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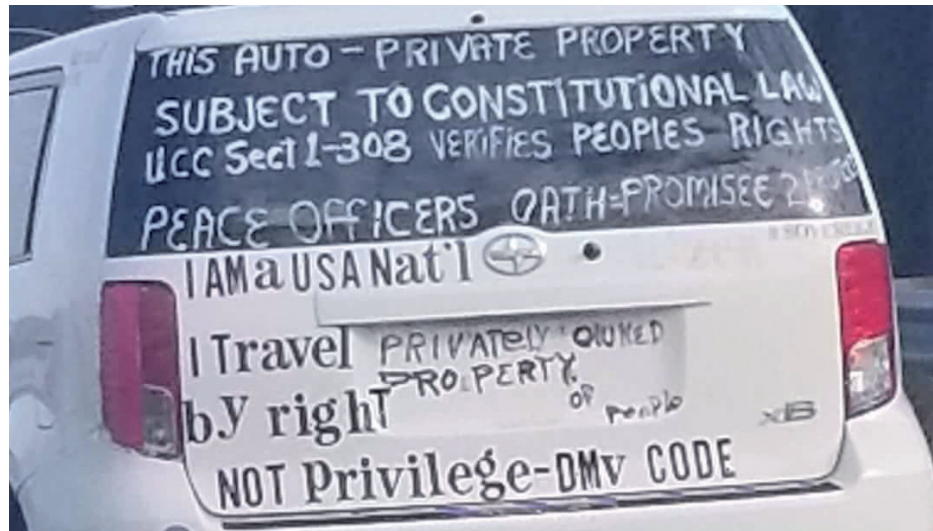
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Sovereign Citizens

On the Road and in Court: An Introduction to Training

*By Ohio Traffic Safety Resource Prosecutors
Holly Reese and Sierra Williams*

Every day, police nationwide conduct routine traffic stops as part of their regularly assigned duties. Regrettably, a stop involving a Sovereign Citizen (SC) can quickly escalate from routine to perilous. Former West Memphis (AR) Police Chief Bob Paudert knows this all too well. A Sovereign Citizen killed his son, a police officer, during a stop for a minor infraction. The SC ignored Officer Paudert's commands, and amid the SC's erratic behavior, his 16-year-old son exited the vehicle, brandished an automatic weapon, and fatally shot Officer Paudert. His partner was also killed. The two SCs fled and were later killed in a shootout with police.

Much like police officers encountering sovereign citizens during routine traffic stops, a prosecutor never knows when a Sovereign Citizen case will land on their desk. It might occur amid a bustling morning of arraignments, while juggling files, bond arguments, discussions with defense lawyers, and maintaining pace with the court docket. A defendant's name is

called, but nobody steps forward. Instead, a person in the gallery confidently declares their identity but refuses to approach, asserting exemption from the court's jurisdiction. After a brief exchange, the judge persuades them to approach if they have a citation or complaint. Armed with papers, a Uniform Commercial Code volume, and what they call their "license" for interstate travel, they approach the bench. Ultimately, a not guilty plea is entered for the pro se defendant, who rejects counsel, and a trial date is set. The prosecutor must now manage the case adeptly, competently, and patiently. Handling a Sovereign Citizen case presents challenges, with potential threats, lawsuits, and possible property liens from the defendant.

Law enforcement officers and prosecutors are increasingly encountering defendants who either self-identify as Sovereigns or emulate Sovereign behavior learned through social media. This trend is particularly noticeable in Ohio, as the state is intersected by several major interstates. To enhance the understanding of Ohio law enforcement regarding the risks and effective approaches for managing Sovereign Citizen traffic stops, we collaborated with special agents from the FBI Domestic Terrorist Units in Columbus and Toledo. Together, we formulated targeted legal training focused on Sovereign Citizen traffic stops, investigations, and citations. The one-day training tackles, among other topics:

- An overview of Sovereign Citizen groups, ideology, terminology, and tactics;
- First Amendment Auditors;
- Best practices for dealing with SC during traffic stops and what law enforcement officers can do during the traffic stop; and
- Appropriate criminal charges for noncompliance during the traffic stops.

