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# Chapter X - Law Enforcement

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

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# Chapter X - Law Enforcement

## Sheriff

## Road Patrol

## Private Acts of 1949 Chapter 726

**SECTION 1.** That Quarterly County Courts and the Sheriffs of all Counties of this State having a population of not less than 15,470 nor more than 15,480 according to the Federal Census of 1940 or any subsequent Federal Census, are hereby authorized and empowered to contract with each other in writing for the maintenance and operation of uniform county road patrols. Under the said contract the Sheriff is authorized to obligate himself to patrol all or certain roads or classes of roads in the county with an agree (sic) number of deputy sheriffs whose primary duty shall be the enforcement of traffic laws and the arrest of all persons observed violating any criminal laws. The said contracts shall obligate the counties which enter into such agreements to reimburse the sheriff conducting any such patrol for all out-of-pocket expense incident to the maintenance and operation thereof, including salaries of the deputies assigned exclusively to this work, motor vehicle expenses, uniform and other equipment costs, fuel costs, repair and upkeep costs for the motor vehicles used, and all other costs incidental to the performance of such services; provided, however, that no county shall maintain such a sheriff's road patrol unless the patrol cars used in such work are equipped with radio receiving sets or transmitting and receiving sets capable of keeping said cars in contact with the sheriff's office or a system is arranged whereby said patrols report into the sheriff's office at intervals not exceeding thirty minutes by telephone or otherwise. And provided further, that the personnel employed as deputy sheriffs in such patrol work shall at all times wear a uniform adopted and approved by the sheriff for such deputies.

**SECTION 2.** That the conduct of such sheriff's road patrol is hereby declared a public purpose in the counties to which this Act applies and whenever any such written contracts between Quarterly County Courts and sheriffs have been made in accordance with this statute and have been approved by a decree of a court of record of this State in a proceeding authorized by the Code of Tennessee for approving the employment of deputies and assistants to county officers, such services shall be deemed as ex officio services performed by the sheriffs and funds for reimbursing the sheriff for the costs of operating and maintaining such patrols may be paid for by said counties as are other ex officio duties under the provisions of Code Section 10708; and any funds necessary for such county expenditure may be raised by a tax levy.

**SECTION 3.** That in the case of any county having a County Commission form of government, the agreements herein may be executed in behalf of such a county by the County Commission thereof in the place and stead of a Quarterly County Court.

**SECTION 4.** That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed, and this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: April 12, 1949

## Law Enforcement - Historical Notes

### **Sheriff**

The following acts have no current effect but are included here for reference purposes since they once applied to the Polk County Sheriff's Office. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1859-60, Chapter 113, authorized the state Comptroller to pay Major H. Hancock, the sheriff of Polk County, the amount of \$32.91 which had been overpaid through mistake as the tax assessed on the school land in the Ducktown District of Polk County.
2. Private Acts of 1913, Chapter 129, provided that law enforcement officers were to receive 10¢ per mile for conveying prisoners under work-house mittimus.
3. Private Acts of 1921, Chapter 438, set the salary of the sheriff at \$2,000 per year, in lieu of all fees collected by his office. This was amended by Private Acts of 1927, Chapter 103, to raise the annual salary to \$3,000.
4. Private Acts of 1927, Chapter 730, provided that workhouse bond was to be received, approved

- and collected by the Criminal Court Clerk. This was amended by Private Acts of 1929, Chapter 720, to provide that such workhouse bonds were to insure payment of attorney's fees. The applicability of these acts to Polk County was repealed by Private Acts of 1935, Chapter 279.
5. Private Acts of 1931, Chapter 750, created the office of chief deputy sheriff, at an annual salary of \$1,800, to be appointed by the sheriff. The chief deputy was to devote his entire time to his duties and was subject to removal at the pleasure of the sheriff. This was amended by Private Acts of 1933, Chapter 570, to lower the annual salary of the chief deputy to \$1,200, and these acts were repealed by Private Acts of 1947, Chapter 22.
  6. Private Acts of 1933, Chapter 571, set the salary of the Polk County sheriff at \$2,400 per annum, in addition to the fees of the office. This act was repealed by Private Acts of 1947, Chapter 29.
  7. Private Acts of 1935, Chapter 369, provided that all workhouse bond was to be received, approved and collected by the sheriff.
  8. Private Acts of 1967-68, Chapter 217, attempted to place the Polk County sheriff on salary, removing that office from the fee system, but this act was rejected by the voters of Polk County and never became e

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