



**OREGON STATE SHERIFFS' ASSOCIATION**  
**CONSERVATORS OF THE PEACE**

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***THE DUTY OF THE SHERIFF***

In each of the 36 counties in Oregon, the Sheriff is the chief law enforcement officer. His primary duty is to give full police protection to the unincorporated areas of the county. However, he maintains full police jurisdiction in all municipalities.

His responsibilities cover the entire spectrum of law enforcement – criminal investigation, search and rescue, service of legal process of the courts, operation of the county jail, and total police services on a 24 hour basis. The Sheriff's Office must provide court security, transport all criminals to and from penal institutions and is also called upon to handle mental patients within their jurisdiction.

The Sheriffs maintain well trained reserves to aid regular deputies and to assist them in any way possible. As an unpaid service unit, volunteer deputies are required to have law enforcement education.

In many counties the Oregon Sheriff is directing large numbers of personnel, and managing budgets in excess of several million dollars. The efficient and effective management of the Sheriff's Office demands a highly trained and experienced Sheriff.

The state law sets the qualifications for Sheriff as: Not less than 21 years of age, be certified or eligible for certification by the Department of Public Safety Standards and Training, and have at least four years' experience in law enforcement or two years post high school education, or any combination of experience and education for at least four years.

All Sheriffs have full police authority in any county in Oregon when requested by another Sheriff. In this respect, these men have established great working rapport. The communication between the respective Sheriffs is effective, efficient, and a true service to the people of Oregon.

# *Sheriff's Department*

## *Versus*

# *Office of the Sheriff*

What is the difference between sheriff's department and sheriff's office, and why should it matter? To answer the first question, we can turn to Black's Law Dictionary, which defines the term as follows:

**Department:** "One of the major divisions of the executive branch of the government...generally, a branch or division of governmental administration."

**Office:** "A right, and correspondent duty, to exercise a public trust. A public charge or employment...the most frequent occasions to use the word arise with reference to a duty and power conferred on an individual by the government; and when this is the connection, "public office" is a usual and more discriminating expression...in the constitutional sense, the term implies an authority to exercise some portion of the sovereign power, either in making, executing, or administering the laws."

Clearly, the office of sheriff is not simply another department of county government. Its internal operations are the sole responsibility of the sheriff. County department heads are subordinate to a county administrator or manager because they are truly only a division of county government, and they work for him and for the governing body of the county council (or the board of commissioners).

The office of sheriff, on the other hand, is a constitutional office in 35 of the 50 states, having exclusive powers and authority. These powers are not subject to the dictates of a county manager or the whims of a county council. The powers of this office have been exercised for over a millennium.

A sheriff's office, then, is fundamentally different from a county department which derives its limited authority from whatever is delegated to it. This delegation is made by those individuals who hold an elected position, or office, in the governing body. The use of "department" actually refers to a subordinate unit of government, rather than to a body with inherent powers and sovereignty, such as the office of the sheriff.

This explanation is why it matters, and there is a difference.

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