Sovereign Citizens reject the authority of federal, state, and local governments, considering themselves above the law. These extremists can turn confrontational, even violent, when their beliefs are confronted, such as during routine traffic stops. Due to the risks they pose to law enforcement and the complexities they introduce in court proceedings, the key training points are outlined in this article. Recognizing Sovereign Citizen indicators is crucial for law enforcement officers and prosecutors to ensure preparedness and protection against potential violence and threats.

Sovereign Citizen Ideology and Common Behaviors

"[S]overeign citizens, whether tied to an organization or not, adhere to a view that the existing American governmental structure, including the courts and law enforcement, is illegitimate and that they, the sovereign citizens, retain an individual common law identity exempting them from the authority of those fraudulent government institutions."¹ They, therefore, believe they are immune from federal, state and local laws.² Some associations include the Rise of the Moors,³ Montana Freeman,⁴ and local groups who adopt sovereign citizen ideology. Not all sovereign citizens engage in illegal activity but some, including extremists and mentally unstable sovereign citizens, can.⁵

Recognizing Sovereign Citizen indicators is crucial for law enforcement officers and prosecutors to ensure preparedness and protection against potential violence and threats.

¹ *A Quick Guide to Sovereign Citizens*, UNC School of Government, Revised November 2013 (unc.edu), accessed August 18, 2023.

² *Sovereign Citizen Extremism: A Primer*, Federal Bureau of Investigation, Department of Justice, February 2015, p. 3.

³ Rise of the Moors is part of the Moorish Sovereignty movement; see "What to Know About Rise of the Moors, an Armed Group that says It's Not Subject to U.S. Law," *The Washington Post*, July 14, 2021, accessed August 18, 2023.

⁴ "Twenty Years Ago Today, the Montana Freeman Started Its 81-Day Standoff," Smart News, March 25, 2016, *Smithsonian Magazine*, accessed August 18, 2023.

⁵ *Sovereign Citizen Extremism* at 4.

A common belief is that citizens within the United States fall into one of two categories: 1. sovereign or “de jure” citizens aka original citizens of the states, or 2. federal or U.S. citizens.⁶ Sovereign citizenship is considered to be a superior class of citizenship, because they enjoy all Constitutional rights.⁷ U.S. citizens, they believe, do not.⁸ “Much of what sovereigns do is intended to rescind or denounce that [U.S.] citizenship and reclaim their common law sovereign citizen status with all its rights.”⁹ This is why sovereign citizens often do not have drivers’ licenses, vehicle registration, or vehicle insurance, and do not pay taxes.^{10,11} By refusing to do so, they are asserting their claim to the greater level of citizenship, sovereign citizenship.¹² Additionally, they often challenge the legitimacy of the 16th Amendment, which permits tax collection, and claim that subsequent amendments following the Bill of Rights are unconstitutional due to alleged improper ratification.¹³ Their claims may appear nonsensical, incomplete, and contradictory.

Another common belief is in the 1930s, when the United States “abandoned the gold standard . . . it substituted its citizens as collateral for the country’s debts by pledging each citizen’s future earnings to foreign investors.”¹⁴ Sovereign citizens reject this subjugation and assert the United States government is a “false government.”¹⁵ In order to avoid accidentally consenting to the subjugation or being mistaken for a U.S. citizen, sovereign citizens’ signatures are odd and/ or convoluted.¹⁶ For example, their signature may be printed in all caps, include a suffix, “El bey,” or reference being an “authorized representative” of themselves.¹⁷

Sovereign Citizens’ ideology is based on a conspiracy-laden view of historical documents including the following:

- Declaration of Independence
- U.S. Constitution
- Bill of Rights
- Articles of Confederation
- Various treaties
- Supreme Court decisions¹⁸
- Uniform Commercial Code¹⁹

Sovereign citizenship is considered to be a superior class of citizenship, because they enjoy all Constitutional rights.

