

SOUTHERN COUNTY SHERIFFS: A
CHANGING POLITICAL INSTITUTION

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BACKGROUND The county sheriff in the South has had a neanderthal image over the past half-century. This primitive image intensified in the 1950's and 1960's as the county sheriffs defended the old segregationist status quo. Much has changed since then. The southern sheriff appears less secure politically, though he retains more power than his northern counterpart, and his role is more complex.

. Local government officials are usually obscure unless they are in major urban centers. Breaking the veil of public indifference is difficult for a politically ambitious local government official. This rule does not apply to the southern sheriff. In the context of the media, the sheriff is clearly portrayed as an unprofessional redneck whose real role is to oppress minorities, often coupled with a good-natured tolerance of local folkways and social "morality". The media image is based on a series of brutal episodes unflattering to southern sheriffs, from the civil rights movement, documenting the repressive functions of the sheriff's office.

. Due to this stereotype, social science has neglected the political functions of the southern sheriff (Ross 1979). Studies of southern political actors have focused on congressmen, governors, and judges (Campbell 1977). Studies of the sheriff center on police professionalism and department operations. The sheriff's peculiar status as an elected local law enforcement officer is neglected.

. The position of sheriff was established in the early American period as the primary means of local law enforcement, and for many years, he was the only law officer in most counties. There-

fore, municipal officers relied on the sheriff for police services. As an elected official, the sheriff had to respond to perceived public opinion as a requirement to stay in office. Hence, state laws were enforced only in conformity with local mores and customs. The sheriff had no incentive to be zealous about enforcement of laws not acceptable to the dominant elements of the community.

. This problem of selective law enforcement is not unique to the sheriff, but is found in any policing system. The exercise of this policy discretion is partially determined by local political leaders (Wilson 1968; Skolnick 1975). We emphasize this because others tend to see the sheriff as unique in the exercise of discretionary authority.

. The elective nature of the office creates certain dangers. In a politically competitive situation, winners may be vindictive toward losers. The sheriff's deputies provide a ready campaign machine. This corps of "volunteers" means that the sheriff's campaign materials get wide distribution. Deputies are recruited for personal loyalty rather than for professional competence. A more important problem, in the view of the professional law enforcement community, is that the elective sheriff, having only minimal qualification, may not be competent (German 1968).

. Because of actual and potential abuses, the sheriff's office has declined as an institution in many states to that of a process server and jailer. The law enforcement functions have been curtailed to the vanishing point. But this pattern of decline has not occurred in rural areas of the South. The southern sheriff increasingly has had to share his functions with other agents at the state and local level, but the office has continued as a significant political position.

. In some southern states, the sheriff is legally the primary law enforcement officer in the county,

and can ignore subjurisdictional lines. The sheriff usually works out a modus operandi with local municipal police. Thus, the sheriff's deputies patrol the unincorporated areas of the county, and defer to the local police inside the city limits. The sheriff's department often operates special units county-wide, such as drug units and organized crime task forces. Whatever the local agreements, the sheriff has authority to intervene at his discretion.

. Two forces tend to upgrade the professionalism of the sheriff's office as an institution. 1) Several states require training and recertification for sheriff's deputies. The sheriff is not affected, but the upgrading of the deputies raises the competence of the department. 2) A subtle political pressure affects the sheriff's office, because candidates emphasize their personal ability to deliver the needed services to the community. Challengers are forced to rely on other measures of competence, such as professional experience, formal education, and in-service training. Consequently, the winning candidate is often better qualified than might be expected from the minimal legal requirements and the elective process.

. The survival of the sheriff's office as an institution depends on 1) public inertia; 2) the sheriff's political power; and 3) the apparent public approval. The inertial factor relates to resistance to change at the local level, because the power factors are hard to manipulate. Dissatisfaction with a particular department can be allayed by replacing the incumbent rather than the office. There is little motive or drive for fundamental change.

. The sheriff's political power flows from two factors. 1) He is an elected officer with a political following and political influence which poses a threat to other politicians, if he is provoked. 2) In some geographic areas, where forces for change are overwhelm-

ing, sheriffs have adapted by accepting other police agencies, such as county police departments.

