



# **The Sovereign Citizen Movement and its Impact on New York State Courts**

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New York State for all attorneys  
including those who are Newly Admitted  
(less than 24 months) and administered by  
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# The Sovereign Citizen Movement and Its Impact on New York State Courts

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## I. First Amendment Auditors

### A. Goals of the “Audits”

“To put yourself in places where you know chances are the cops are going to be called. Are they going to uphold the Constitution, uphold the law...or break the law?”

They “seek to educate” the public that photography is not a crime, and then publicize when the police unlawfully try to stop them from engaging in lawful activity.

### B. Tactics used by Auditors

“Auditors” will pick a public facility and then film their entire encounter with the staff and

customers therein. They'll try to avoid the commission of any crime, so as to prevent any justification for their arrest.

If there's no confrontation or attempt to stop them from filming/ photographing—or if they're treated the same as if they didn't have a camera—then the facility has passed the audit. If the staff, or police, try to stop them from filming, then facility has failed the audit.

### C. Confrontations

Some “auditors” are obnoxious, confrontational, profane, and/or rude. Others remain completely silent and refuse to provide their identity or their purpose for filming.

They often openly film in places considered public, such as sidewalks or rights-of-way, or places open to the public, such as government buildings. Of special interest seem to be police lobbies, vehicles, and non-enclosed parking lots, which has led to many arrests.

[Auditors followed police back to station w/open carry—were convicted of felonies.]

## D. Interactions with Courts

Court Clerks are more likely to have to deal with auditors, as they're the public face of the court system when court is not in session.

No filming in courtrooms, but—rest of court facility is likely fair game. Keep your cool.

## II. Origins of the Sovereign Citizen Movement

### A. Posse Comitatus : “Power of the County”

Originally founded by William Potter Gale in 1970.

Did not gain significant momentum until Gale was able to join his Christian Identity beliefs [a racist theology identifying Jews as the literal progeny of Satan and Blacks as subhuman] with the growing anti-tax movement in the United States.

### B. 14<sup>th</sup> Amendment to the US Constitution

“All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or

enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

### C. The Gold Standard

Tied the value of currency to actual gold, and was the basis of the international monetary system for roughly 100 years (from 1870s to 1971).

The US abandoned the Gold Standard, first from 1933 to 1944, and then for good in 1971.

Abandoning the Gold Standard meant the US dollar was rendered a fiat currency, not backed by any commodity such as silver or gold.

### III. Theory of Redemption

Sovereign Citizen Ideology holds that once the US Government went off the Gold Standard, the US began using its citizens as collateral for loans from



foreign nations, which it uses to fund Secret Accounts identified with Social Security Numbers

Money was only Paper

Flag Fringe = Admiralty Law = Confirmation

By separating their sovereign, God-given citizenship from the strawman of your “paper citizenship,” a Sovereign Citizen can access their Secret Government Account to satisfy all debts, public or private (e.g., tax bills, mortgage loans, etc.)

A. Jerry Kane

Traveling the US with his 16-year-old son Joseph in 2010, giving Lectures on Redemption in Holiday Inns, etc.

Typical of adherents to Sovereign Ideology, Kane was down on his luck—there were warrants out for his arrest, his lectures weren’t well attended, and on May 20, 2010 he was headed to his Sovereign Citizen girlfriend’s home in Florida to start a new life.

B. West Memphis, Arkansas

Kane’s vehicle was stopped by West Memphis, AR PO Bill Evans because of suspicious license

plates. After PO Brandon Paubert arrived as back-up, Kane began to struggle with Evans—both officers were then shot multiple times by Joseph Kane with an AK-47.

2 hours later, both Kanes were killed in a shootout with the police.

This was the incident that brought the violence associated with the Sovereign Citizen Movement into the National Spotlight—but it was neither the first, nor the last.

#### IV. Anti-Government Violence

##### A. Terry Nichols & Timothy McVeigh (Oklahoma City)

April 19, 1995 at the Murrah Federal Building in OKC

Revenge attack for the Ruby Ridge standoff in 1992 and the Branch Davidian Compound Standoff and Storming in Waco, TX in 1993—they believed federal agents from the Murrah Building had been involved.

Both McVeigh and Nichols had strong anti-federal government views; Nichols had challenged laws requiring hunting licenses in MI and repeatedly tried to renounce his US citizenship by writing to County Clerks in MI.