⁶ *A Quick Guide to Sovereign Citizens* at 2.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Criminal Aspects of the Sovereign Citizen Movement in the United States*, U.S. Department of Justice, Federal Bureau of Investigation, January 2012, p. 1.

¹² *A Quick Guide to Sovereign Citizens* at 2.

¹³ Loginsky, P. & Jahns, J. (June 1999) *Freemen: Armageddon's Prophets of Hate and Terror*, p. 45–47.

¹⁴ *A Quick Guide to Sovereign Citizens* at 2.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Sovereign Citizen Extremism: A Primer*, p. 3.

¹⁹ *A Quick Guide to Sovereign Citizens* at 2.

Sovereign Citizen identity and citizenship principles include:

- Absence of designated leaders.
- Adoption of sovereign citizenship from the Sheriff's Posse Comitatus.
- Emergence rooted in a militant anti-government/anti-tax movement during the 1970s and 1980s.²⁰

The FBI considers sovereign-citizen extremists to be a domestic terrorist movement. Sovereign citizens “operate as individuals without established leadership and only come together in loosely affiliated groups to train, help each other with paperwork, or socialize and talk about their ideology. They may refer to themselves as ‘constitutionalists’ or ‘freemen,’ which is not necessarily a connection to a specific group, but, rather, an indication that they are free from government control. They follow their own set of laws. While the philosophies and conspiracy theories can vary from person to person, their core beliefs are the same: The government operates outside of its jurisdiction. Because of this belief, they do not recognize federal, state, or local laws, policies, or regulations.”²¹

Sovereign citizens exhibit clear indicators of noncompliance and potential violence even before the personal interaction of a traffic stop. They often showcase license plates and bumper stickers that suggest foreign tribal affiliation or unconventional membership:²²

- “Freemen”
- “Private Vehicle”
- “Not a commercial vehicle”
- “Do not stop or detain”
- “Republic of Texas”
- “Kingdom of Heaven”
- “Sovereign Citizen”
- Upside-down American Flag (indicating distress)
- Anti-government bumper stickers
- Placement of DOT numbers on the vehicle's back
- Presenting “American State National Credentials” featuring the United States Seal, a “bloody” fingerprint alongside a facial photo as the “seal,” and authentic-seeming Q and verification codes.



²⁰ *Id.*

²¹ “Sovereign Citizens: A Growing Domestic Threat to Law Enforcement,” FBI Law Enforcement Bulletin, September 1, 2011, accessed August 16, 2023.

²² *Fraudulent Documentation Used by Anti-Government Extremists*, p. 3.

Common Tactics of Sovereign Citizens

Sovereign citizen tactics frequently include creating officer confusion through comments and paperwork, asking law enforcement officers to recite Constitution sections or their peace officer oaths, recording traffic stops for online sharing, producing police-handling guides, forming “sovereign cop watch” collectives, setting up communication calling trees, and adhering to scripted interactions.²³ During traffic stops, SCs might assert sovereign phrases like “I am a free man traveling upon the land” or “I am not driving, I am traveling.”²⁴ To SCs, being “free” implies exemption from local laws and the right to travel. This notion is expressed through statements such as “I do not acknowledge your jurisdiction as a free individual” or “Am I under detention?” SCs often cite UCC sections²⁵ and use language like:

- “Is that a demand or a request?”
- “Your request isn’t constitutional.”
- Claiming the license picture is of a “non-breathing extraterrestrial.”
- Adding “under duress” when signing a ticket.
- Requesting a Sheriff or Sheriff Deputy, considering them the highest Law Enforcement form.²⁶

