difficulties in enforcing these laws, I find it to be a poor use of public resources based on other much more important public safety priorities.

Simply put, the Mesa County Sheriff's Office will not be proactively looking into magazine possession issues, and it will be our stance that possession of high capacity magazines is proper and legal, unless there is clear and convincing evidence otherwise and the use of these two Colorado statutes would assist in the intervention or prevention of an act of violence. It would be irresponsible to not use our all available criminal laws to keep the residents of Mesa County safe from violent acts.

Matt Lewis
Mesa County Sheriff (CO)