



BOARD OF COUNTY COMMISSIONERS

Big Horn County | BHCC@bighorncountymt.gov

Statement from the Big Horn County Board of County Commissioners

November 20, 2023

Big Horn County Sheriff King tragically passed away on November 19, 2023 while driving home. Our most heartfelt condolences go out to the King family. The need to act quickly to appoint an Interim Sheriff was made clear this morning by Big Horn County Attorney Jeanne Torske. The day-to-day operations of the Big Horn County Sheriff's Office cannot be neglected. The Board has appointed Undersheriff Jeramie Middlestead to act as Interim Sheriff. Interim Sheriff Middlestead will serve until the Board of County Commissioners appoints a new Sheriff. The permanent appointee will serve until December 31, 2024. During the 2024 election cycle, the Office of the Sheriff will be placed on the ballot, and the candidate chosen from a primary and general election will serve out the remainder of Sheriff King's term.

For further information contact:

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COUNTY OF BIG HORN, MONTANA
RESOLUTION 2023- 40

PREAMBLE:

A resolution to appoint an interim Big Horn County Sheriff to fulfill the role of Sheriff until the Big Horn County Board of Commissioners can appoint a Sheriff, pursuant to Mont. Code Ann. § 7-4-2206.

RECITALS:

1. Big Horn County Sheriff King was tragically killed on November 19, 2023, while driving home.
2. The position of Big Horn County Sheriff must be immediately filled because the Deputy Sheriffs and other people working in the Sheriff's Department cannot act. The power to act is vested in the office of Sheriff. Without a Sheriff, none of their regular duties can be performed.
3. Mont. Code Ann. § 7-32-2122 states:

Whenever a vacancy occurs in the office of sheriff, the undersheriff must in all things execute the office of sheriff until a sheriff is elected or appointed and duly qualified.
4. This statute provides the Big Horn County Undersheriff with the power to act until the position is filled by the Big Horn County Board of Commissioners.
5. Further, Mont. Code Ann. § 7-4-2206 provides the process for appointing an interim officer to fill the vacancy of an elected official. It also provides the process for filling the position, until an election can be held.
6. In relevant part, Mont. Code Ann. § 7-4-2206(2)(b), states:

The commissioners may appoint a person to serve as an interim officer for the time period between occurrence of the vacancy and the date on which the vacancy is filled pursuant to this section. A person appointed as an interim officer must have the qualifications required under this chapter for the office to which the person has been appointed. Upon appointment, the interim officer is authorized to perform the duties assigned by law to that office.
7. At this time, the Big Horn County Board of Commissioners needs to appoint an interim Sheriff until the position of Big Horn County Sheriff can be filled with a permanent appointment made pursuant to Mont. Code Ann. § 7-4-2206(2)(a).

THEREFORE:

The current Big Horn County Undersheriff Jeramie Middlestead is appointed as the Interim Big Horn County Sheriff, until such time as this Board fills the position pursuant to Mont. Code Ann. § 7-4-2206(2)(a). Further, this Board strongly recommends that after he assumes the office of Interim Sheriff that Interim Big Horn County Sheriff Middlestead designate an interim undersheriff so that the chain of command and line of succession can be ensured.

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EFFECTIVE DATE:

This resolution shall become effective immediately.

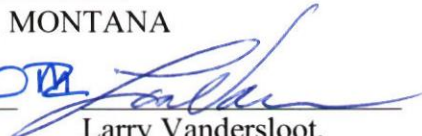
Enacted:

This 20th day of November, 2023, in Hardin, Montana.

BOARD OF COMMISSIONERS
BIG HORN COUNTY, MONTANA



George Real Bird III,
Presiding Officer

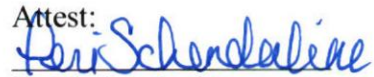


Larry Vandersloot,
Member



Lawrence Big Hair,
Member

Attest:



Peri Schenderline,
Deputy Clerk and Recorder

OATH OF OFFICE

THE STATE OF MONTANA)
 :
COUNTY OF Big Horn)

I, Jeramie Middlestead, do solemnly swear (or affirm) that I
will support, protect and defend the constitution of the United States and the constitution of the
State of Montana, and that I will discharge the duties of my office
Interim Big Horn County Sheriff with fidelity (so help me God).

In addition, in accordance with Mont. Code Ann. § 2-16-114, I certify that my signature below is
my true and correct manual signature, and is in the exact form in which it will appear in facsimile
upon any document which I may be required or permitted by law to sign.



Signature

Jeramie Middlestead

(Print Name)

CERTIFICATION OF OFFICER ADMINISTERING OATH



Sworn to and subscribed before me
This 20 day of November, 2023



Officer Administering Oath
Title: District Judge