First Amendment Audits, employed by Sovereign Citizens and their social media supporters, aim to hinder officers from performing their law enforcement duties. Citizens record officers in action, often provoking obstruction through comments. The First Amendment safeguards filming of officials in public spaces, such as traffic stops. Seven of twelve appellate circuits have affirmed the right to film on-duty police; the rest are yet to decide.²⁷ Several states have tried or are in the process of enacting legislation that focuses more specifically on the methods employed by First Amendment Auditors. For instance, in various states, the introduced bills define a restricted area around law enforcement officers while performing their duties, prohibiting filming or approaching them after verbal warnings. The ACLU has contested and litigated this legislation due to constitutional concerns. Notably, a federal court deemed such a law unconstitutional and permanently halted its enforcement in Arizona following an ACLU challenge. One such challenge led to a federal court finding the law unconstitutional and permanently blocking enforcement of the law in Arizona.²⁸

Best Practices When Faced with a SC

Given the unique and noncompliant nature of such stops, officers should prioritize:

- Promptly calling for backup.
- Keeping both hands free for safety by avoiding handling excessive documents.
- Refraining from engaging in legal or political debates.
- Staying vigilant for additional individuals they may have alerted (using a “calling tree”).
- Familiarizing themselves with departmental policies and protocols.
- Maintaining control of the traffic stop, regardless of the subject’s behavior, by not altering their approach and tactics.²⁹

²³ *Sovereign Citizen Extremism: A Primer*, p. 12.

²⁴ *Criminal Aspects of the Sovereign Citizen Movement in the United States*, p. 6.

²⁵ *Sovereign Citizen Extremism: A Primer*, p. 6.

²⁶ *Id.* at 11.

²⁷ Slevin, C. “Another US appeals court upholds right to record police.” Associated Press. July 11, 2022.

²⁸ “Court strikes down limits on filming of police in Arizona.” Associated Press. July 22, 2023.

²⁹ *Freemen: Armageddon’s Prophets of Hate and Terror*, p. 97.

What should law enforcement officers do when encountering someone recording at the scene? If the person's presence is not causing any interference with a traffic stop, there is generally no need for direct confrontation. However, if their proximity becomes a concern, it is advisable to maintain a polite and cordial demeanor while requesting them to step back. This not only ensures ample workspace for a thorough investigation but also minimizes the risk of potential complaints or allegations of rights infringement. It is important to avoid any hint of seizing or confiscating their camera or phone, as this can escalate tensions and lead to unnecessary conflicts.

Sovereign Citizens and First Amendment Auditors aim to provoke and test law enforcement officers (LEOs) during their duties, seeking to elicit responses that may violate their rights. This can lead to civil lawsuits, dropped charges, negative publicity, and legal complications. Criminal statutes address the boundary between constitutionally protected activity and obstructive behavior by Sovereign Citizens. Our training addresses common constitutional issues in traffic stops, incorporating U.S. and Ohio case law and ORC statutes. We empower officers to confidently handle scenarios involving questions like "am I being detained?" without hesitation or granting additional grounds to SCs. Covered topics encompass:

- Detainment of occupants during traffic stops.
- Ordering occupants out of the vehicle.
- Frisking/pat-downs for weapons.
- Requesting ID from passengers.
- Directing passengers to remain at the scene.
- Extending the duration of the stop.
- Conducting protective sweeps/searches for weapons in the vehicle.

Sovereign Citizens and First Amendment Auditors aim to provoke and test LEOs during their duties, seeking to elicit responses that may violate their rights.

These suggestions apply both on the road and in court. When dealing with a Sovereign Citizen in court, address the Court clearly and keep a precise record. Stick to the specific charge and procedure, regardless of their legal claims. Let the Court set the hearing's tone and engage the defendant constitutionally. Maintain composure to prevent court disputes that might lead to future complaints or liens. Liens, though often unsuccessful, can consume the prosecutor's time for years due to a complainant's actions. Handling SCs and First Amendment Auditors in court:

- Secure a proper waiver if SC seeks to proceed pro se.
- Request standby counsel.³⁰
- Seek a competency evaluation if understanding is in doubt.
- Avoid legal debates; precedent supports your stance.³¹
- Notify courthouse security about SC appearance.³²
- Exercise caution with SC-prepared orders.³³
- Safeguard personal information.
- Understand local court rules on filings and recordings.³⁴

³⁰ *Freemen: Armageddon's Prophets of Hate and Terror*, p. 136.