. Small police departments are more positively evaluated by the public, apparently because small departments are more responsive to public demands than large departments. The sheriff, as an elected official, has the incentive to respond to the public. Most sheriff departments are small, with a median of 12 persons. Citizens have immediate access to the key decision makers, without the bureaucratic filters of the larger departments. Smaller departments do not use community affairs units. Sheriffs are more likely to handle community contacts themselves. Such direct access is not more efficient, but it is more comforting to the public.

. The sheriff's department was effectively abolished in the large heavily populated urban counties, which are usually served by a large police department. Consolidating the sheriff's department into a broader county level government was logical when county wide government service consolidation was approved.

. In the South, this meant that blacks and other minorities had no real influence on the sheriff. The sheriff's department, reflecting the dominant political structure of the community, saw black demands as either irrelevant, or as something to be repressed because of their potential for change. As the electorate has expanded, sheriffs have come under increased pressure to extend at least formally equal treatment to all citizens. Thus, the sheriffs have become more receptive to requests from the black community. Failure to respond to the black community has led to loss of office to many more senior southern sheriffs (Whitaker 1979).

. The black voter may veto the prospective sheriff candidates, but the choice is often between two marginally acceptable persons. The initial problem is often

that of defeating an entrenched incumbent, which generates attention for all potential candidates. From the local nature of the office, the sheriff is vulnerable to organized electoral challenges, particularly since his office is highly visible to low income black voters, and less obtrusive to the middle class and predominately white voters. Sheriffs must be responsive to all parts of the community in the 1970's.

SURVEY RESULTS A survey of 679 county sheriffs in 8 southern states generated 334 responses, for a 49% return rate. The states were Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Virginia. There is a tendency for the response rate to decline as a function of distance from Florida, where the survey originated. Most sheriffs were middle aged white males with a high school education. However, there were some black sheriffs in counties where black voters are a majority. Here, 20% had less than a high school education, and 40% had some college or better education. The sheriff's educational attainment may be directly related to the educational level of the constituency (Handberg & Austin 1977).

. Police officers in many states are required to attain a minimum educational level, and the sheriffs in the group are experienced in police work, averaging over 9 years on the police force before becoming sheriff. However, 21% had no prior experience in law enforcement. If a sheriff had police experience, it was usually in the department he now headed, sometimes after running against the person who had hired him as a deputy. Such a career pattern narrows the pool of likely candidates for sheriff. An inexperienced outsider can be elected, but the deputy can effectively argue that police experience is necessary to manage the sheriff's department efficiently. Of course

prior involvement could be a negative factor in a department notorious for corruption, inefficiency, or brutality. This reinforces the localism of the sheriff's office.

. About 55% of the sheriffs are serving in the county where they were born, and 84% are serving in the state of their birth. Only 7% were born outside the South. Such localism is not uncommon in the South, although the state sample included several states which had large population immigration from non-southern states. The sheriff tends to be a person with close personal ties to the community (Key 1949). Because of these intimate ties, the sheriff is responsive to perceived local desires, and is hostile to outside interference and pressure.

. Despite local ties, most sheriffs have limited tenure, averaging 8 years, and 42% are serving their first term. Mortality rises sharply after 3 terms (12 years) in office. About 8% of the sheriffs have remained in office 20 years or more. Generally, the sheriff's office is highly competitive.

. By political party affiliation, 92% are Democratic. The posture of Democratic solidarity has been broken at the federal office level, especially in presidential election years, but the paucity of Republican sheriffs reflects the failure of the Republican Party to penetrate the local county governments. When asked to place themselves on a liberal-conservative spectrum, 11% of the sheriffs said they were liberal or moderately liberal, 25% were "moderates", and 58% called themselves moderately conservative or conservative. Sheriffs show wider dispersion on the political spectrum than popular stereotypes indicate.

BIRTHPLACE & EDUCATION

. Table 1 shows the distribution of birth locale for sheriffs by state, where there is significant variation. Florida, where "same county" births are lowest is the state with the most sheriffs (15%)

TABLE 1 (N) (34) (53) (88) (2) (40) (40) (21) (36)
SHERIFFS' BIRTHPLACE
BY STATE (Percent)

($X^2 = 65.3$; $p = .001$)

	Alabama	Florida	Georgia	Louisiana	Mississippi	North Carolina	South Carolina	Virginia
Same county	64	25	47	68	63	80	76	52
Same state	21	34	38	18	33	5	24	39
Other South state	3	26	11	9	2	10	0	3
Non-South state	12	15	4	5	2	5	0	6

