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Briefing Paper

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Oath Keepers Targets Law Enforcement, Military Personnel: Montana “Patriots” Focusing on County Sheriff

Since its founding in 2009, anti-government “patriots” have flocked to Oath Keepers. The group wants law enforcement officers and military personnel to sign onto their oath, which encapsulates many of the ideas promoted by the “patriot” movement’s one-world government conspiracy theories. While Oath Keepers is a national organization, it has an active state chapter in Montana (see “Oath Keepers Targets the Thin Blue Line” below).

“The Oath Keepers’ mission is not new,” says the Human Rights Network’s Travis McAdam. “The anti-government ‘patriot’ movement has tried to recruit law enforcement and military personnel for over a decade. Oath Keepers does seem to have a rising presence in Montana, and that is concerning.”

Oath Keepers is viewed as a “patriot” group by national watchdog organizations, including the Southern Poverty Law Center and the Anti-Defamation League.¹ The group has also been criticized on the political right by people including Fox News commentator Bill O’Reilly.²

According to the Human Rights Network, Oath Keepers is one of the primary groups responsible for promoting the supremacy of the county sheriff in Montana. During 2009, Oath Keepers and other “patriots” in the state peddled this Posse-Comitatus inspired belief (see “Focusing on the County Sheriff” below). The Posse, a white supremacist group, viewed the sheriff as the highest legitimate law officer in the land. It believed citizens were not subject to state or federal authorities. For the Posse, it was up to the sheriff to use force, if necessary, to prevent any perceived encroachment by federal institutions, especially when it came to income tax and firearm regulations.³

“Oath Keepers and other Montana ‘patriots’ are increasingly focused on the county sheriff,” said McAdam. “This tactic was initially pioneered by the Posse Comitatus. We really hope that law enforcement workers, along with military personnel, will not be drawn into the ‘patriot’ movement’s web of conspiracy theories and thinly-veiled advocacy of insurrection.”

The Montana chapter leader of Oath Keepers, Franklin Shook, has stated he wants to set up chapters in every county (see "The Montana Connection" below). The group has developed relationships with other right-wing groups, including the Bozeman Tea Party and the Montana Shooting Sports Association.

"The Oath Keepers are part of the resurgence of right-wing activism we've witnessed since the start of 2009," McAdam said. "The election of our country's first African-American president, in addition to the national financial crisis, provided the perfect storm for these 'patriots,' who are trying to capitalize on fear and resentment."

Oath Keepers Targets the Thin Blue Line

Started in March 2009, Oath Keepers was created by E. Stewart Rhodes, an attorney in Nevada and Montana who used to be a staffer for U.S. Rep. Ron Paul (R-TX).⁴ Rhodes' organization frames itself as wanting to remind law officers and active duty soldiers that they swore an oath to defend the "Constitution against all enemies, foreign and domestic, so help us God." It asks active personnel to sign an oath to not follow "unconstitutional (and thus illegal) and immoral" orders that are "acts of war against the American people."⁵

The oath encapsulates many of the one-world government conspiracy theories that undergird the "patriot" movement. These theories claim America will be invaded by troops acting on behalf of various international cabals and/or the federal government. In these theories, martial law is declared and Americans are rounded up and put in detention camps. Anti-government "patriots" believe they alone understand the truth about these upcoming developments, and it will be up to them to fight off this "New World Order" attack.

Oath Keepers wants law officers and military personnel standing on the frontlines with "patriots" for this battle. The group's oath is a "Declaration of Orders We Will NOT Obey." This includes not following orders to disarm citizens, place citizens in detention camps, or assist foreign troops on American soil.⁶ Oath Keepers' fundamental agenda is not new.

At the height of the militia movement during the 1990s, former lawmen like Jack McLamb and Richard Mack made their reputations by trying to recruit active duty personnel into the "patriot" movement. One watchdog group called McLamb the "self-appointed ambassador and evangelist from the Christian Patriot Movement to the law enforcement community," and he's been a steadfast supporter of forming militia groups.⁷ McLamb has publicly endorsed Oath Keepers, and the group's website sells a promotional DVD featuring McLamb, Rhodes, and Richard Mack.⁸

Managing "Patriots," Downplaying Insurrection

Shortly after its formation, anti-government "patriots" started flocking to Oath Keepers, and many started posting statements on organizational websites advocating warfare. Rhodes finally had to request they stop. He said such discussion might make active duty personnel "wary of participating" in Oath Keepers. He didn't oppose such talk, but he asked that it be discussed somewhere else.⁹

Rallying support from “patriots,” while at the same time trying to manage them, is something one of Rhodes’ mentors, U.S. Rep. Ron Paul (R-TX), has tried to do as well. Rhodes frequently mentions both his time spent as a staffer for Paul, and his work on Paul’s 2008 presidential campaign. An Oath Keepers board member has claimed part of the reason Rhodes started the group was his disappointment that the Republican Party wasn’t more supportive of Paul’s presidential run.¹⁰

