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# History of the Office of Sheriff

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# 1. Introduction

Mention the word “sheriff” and many think of shootouts and gunfights in the Wild West. Such is the power of old movies and television series, which have so magnified the role of the nineteenth-century American sheriff that it is now virtually impossible to think of sheriffs as existing in any other place or time. Most people would be surprised to know that the Office of Sheriff has a proud history that spans well over a thousand years, from the early Middle Ages to our own “high-tech” era.

With few exceptions, today's sheriffs are elected officials who serve as the chief law-enforcement officer of a county. Although the duties of the sheriff vary from jurisdiction to jurisdiction, the sheriff's office is primarily responsible for: (1) law enforcement; (2) the courts; (3) service of civil process; and (4) jail administration.

## 2. The Beginning: The Middle Ages

More than twelve hundred years ago, the country we now call England was inhabited by small groups of Anglo-Saxons who lived in rural communities called “tuns.” “Tun” is the source of the modern English word town. These Anglo-Saxons were often at war. Sometime before the year 700, they decided to organize their methods of fighting by forming a system of local self-government based on groups of ten. Each tun was divided into groups of ten families, called tithings. The elected leader of each tithing was called a tithingman. The tithings were also arranged in tens. Each group of ten tithings (or one hundred families) elected its own chief. The Anglo-Saxon word for chief was “gerefa,” which later became shortened to “reeve”.

During the next two centuries, a number of changes occurred in this system of tithings and hundreds. A new unit of government, the shire, was formed when groups of hundreds banded together. The shire was the forerunner of the modern county. Just as each hundred was led by a reeve (chief), each shire had a reeve as well. To distinguish the leader of a shire from the leader of a mere hundred, the more powerful official became known as a shire-reeve.

The word shire-reeve eventually became the modern English word sheriff. The sheriff—in early England, and metaphorically, in present-day America—is the keeper, or chief, of the county.

## 3. The Office Grows

Originally, tuns had ruled themselves through the election of tithingmen and reeves. Over the years, however, government became more centralized and concentrated in the power of a single ruler, the king. The king distributed huge tracts of land to various noblemen, who thereby became entitled to govern those tracts of land under the king's authority. Under this new arrangement, it was the noblemen who appointed sheriffs for the counties they controlled. In those areas not consigned to noblemen, the king appointed his own sheriffs.

Over the next few centuries, the sheriff remained the leading law enforcement officer of the county. To be appointed sheriff was considered a significant honor. The honor, however, was a costly one. If the people of the county did not pay the full amount of their taxes and fines, the sheriff was required to make up the difference out of his own pocket. Furthermore, the sheriff was expected to serve as host for judges and other visiting dignitaries, providing them with lavish entertainment at the sheriff's own expense.

## 4. The Sheriff Crosses the Atlantic

When English settlers began to travel to the New World, the Office of Sheriff traveled with them. Records show that one of the early Virginia counties elected a sheriff in 1651, but most colonial sheriffs were appointed at that time. Unlike their English counterparts, American sheriffs were not expected to pay extraordinary expenses out of their own pockets. Some sheriffs—most of whom were wealthy men to begin with—even made money from the job.

Throughout the eighteenth and nineteenth centuries, American sheriffs were assigned a broad range of responsibilities by colonial and state legislatures. Some of these responsibilities, such as law enforcement and tax collection, were carried over from the familiar role of the English sheriff. Other responsibilities, such as overseeing jails and workhouses, were new.

When confinement became favored as a more civilized way to deal with criminals, authorities in medieval England introduced the county jail. They began to experiment with other sorts of facilities as well. Among these were the workhouse, where minor offenders were assigned useful labor, and the house of correction, where people who had been unable to function in society could theoretically be taught to do so. All three of these institutions were brought to colonial America, and the responsibility for managing them was given to the colonies' ubiquitous law enforcement officer, the sheriff.

As Americans began to move westward, they took with them the concept of county jails and the Office of Sheriff. Here it is said that sheriffs fell into two categories, the quick and the dead. Most western sheriffs, however, kept the peace by virtue of their authority rather than their guns. With a few exceptions, sheriffs resorted to firepower much less often than is commonly imagined.

## 5. The Sheriff Today

There are 3,006 counties in the United States today, and almost every one of them has a sheriff. Some cities have sheriffs as well, such as Denver, St. Louis, Richmond, and Baltimore. Currently, there are 3,081 sheriffs across the United States.

In the majority of states, the Office of Sheriff is established by the state constitution. Most of the remaining states have established the office by an act of state legislature. Alaska, Connecticut, and Hawaii are the only states in which the Office of Sheriff does not exist.

There are only two states in which the sheriff is not elected by the voters. In Rhode Island, sheriffs are appointed by the governor, and in Hawaii, deputy sheriffs serve in the Department of Public Safety's Sheriff's Division.

Today, there is no such thing as a "typical" sheriff. Some sheriffs still have time to drop by the town coffee shop to chat with the citizens each day, while others report to an office in a skyscraper and manage an office whose budget exceeds that of many corporations. Despite their differences in style, however, most sheriffs have certain roles and responsibilities in common.

### 5.1 Law Enforcement

Almost all sheriffs' offices have a responsibility for law enforcement. Although the authority of the sheriff varies from state to state, a sheriff always has the power to make arrests within his or her own county. Some states extend this authority to adjacent counties or to the entire state. Many sheriffs'

offices also perform routine patrol functions such as traffic control, accident investigations, and transportation of prisoners.

## 5.2 Court Duties

In every state in which the office exists, sheriffs are responsible for maintaining the safety and security of the court. A sheriff or deputy may be required to attend all court sessions; to act as bailiff; to take charge of juries whenever they are outside the courtroom; to serve court papers such as subpoenas, summonses, warrants or writs; to extradite prisoners; to enforce money decrees (such as those relating to the garnishment or sale of property); to collect taxes; or to perform other court-related functions.