³¹ "Some Suggestions for Court Officials on Interacting with Sovereign Citizens," UNC School of Government. September 2012, p. 1.

³² *Id.*

³³ *Id.*

³⁴ See also the National Traffic Law Center's publication, *Constitutional Law Issues in Impaired Driving Cases*, for additional useful information.

Appropriate Criminal Charges

In the last session of the training course, we review the potential charges with which a non-compliant Sovereign Citizen could be arrested. In Ohio, the criminal offenses range in severity of misdemeanor charges and include:

- Failure to Comply with Order or Signal of PO (R.C. 2921.331)
- Failure to Disclose Personal Information (R.C. 2921.29)
- Obstruction of Official Business (R.C. 2921.31)
- Falsification (R.C. 2921.13)
- Resisting Arrest (R.C. 2921.33)
- Misconduct at Emergency (R.C. 2917.13)
- Disorderly Conduct (R.C. 2917.11)

Law enforcement officers and prosecutors need to evaluate their own criminal laws for a determination of the best or most applicable charges for when a Sovereign Citizen or First Amendment Auditor defies the lawful orders of police.

Conclusion

Sovereign Citizens disavow the jurisdiction of federal, state, and local governments, perceiving themselves as exempt from legal oversight. These radical individuals can become confrontational and even resort to violence when their convictions clash with authorities, which may occur during a routine traffic stop. Given the dangers they present to law enforcement and the legal intricacies they introduce, the ability to identify Sovereign Citizen indicators becomes paramount for law enforcement officers and prosecutors, ensuring readiness and safeguarding against possible violence and risks. The aim of the training we developed, and this article, provides law enforcement officers and prosecutors with the knowledge and tools to deal with these difficult individuals.

About the Authors

Sierra Williams joined the Ohio Traffic Safety Office (OTSO) in February of 2019 as a Traffic Safety Resource Prosecutor (TSRP). During her time as a TSRP, Sierra has developed the course curriculum including PowerPoint presentations and handouts for the following OTSO trainings: *Cops in Court*, *Dispatchers in Court*, and *Sovereign Citizens and Noncompliance at Traffic Stops*. In 2023, Sierra presented on the sovereign citizen curriculum at the National Lifesavers Conference in Seattle, WA. She also presented *Sovereign Citizens in Your Court—Interacting with Challenging Self-Represented Litigants* at the 2023 Association of Municipal/County Judges of Ohio (AMCJO) Summer Conference. Prior to joining OTSO, Sierra was an Assistant Prosecutor at the City of Cincinnati Prosecutor's Office.

Holly Reese is a Traffic Safety Resource Prosecutor for the State of Ohio through the Ohio Traffic Safety Office. She has twenty years of experience as a prosecuting attorney in Summit County, Ohio courts and statewide, training prosecutors and law enforcement. The Ohio TSRPs presented *Sovereign Citizens in Court* to Ohio's Judicial College this summer, at the National Lifesavers Conference on Traffic Safety last spring, and continue to instruct this course to law enforcement year-round in Ohio. When she is not working among her mentors and peers, she attempts to golf and loves taking her American Bully puppy "Maisy" trail hiking.

Invitation to Training

The authors are hosting a Sovereign Citizen training at the Maumee Police Department in Maumee, Ohio on Thursday, September 14, 2023. All are welcome to attend. Additional details are below.