B. Cliven Bundy (Nevada)

April 2014 Standoff with BLM over Unpaid Grazing Fees and BLM attempt to seize his cattle  
Rallying Point for Many Sovereigns and other Anti-Government activists

C. Jerad & Amanda Miller (Las Vegas)

Present at the Bundy Ranch, but were asked to leave for extremity of views

June 8, 2014, approached Las Vegas Metropolitan Police Officers Alyn Beck and Igor Soldo at Cici's Pizza during lunch and shot them both to death—then draped Gadsen Flag over their bodies

Holed up in WalMart across the street from Cici's; Amanda murdered Joseph Wilcox before both Millers were killed in a shootout with Police

- D. Dennis Marx (Forsythe County, Georgia)  
Sovereign Citizen and Tax Protester  
Tried to drive his truck into Forsyth County Courthouse June 6, 2014, but was shot and killed by responding officers
  
- E. Ammon & Ryan Bundy (Malheur National Wildlife Refuge)  
Cliven Bundy's sons; participated in 2014 standoff in NV  
Sovereign Citizens who believe the Federal Government has no right to control "Federal Lands"  
Led the armed takeover of the wildlife refuge in rural western OR from January 2, to February 11, 2016  
Robert LaVoy Finicum was only fatality; killed while attempting to flee a police road block  
Both brothers acquitted of all charges in October, 2016
  
- F. Travis Reinking (Nashville)

In July, 2017, caught trespassing at the White House and said he had an appointment with President Trump, and that he was a Sovereign Citizen.

He was also schizophrenic.

After a diversionary program, his father allowed him to take possession of his firearms.

April 22, 2018 at a Waffle House in Nashville, TN, he murdered 4 and injured 4 others.

Convicted February 4, 2022: Sentenced to LWOP.

G. Rise of the Moors (Wakefield, Massachusetts)

African-American Sovereign Citizen Group.

Traveling from RI to ME for “Training” on July 3, 2021

Massachusetts State Trooper stopped to render aid because of disabled vehicles; Members of Rise of the Moors refused to provide ID or to disarm.

Standoff resulted in 11 arrests.

## V. Identifying Sovereign Citizens

### A. Court Filings and Pleadings

Red Ink used in cancelling Commercial Instruments

Diagonal Print used in cancelling Commercial Instruments

Oftentimes “sealed” with a Red Thumbprint

Commonly citing to United States Code (USC), or to Uniform Commercial Code (UCC)

Odd syntax; Lower Case vs. Upper Case letters in names (natural name vs. “government issued” name); Addresses referenced by region, not street address

### B. Identification Cards

Purporting to be “Diplomatic” Identification

Fictitious “Nations,” or Native American Tribes

### C. License Plates

Some “hard core” Sovereigns reject the Government’s Requirement of using License Plates (*see*, Timothy McVeigh)

Others use license plates from Fictitious Jurisdictions

Others announce their "sovereignty" on license plates

D. Declarations and Documents

Trespass Warnings

Arrest Warrants for Government Officials

"Grand Jury of New York" Indictments

Gadsen Flags

VI. Dealing With Sovereign Citizens in the Courts

A. Code of Judicial Conduct

"A Judge shall be patient, dignified, and courteous"

Not always easy to do when dealing with Sovereigns

A number of sovereigns have filed complaints against judges in NYS—and the same rules of decorum and procedure apply to dealing with them as any other individuals

## B. Role of the Judiciary

Not your job to respond to motions filed by Sovereign Citizens (or anyone else, for that matter)—even if the motions are challenging your jurisdiction or authority

Sovereigns often request your certificate of election or proof of your oath of office—a challenge to the authority of the Court, which they view as, at best, their equal

## C. Motions Calendars

Sovereign Citizens appearing in court have as much of a right to be heard as any other parties/litigants, BUT—they cannot be allowed to “take over” the Court’s calendar and prevent others from having access to the Court

Set a Motions Calendar rather than entertaining argument each time they appear

## D. Contempt/730 Exams

Resist the temptation, no matter how many of your buttons they are pushing

Identifying or Behaving as a Sovereign Citizen is not a recognized disorder which would *per se*



support a finding of Mental Incompetence or Lack of Responsibility by Reason of Mental Disease or Defect

E. Court Security

When you've confirmed, or merely suspect, that you'll be dealing with a Sovereign Citizen, ensure that you have Court Security

The public has a right to access court facilities, and to be safe in doing so

You are not in any position to physically remove disruptive individuals from the courtroom or courthouse

Sheriff's Deputies may be complied with more readily than other law enforcement