## 5.3 Service of Civil Process

Another duty of the Office of Sheriff in most states is serving individuals with civil court documents, which is also known as civil process. These documents can include summonses, writs of possession, foreclosures, executions, claim and deliveries, subpoenas, restraining orders, child custody orders, show cause orders and child support warrants.

## 5.4 Jail Administration

Most sheriffs' offices maintain and operate county jails, detention centers, detoxification centers and community corrections facilities such as work-release group homes and halfway houses. Sheriffs, and the detention officers under their authority, are responsible for supervising inmates and protecting their rights. They are also responsible for providing inmates with food, clothing, exercise, recreation, and medical services.

# 6. Longest Serving Sheriffs

The late Sheriff R.W. Goodman of Richmond County holds the honor of North Carolina's longest-serving sheriff that we are aware of. He was elected in 1950 and retired in 1994 after 44 years of service. At the time of his retirement, Sheriff Goodman was the second longest-serving sheriff in America, and that remained the case for nearly twenty more years.<sup>1</sup>

The longest serving Sheriff in United States history is believed to be Sheriff Bernard Shackleton of Lunenburg County, Virginia who served from 1904 to 1955, a total of 51 years.<sup>2</sup> In 1903, he decided to run against his boss and incumbent sheriff, C.S. Bagley, who had hired Shackleton as a deputy when he was first elected. Shackleton defeated his former boss in that election and remained sheriff until his retirement at the age of 83 in 1955.<sup>3</sup>

More recently, the late Sheriff Dwight Radcliff of Pickaway County, Ohio nearly surpassed the record, having served from 1965 to 2013, a total of 48 years. Sheriff Radcliff was first elected in 1964 and was re-elected 12 times. In 1987-1988, he served as President of the National Sheriffs' Association. He was preceded in office by his father (Charles Radcliff), who served as sheriff from 1931 to 1961.<sup>4</sup> Upon

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<sup>1</sup> Perlmutter, David. "Richmond County's Goodman: The last of the old-style sheriffs." *Charlotte Observer*. May 26, 1991.

<sup>2</sup> FBI Law Enforcement Bulletin. January, 1946.

<sup>3</sup> *Editor's Note*: Information received from the Lunenburg County Sheriff's Office.

<sup>4</sup> Eckert, Kristy. "Lawman for Life: 40-Year Ohio Sheriff Ranks as Nation's Longest Serving." *Columbus Dispatch*. Reprinted in *Sheriff*. September-October, 2005. *Editor's Note*: The preceding article name is in error.

Sheriff Dwight Radcliff's retirement in 2013, his son (Robert Radcliff) succeeded him as sheriff.<sup>5</sup>

As of the date of this publication (June 2022), Sheriff Cullen Talton of Houston County, Georgia, who took office on January 1, 1973, is serving his 49<sup>th</sup> year as sheriff at age 90.<sup>6</sup>

Longest Serving Sheriffs in America				
Name	County/State	Entered Office	Left Office	Years of Service
Bernard Shackleton	Lunenburg County, Virginia	1904	1955	51
Cullen Talton	Houston County, Georgia	1973	Still Serving	49 +
Dwight Radcliff	Pickaway County, Ohio	1965	2013	48
R.W. Goodman	Richmond County, North Carolina	1950	1994	44
Ed Darnell	Bamberg County, South Carolina	1978	2020	42

## 7. No Felon as Sheriff in North Carolina

Until 2010, there was no North Carolina constitutional provision prohibiting a convicted felon from being elected or appointed sheriff. On July 1, 2010, with the support of the North Carolina Sheriffs' Association, the North Carolina General Assembly enacted House Bill 1307 (Session Law 2010-49), which allowed voters to decide whether or not the North Carolina Constitution should be amended to prohibit a convicted felon from being elected or appointed sheriff. Senator Stan Bingham (R-Davidson County) was the main proponent of this legislation and he worked tirelessly, with the support of Senate President Pro Tempore Marc Basnight (D-Dare County), to get it enacted into law.

In the statewide election on November 2, 2010, voters passed an amendment to the North Carolina Constitution overwhelmingly by 85% prohibiting anyone who has been convicted of a felony from serving as sheriff in this State. The constitutional amendment was approved in each and every of North Carolina's 100 counties, by margins of between 71% and 90%. Moreover, to be prohibited from serving as sheriff, the individual does not have to be convicted of the felony in North Carolina—any conviction, anywhere, disqualifies the felon from serving as sheriff in North Carolina.

In 2018, a previous sheriff who was a convicted felon that had his felony convictions expunged filed for candidacy to run for sheriff in North Carolina. The expungement the individual obtained was not based upon a pardon of innocence or a judicial determination of innocence. Fortunately, he was defeated in the election primary.

The North Carolina Sheriffs' Association assisted in the drafting of and supported legislation in the 2021-2022 General Assembly, effective October 1, 2021, that clarifies that any convicted felon that later has that conviction expunged is still barred from holding the Office of Sheriff. The only exception to this rule is if the individual obtained an unconditional pardon of innocence. The legislation also requires any candidate for, or appointee to, the Office of Sheriff to provide a disclosure statement, prepared by the North Carolina Sheriffs' Education and Training Standards Commission, verifying that the candidate or appointee has no prior felony convictions or expungements for felony convictions.

<sup>5</sup> White, Chris. "Longtime Pickaway County Sheriff Dwight E. Radcliff Dies at 87." ABC 6. May 6, 2020.

<sup>6</sup> Purser, Becky. "Longest 'Actively-Serving' Sheriff Qualifies for Re-Election." Macon Telegraph. Reproduced by Associated Press. March 14, 2020.