SOVEREIGN CITIZEN & NON-COMPLIANCE AT TRAFFIC STOPS

Maumee Police Department

109 E. Dudley St. Maumee, OH 43537; 9:00 a.m. - 5:00 p.m.

Ohio Traffic Safety Office training instructed by FBI Special Agents and Traffic Safety Resource Prosecutors that includes:

- ◆ Identifying different sovereign citizen groups
- ◆ Ideology, terminology, tactics, and schemes of sovereign citizens
- ◆ Best practices and officer safety tips when dealing with sovereign citizens roadside with mock traffic stop scenarios
- ◆ What law enforcement officers can and cannot do during traffic stops pursuant to U.S. and Ohio case law and the Ohio Revised Code
- ◆ Overview of Ohio Revised Code statutes regarding criminal charges for noncompliance including OOB, disorderly conduct, and resisting arrest
- ◆ **REGISTRATION REQUIRED:** Please email PO name, email address, agency, course name, and date to Asst. Chief Mike Love at love-michael@maumee.org by September 8, 2023. **Space is limited. No cost to attend. 8 hours of CPT credit.**

NDAAs and Lyft Release Results of Study Examining the Relationship Between Rideshare Volume and DUI Incidents in Three Massachusetts Cities

The National District Attorneys Association (NDAAs) examined the relationship between rideshare volume and driving under the influence (DUI) incidents in three Massachusetts cities: Boston, Worcester, and Northampton in support of their existing partnership with Lyft. Lyft and Uber each contributed targeted rideshare data from these three cities to the NDAAs to independently explore this relationship (NDAAs selected Casanova Powell Consulting and Dr. Ryan C. Smith to conduct this study). This novel study is among the first study to analyze rideshare data from both Lyft and Uber. Examining multiple ridesharing entities provides a more complete picture of the ridesharing climate in a community and allows for significantly greater accuracy in assessing the potential impact of these services on impaired driving.

Ridesharing offers a promising opportunity to address the continuing harm of impaired driving in the United States. This study investigated the relationship between Lyft and Uber rideshare volume and DUI incidents and arrests in three locations in Massachusetts: Boston, Worcester, and Northampton. Across all three locations, there was a substantial decrease in DUI incidents or arrests following the broad introduction of ridesharing (either by Lyft, Uber, or both) into those communities. The post-introduction decreases in incidents and arrests ranged from 39.4 percent in Northampton to 52.9 percent in Worcester. While future research is needed, these results provide a strong indication of the potential for ridesharing to address impaired driving in local communities.

To read the report, please click [here](#). The correlation report on [California communities](#) is also available on the NDAAs website, as is the report on [Atlanta, Chicago, and Ft. Worth](#).

Congratulations: Amy Miles

The National Traffic Law Center congratulates Amy Miles on her recent recognition by the Governors Highway Safety Association at its annual conference. The NTLC looks forward to its continued collaboration with her to bring valuable resources to prosecutors, toxicologists, and law enforcement officers in the fight against impaired driving.



From the GHSA press release:

The Kathryn J.R. Swanson Public Service Award was presented to Amy Miles for her dedication to preventing drug-impaired driving through her work in forensic toxicology. Miles has been actively engaged in roadway safety for more than 20 years and plays a crucial role in connecting forensic toxicology and traffic safety. She began her career in 1999 at the Wisconsin State Laboratory of Hygiene working as a chemist, where she also served as the laboratory liaison to the Drug Recognition Expert program. Over the years, Miles rose through the ranks at the state lab to become the Forensic Toxicology Section Director in 2014, a position she still holds today.

While Wisconsin remains her home base, Miles has graciously and unselfishly shared her extensive forensic toxicology knowledge and expertise with traffic safety, law enforcement and forensic partners around the country. She has accomplished an enormous amount in support of highway safety, including her most recent achievement: creating the National Toxicology Resource Liaison program. Her work led to the creation of three new Regional Toxicology Liaison positions, which bring critical resources to laboratories across the country. This first-of-its-kind program has been extraordinarily successful, as it provides much-needed guidance to state labs working to handle the uptick in drug and multi-substance impaired driving. Miles embodies the same dedication that Kathryn Swanson was known for in highway safety—her depth of knowledge and understanding of highway safety programs, particularly impaired driving.