TABLE 2 (percent)
EDUCATION BY STATE

($X^2 = 37.9$; $p = .10$)

	Alabama	Florida	Georgia	Louisiana	Mississippi	North Carolina	South Carolina	Virginia
8 years	15	6	7	9	5	7	0	6
10 years	6	4	25	14	5	13	14	11
12 years	38	38	36	41	48	35	53	44
14 years	23	45	27	36	40	45	33	39
16+ years	9	7	5	0	2	0	0	0

TABLE 3 (percent)
YEARS OF TENURE

($X^2 = 32.4$; $p = .004$)

	Alabama	Florida	Georgia	Louisiana	Mississippi	North Carolina	South Carolina	Virginia
0 - 3 years	33	48	45	14	40	17	33	36
4 - 8 years	35	26	19	9	33	35	19	31
9+ years	32	26	36	77	27	48	48	33

born outside the South. This reflects the exponential population growth in Florida in the past three decades. Other southern states have begun to grow in population recently, reversing earlier population declines. In the aggregate, the sheriff's office is dominated by locally born candidates. Most sheriffs were born within the state, and many were born within the county where they serve. Such a recruitment pattern reflects the strong political position occupied by the sheriff. His electorate is made up of his friends and neighbors, more than is the case with most political officials.

In education, sheriffs span the spectrum from 8th grade to law school graduate, as shown in Table 2. The high school graduate is the modal level. Florida, Mississippi, North Carolina, and Alabama rank highest in the sheriff's education, while Georgia has the highest proportion of sheriffs who never completed high school. Generally, sheriffs born in the same county they serve have the lowest educational level. This

would reflect the local ties of the same county, where educational opportunities are local and limited. Conversely, sheriffs born outside the state will have the highest education level. Our rationale is that a local sheriff's claim to office is his personal ties to the electorate. The non-local sheriff, who lacks local connections, substitutes his professional qualifications, including specialized education, as a claim for electoral support. Non-local sheriffs, for various reasons, do reach slightly higher levels of education.

TENURE & PARTY AFFILIATION

Patterns of sheriff tenure appear in Table 3. Most states are rather evenly distributed across the categories, except for Louisiana and North Carolina, where the sheriffs are particularly long-tenured. Florida and Georgia have higher numbers of inexperienced sheriffs, probably reflecting population shifts within and into these states. We did not expect the relatively low experience levels among Mississippi sheriffs.

. A survey as to why sheriffs lose office between elections indicates two factors. 1) Election impropriety, mainly involving campaign contributions is the dominant factor. 2) There is also the factor of inefficiency in office. When extra-county funds are available, some sheriffs "lose" them. Sometimes prisoners escape too readily, or drugs seized in raids vanish, and the sheriff is removed for dereliction. Many times, the sheriff is held responsible for the actions of subordinates. Incidents of physical brutality are more rare and less blatant, and more rarely involve the sheriff directly. He does get involved when he tries to obscure or explain away the brutal episodes.

. Tenure is facilitated by local ties. Due to the cross-sectional nature of the data, there is no evidence about temporal trends regarding tenure. An important issue is whether the locally tied sheriffs are being replaced by other groups. If there is such a replacement pattern, then local politics in the rural South may be changing dramatically. If old ties are breaking down, then the population migrations of the past 30 years are having an impact beyond that of presidential voting.

. The fact that Republicans have not won significant numbers of offices is less important than the possible breakdown of the personal politics which buttressed Democratic Party dominance of local politics. However, while Virginia has 39% Republican or Independent sheriffs, other states have very few, such as 13% for North Carolina, 6% for Florida and 3% for Georgia. Three other states have only one sheriff who is not a Democrat, and Mississippi has only Democrat sheriffs. The relevant measure becomes the ratio of locally born sheriffs to those of other more diverse backgrounds. We are returning to the arguments of the 1950's and 1960's about presidential voting patterns in the South. The assumption was

that Southerners were less likely to vote for a Republican initially than for a regional candidate. Therefore, regional Republican or Independent candidates were run as an initial step, to break the habit of the southern voter to vote for Democratic Party candidates. At the local government level, the "foreign" candidate becomes the mechanism for breaking the old personal ties. Then local politics can become more competitive. Political change comes slowly in the region, except where there have been large influxes of politically advantaged outsiders.

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