



A BRIEF HISTORY OF THE OFFICE OF THE SHERIFF



References to the office of Sheriff can be traced back to a statement attributed to King Nebuchadnezzar of Babylon in 600 B.C. and referenced in one form or another throughout ancient cultures including the Roman Empire. However, the recorded history of the Sheriff's Office can find its origins over 1,100 years ago in early England. It was here in 871 A.D. under the reign of King Alfred the Great that the early development of the modern day Sheriff's Office was documented.

King Alfred devised a new unit of government to strengthen unity within his kingdom known as the "shire". It was the forerunner of the modern day "county" and created geographic jurisdictions. Each "shire" was administered over by a "reeve" (chief). It was the responsibility of the "shire-reeve" to maintain law and order within his "shire". In those early days there were no police, no judges, no magistrates, etc., the Sheriff did it all. He was granted the power to make arrests, raise armies (posses), collect taxes, preside over courts, deal with traitors, and do this and more in the name of the King.

In 1066, at the battle of Hastings, the Saxon King Harold was defeated by the Normans. The Normans centralized power under the King and it was the Sheriff who became the enforcer of the law throughout the Kingdom. Even after tyrannical King John was forced to sign the Magna Carta restoring basic rights and freedoms to the citizens in England, the Office of Sheriff maintained its critical importance as keeper of the peace. It is interesting to note that the role of Sheriff is mentioned nine times in the historic Magna Carta.

As British settlers came to New World the Office of Sheriff traveled with them. In 1634, the colony of Virginia was divided into eight "shires" and William Stone became the first *sworn* Sheriff in America following his appointment as Sheriff of the Accomac Shire. A proclamation passed in March of 1651 required each "shire" (now called counties) to choose a sheriff. William Waters of Northampton County,



William Stone
First Sheriff in America

Virginia became the first *elected* Sheriff. Much later, President Thomas Jefferson expressed his observations in his work titled "The Value of Constitutions" writing that *"the Office of Sheriff is the most important of all executive offices of the country"*.

Through the 1700's and 1800's American Sheriffs were given a broad range of responsibilities by colonial and state legislatures. The duties legislated to the Sheriff included maintaining jails and workhouses, enforcement of the law, maintenance of the peace and handling criminals throughout the judicial process.



As westward expansion evolved it was the Sheriff who was needed to establish order in the lawless territories and wide open boom towns where the fastest gun often ruled. It was during this time that many grouped Sheriffs into two categories: the quick, and the dead. The icons of western lore such as Bat Masterson and Wyatt Earp immortalized the Sheriff's Office in history and in legend.

On August 1, 1918, Emma Daugherty Banister became America's first female Sheriff. Her husband, John R. Banister, was elected Sheriff of Coleman County, Texas in 1914 and Emma served as his office deputy. Upon his death, the commissioners appointed her to complete his term in office. She declined their offer to place her name on the ballot for the November elections for a further term.

Today there are over 3,100 counties in the United States, and almost every one has a Sheriff charged with maintaining order. There are two states that currently do not have Sheriff's. The first is the largest state; Alaska is the only State in the Union where Sheriff's Offices do not exist because there are no government jurisdictions identified as counties. The other is one of the smaller states; Connecticut with only eight counties did away with the office of Sheriff and replaced them with State Marshals.

In a small number of States you can find the existence of a High Sheriff which is a term handed down from the British where the High Sheriff is an appointed position primarily for ceremonial purposes to represent the monarch as the Chief Law Enforcement officer of the shire. However, in those States in the US that recognize High Sheriffs, they are primarily considered to be the head Sheriff over other Sheriffs or Undersheriffs.

The Sheriffs in Georgia are elected constitutional officers; subject to the charge of the General Assembly and are not an employee of the county commission. This means Sheriffs are primarily answerable to the people.

Other interesting facts about Georgia Sheriffs in the 19th century and the early part of the 20th is that Sheriffs' terms were normally only for two years rather than four as they are today. It was often the practice of the Sheriff and his deputy to take turns running for the office of Sheriff. By doing this it insured a larger voter base similar to a presidential candidate picking a vice presidential candidate who can pull votes from a different demographic.

During that period Sheriffs were paid based solely on the fees they collected for the functions they performed and it was called a "Fee System". The Sheriff then paid for his deputy, transportation, along with food and care for prisoners out of those fees. The Georgia legislature put an end to that practice in 1959. From that time forward Sheriffs were paid by the county of their jurisdiction and the modern Sheriff's office took root.

The Sheriff is still designated as the Chief Law Enforcement Officer in all of Georgia's 159 counties, even though there are 11 counties that also have County Police Departments. In Henry County the relationship between the Office of the Sheriff and all county law enforcement agencies is one of the highest degree of cooperation and mutual support. The Sheriff of Henry County strongly supports all efforts to safeguard and protect the citizens of Henry County.