Paul has been a favorite of the “patriot” movement since the 1990s and by the broader right wing for decades. A reporter for *The New Republic* who studied the various newsletters Paul had published since the 1970s called him a “member in good standing of some of the oldest and ugliest traditions in American politics.” Paul’s various newsletters supported anti-government conspiracy theories and frequently railed against supposed global powerbrokers like the Council on Foreign Relations and Trilateral Commission. This made him a favorite of the burgeoning militia movement of the 1990s, and he repaid the adulation. Three months before militia adherent Timothy McVeigh bombed a federal building in Oklahoma City, one of Paul’s newsletters carried an article titled “Ten Militia Commandments,” which called militia groups “one of the most encouraging developments in America.” Years after the Oklahoma City bombing, in a message circulated by the Militia of Montana, Paul stated he didn’t think Americans knew “the full truth” about the bombing, implying that militia activists played no part in it.¹¹

Like Paul, Rhodes has commented he “actively support[s] the revitalization of the state militias.”¹² However, he has said he wants to keep that activity away from Oath Keepers. “We need to keep the two different missions separate,” he claimed. “We will reach more of them [potential recruits] if we don’t have official ties to citizens militias.”¹³ Rhodes continues to try and court the energy of “patriots,” while trying to distance his group from all the negative baggage that comes with the anti-government movement.

This is a difficult balancing act to maintain, as demonstrated by the Charles Dyer case. Dyer, a former Marine and self-identified Oath Keeper, was charged in early 2009 with the rape of a child in Oklahoma and illegally having a grenade launcher. Dyer frequently identified himself publicly as an Oath Keeper, and he attended one of the group’s first events in April 2009. In videos posted by Dyer on You Tube, he calls himself an Oath Keeper and states he will use his military training to become a domestic terrorist. Rhodes denies Dyer was a member of Oath Keepers.¹⁴

On Oath Keepers’ official website, members and forum moderators continue to argue about whether or not they should be able to post about the necessity of militia formation and anti-government conspiracy theories. The Oath Keepers’ website now contains a lengthy section titled “What We are Not.” In it, Rhodes tries to downplay the group’s connection to anti-government ideology and violence. The section claims the group is not “about advocating or promoting violence” or “promoting the overthrow of any government.”¹⁵

The Montana Connection: E. Stewart Rhodes and “Elias Alias”

As mentioned earlier, Rhodes is a member of the State Bar of Montana. He practiced law in Montana at the O’Neill Law Office in Polson, MT, from 2005-2007.¹⁶ Since starting Oath Keepers, Rhodes has found willing recruits in Montana to push the group’s agenda.

The National Board of Directors for Oath Keepers features Franklin Shook from Willow Creek, MT.¹⁷ Shook, who goes by the name Elias Alias, is also the Montana State Director for the group.¹⁸ He has publicly accepted Rhodes' challenge to make Montana the first state in the country to have an Oath Keepers chapter in every county.¹⁹ He also publishes the national group's newspaper.²⁰

Shortly before moving to Montana from Georgia in 2000, Alias co-founded an online discussion forum called "The Mental Militia," which he calls a "well kept internet secret...so please don't tell anyone about us!"²¹ The website features discussion areas like "Tyranny in a Police State" and "Guns and Gear."²² He also maintains the website for The Jefferson River Coalition, which lists its goal as "organizing local resistance to Federal tyranny."²³ Alias has claimed that America is currently ruled by an "imposter government" and warned against the encroachment of the "New World Order."²⁴

In addition to serving as the publisher for the Oath Keepers' newspaper, he is editor of his own right-wing publication called *The Montana Messenger*.²⁵ Alias started it last fall with Tea Party organizer Joan Stanley and Don Doig, a co-founder of the Fully Informed Jury Association (FIJA).²⁶ FIJA has been part of the "patriot" movement for years. It claims that a jury has the right to "judge both the law and the evidence in the case before it," a tactic known as jury nullification.²⁷ In essence, FIJA encourages juries to ignore laws they don't like and set defendants free regardless of evidence to the contrary. While Doig was FIJA's National Director, the group distributed fliers in Mississippi supporting Byron De La Beckwith, a white supremacist who was on trial for murdering a civil rights leader in the 1960s.²⁸ On *The Montana Messenger* website, Alias listed FIJA as an allied organization, in addition to the Militia of Montana, Oath Keepers, and numerous other "patriot" groups.²⁹

Over the holiday weekend of July 4, 2009, Rhodes and several other Oath Keepers traveled to Montana and participated in the Tea Party protest in Bozeman, MT. The Oath Keepers marched with their banner at the front of the event and shared the speaker's podium with Tea Party organizer Henry Kriegel. The following day, they held an Oath Keepers Conference at the Sacajawea Hotel in Three Forks, MT.³⁰

The event's featured speaker was former Arizona county sheriff Richard Mack, a longtime supporter of militia groups.³¹ Mack became a rising star in the "patriot" movement during the 1990s when he successfully sued the federal government over the Brady Bill, a gun control measure. Mack's lawsuit and speaking time on the "patriot" circuit became central issues during his 1996 re-election bid, and he lost in the primary.³² He has been a major spokesperson utilized by Oath Keepers.

