



Written by [Joe Wolverton, II, J.D.](#) on October 30, 2013

## Trial of Liberty County, Florida Sheriff Nick Finch Begins

Freedom of speech, federalism, the right to keep and bear arms, and the right of the people to govern themselves through free elections are under assault in Florida, and the attorney general and governor of the state are on the wrong side.

On October 29, at 9:00 a.m. the trial of Sheriff Nick Finch (shown) began in Florida. Although the judge and the prosecuting attorney in the case acknowledged earlier this month the weaknesses of the charges against Finch, the judge denied the sheriff's motion to dismiss the case.



Fortunately, the [Constitutional Sheriffs and Peace Officers Association \(CSPOA\)](#) is coming to the aid of Sheriff Finch, establishing a legal defense fund to help defray the mounting legal costs associated with defending himself from these baseless charges.

In an e-mail to *The New American*, Sheriff Richard Mack, the founder of the CSPOA, explained the urgency of the situation facing Sheriff Finch:

If Sheriff Finch is found guilty in this case, the most unjustified and frivolous trial in history, then we are all in trouble and could be suspects in any incident! This is one case that should have never gone to trial and for the AG and Governor to actually push it to trial makes me wonder about their intelligence or something extremely sinister has to be afoot!

Something sinister indeed.

The facts of the events that led to the persecution and prosecution of a duly elected sheriff are an outrage to friends of liberty and free elections.

Nick Finch, the duly elected sheriff of Liberty County, Florida, has been run out of office, suspended without pay, and arrested for refusing to deprive a citizen in his jurisdiction (Floyd Parrish) of his Second Amendment rights.

In June, Finch was arrested after being charged with misconduct based on his alleged altering and destroying of official court documents. Finch, 50, was booked into the county jail but was later released on his own recognizance.

Sources close to the investigation recount the events of the night before Sheriff Finch was arrested.

At about 11:00 p.m., agents showed up at the jail with search warrants to seize the arrest records. After seizing the records, they subpoenaed employees.

Inexplicably and inexcusably, Sheriff Finch was never contacted by the Florida Department of Law Enforcement (FDLE) and was never allowed to answer questions regarding the release of Parrish or his actions related to it.

Again, regulations were ignored, the law was violated, and a good, duly elected sheriff was arrested and persecuted for defending the right of all people to keep and bear arms.



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Upon learning of the incident, Governor Rick Scott immediately suspended Sheriff Finch and appointed Carl Causey, an agent in charge of the Florida Department of Law Enforcement, as interim sheriff.

Governor Scott's actions are nowhere authorized by the Florida state constitution. Sheriff Finch is answerable to those who elected him to serve as their sheriff. If he acts in a way they find offensive or beyond his power, then his constituents can demonstrate their disdain by refusing to reelect him.

In the case of Sheriff Finch, however, Governor Rick Scott has usurped powers not given to him and has effectively disenfranchised every citizen of Liberty County who voted for Finch.

Records published by the Liberty County supervisor of elections show that Finch was elected sheriff in 2012, garnering 52.8 percent of the 3,201 votes cast.

According to court documents obtained by *The New American*, the case against Sheriff Finch began when Floyd Eugene Parrish was arrested on March 8 for carrying a concealed weapon. Sergeant James Hoagland of the Liberty County Sheriff's office arrested Parrish after pulling him over and finding a loaded pistol in his pocket. Parrish was booked into a holding cell while administrative officers began working up the processing documents.

The court records released to *The New American* also reveal that after Sergeant Hoagland left the county jail, Sheriff Finch arrived with a member of Parrish's family and was present while the family member visited with Parrish while the latter was still in the holding cell. Sheriff Finch then allegedly seized the arrest documents, applied "Wite Out" over his name, released Parrish, and informed him that no charges would be filed against him.

The hue and cry from the establishment focused on the supposed "irregularity" of Finch's erasing of Parrish's name from the arrest log. However, at the hearing on October 3, the state attorney acknowledged that it has been "common practice to Wite-Out names on the jail log of people released since 2005."

The complaint against Sheriff Finch alleges that Sergeant Hoagland informed FDLE agents investigating the case against Finch that he (Hoagland) talked to Finch about the Parrish case and that Finch said he "believed in Second Amendment rights."

Workers in the Liberty County sheriff's office reportedly told investigators that Finch ordered them to release Parrish's pistol, as well as another gun seized from his car.

In a statement released by his office, Governor Scott informed Liberty County residents that he believes the interim sheriff "will serve the families of Liberty County well during this interim term."

Governor Scott's confidence in Special Agent Causey's abilities aside, the question remains why a duly elected, constitutional sheriff was arrested for the actions he allegedly took. Why was Sheriff Finch not contacted by the FDLE or the governor and asked to answer the charges against him in a more disciplinary and less overtly legally hostile manner?

In fact, there are applicable Florida statutes setting guidelines on the manner of investigating an official suspended by the governor.

[Florida Statute 943.03](#), Subsection 2 mandates that the governor must specifically instruct in writing that the FDLE investigate anyone the governor suspends.

This is yet another violation of the law and the state constitution committed by Governor Rick Scott in the senseless persecution of Sheriff Nick Finch.



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There is an additional disturbing aspect of the case not being commented on by other news outlets. Imagine that Sheriff Finch had released a man arrested and jailed for having openly preached Christianity in a public place. Would Governor Scott have been so hasty to remove Finch from office? Why would the rights protected by the Second Amendment be subordinate to those guaranteed by the First Amendment?

The protection of each of our God-given rights is as crucial to the perpetuation of liberty as any other. Freedom and self-government are threatened just as much by deprivation of the right to keep and bear arms as by a revocation of the right to exercise religion.

Governor Scott's persecution and prosecution of a sheriff standing up for the Second Amendment rights of citizens of his county is particularly questionable given the hostile climate that threatens the right to keep and bear arms nationally.

Although the trial is a sham and shame, it is crucial that the process be conducted with the utmost fairness. Florida State Representative Halsey Bashears [issued a statement](#) urging Governor Rick Scott to take measure to ensure that due process will be afforded Sheriff Finch.

Specifically, Bashears sent a letter to Governor Scott "asking for his strongest consideration in executing his duties as Governor of the State by assigning a new prosecuting attorney."

The statement issued by Bashears notes, "This factor is paramount in the former Sheriff receiving a fair trial according to some citizens of Liberty County."

"We are concerned with each and every citizen being offered fair and just treatment in any situation they are facing. Former Sheriff Finch deserves a balanced and impartial trial, no less," Bashears said.

As the legal process continues, the sufferings of Sheriff Finch and his family continue to multiply, as well. He is now jobless and left without income, but he knows he must continue to fight against the state's attempt to destroy him, destroy his constituents' right to elect their county sheriff, and destroy the right to keep and bear arms.

Americans anxious to express their support for Sheriff Finch and the Second Amendment are encouraged to [contact the CSPOA here](#).

*Joe A. Wolverton, II, J.D. is a correspondent for The New American and travels frequently nationwide speaking on topics of nullification, the NDAA, and the surveillance state. He is the host of The New American Review radio show that is simulcast on YouTube every Monday. Follow him on Twitter @TNAJoeWolverton and he can be reached at [jwolverton@thenewamerican.com](mailto:jwolverton@thenewamerican.com)*



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