For the last year, he has toured the country trying to get sheriffs to read his new booklet, *The County Sheriff: America's Last Hope*, and to adopt his brand of county supremacy. Mack's version of county supremacy follows the tradition of the white supremacist Posse Comitatus. He believes it is up to the sheriff and militias to save America from "utter despotism." Before his recent revival as a "patriot" hero by groups like Oath Keepers, he was selling cars in Arizona.³³

In addition to Mack, the Three Forks conference featured ultra-conservative Montana legislators, including Rep. Michael More (R-Gallatin Gateway) and Rep. Joel Boniek (R-Livingston).³⁴ During the 2009 Montana Legislature, More sponsored "states' rights" resolutions that included language alluding to Montana seceding from the Union.³⁵ The Oath Keepers' website said of Boniek: "We

can think of no other state legislator who so fully embodies what it means to be an Oath Keeper legislator.”³⁶

Focusing on the County Sheriff

The Posse Comitatus view of sheriff supremacy has been promoted in Montana consistently over the past year. In addition to groups like the Oath Keepers, Richard Mack discussed it at numerous appearances in the state during 2009. At Mack’s July presentation in Hamilton, MT, Granite County Sheriff Stephen Immenschuch publicly pledged to follow Mack’s oath to the Constitution.³⁷

Gary Marbut and his Montana Shooting Sports Association (MSSA) have continued their longtime advocacy of county sheriff supremacy. During election years and at the Montana Legislature, Marbut and his organization profess to be advocates for hunters and shooting sport interests. However, Marbut fits squarely within the “patriot” movement. He has offered organizing tips to the Militia of Montana, and his writings frequently show up in “patriot” publications (for more, see the Human Rights Network’s report *Shooting for Respectability*).

During 2009, Marbut both promoted Mack events and shared the stage with him at multiple appearances in Montana.³⁸ In December 2009, Marbut said he and Mack had drafted a policy that local sheriffs could adopt. The policy said no state or federal employee could take action with regards to firearm regulation in a county without permission of the sheriff.³⁹

In March 2010, Marbut announced MSSA needed “to get more involved in county-level races, especially for the position of sheriff.” He solicited people to serve as “MSSA County Coordinators” that would take questionnaires to sheriff candidates. The questionnaire included questions about sheriff supremacy and others that specifically named Richard Mack and Oath Keepers.⁴⁰

In January 2010, a group referring to themselves as “extremely concerned Ravalli County citizens” asked the county sheriff and commissioners to sign off on a petition asking them to uphold their oath of office. The points of the petition included the supremacy of the county sheriff and the demand that the sheriff “form and command a County Militia.” Failure to sign the petition would result in a citizen grand jury being convened to recall or levy criminal charges against the county employees.⁴¹

In Lake County, current detective and sheriff candidate Steve Kendley has made Oath Keepers a major part of his campaign. His website states that he is “basing the first ‘plank’ of my campaign on upholding the Oath of Office to defend the Constitution of the United States and the Constitution of Montana from all enemies, foreign and domestic.” His website links to the Oath Keepers, Richard Mack, and MSSA.⁴²

In Lincoln County, Rex Nichols recently announced his candidacy for sheriff. At a gathering of Lincoln County Watch in March 2010, he gave a presentation on “The County Sheriff: America’s Last Hope.”⁴³ Also presenting was Paul Stramer, Lincoln County Watch’s founder and a longtime “patriot” who worked with both the Militia of Montana and Montana Freemen during the 1990s.⁴⁴ Stramer, who initially started his group to support Ron Paul’s presidential bid, brought Mack to the area in July 2009.⁴⁵ In 2009, Stramer was also part of a failed effort to recall Lincoln County Sheriff Daryl Anderson. The group of citizens attempting the recall cited, among other things,

Anderson's refusal to give Stramer a concealed weapons permit because of his involvement with the Montana Freeman during 1990s.⁴⁶

The Posse Comitatus-inspired view of the county sheriff may also come up during the 2011 Montana Legislature. Sen. Greg Hinkle (R-Thompson Falls) has requested a bill be drafted that would require the county sheriff to authorize any arrest, search or seizure by a federal employee.⁴⁷ This type of bill has been introduced in the past with well-known "patriots" lobbying for its passage, including Marbut and Stramer.⁴⁸

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