

Oath Keepers Open Letter to the People of Ferguson, Missouri

0 0 0 0

by Larry Diffey , November 24, 2014

YOUR RIGHTS:

People of Ferguson, whatever the Grand Jury's decision, you have an absolute, God given, and constitutionally protected right to protest and speak your mind. The First Amendment prohibits government at every level from "abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

And under our Constitution, the police have no right, no authority, and no power to violate those rights, and neither does Governor Nixon, or anyone else in government. During the earlier protests in August, we saw egregious violations of the rights of peaceful protesters and media in Ferguson, including the irresponsible, indiscriminate use of tear gas and rubber bullets, as well as police pointing assault rifles and sniper rifles at people who posed no apparent, immediate threat to anyone – people who were simply standing in the street, voicing their opinions. We also saw the imposition of an absurd curfew, and routine harassment of people merely standing on sidewalks.

Because of these blatant abuses, our Missouri Chapter of Oath Keepers sent an [Open Letter of Warning](#) to Governor Nixon, warning him that he and the police under his leadership were using unconstitutional, rights-violating tactics that were also, perversely, ineffective at stopping the few actual looters, shooters, or rock and Molotov cocktail throwers. We told the Governor:

Such over-the-top threatening displays, with rifles pointed-in indiscriminately at protesters and residents, only anger and frighten the people and reinforce the perception that it is "the police vs. the people" rather than the police vs. a small number of criminals, while risking the lives of the very people our police are supposed to be serving.

And much like over-the top and indiscriminate threat displays and use of force in Iraq lost the hearts and minds of the locals, so too does it lose the battle for hearts and minds here at home – assisting in the agendas of those who wish to divide us along racial lines and create an "us vs. them" mentality among both the people and the police.

....

Likewise for the imposition of curfews, which violate the right of the people to peaceably assemble, while also failing to stop the looters and shooters who ignore such decrees. The First Amendment prohibits "abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances" period. It doesn't add on – *unless a politician declares a state of emergency and imposes a curfew*. Nor does it say – *unless other people are looting and being violent, in which case all of you lose your right to peaceably assemble*. Curfews punish the peaceable majority for the actions of a violent few, and again, alienate the community and send the message that the police see them all as the enemy and seek to trample on the rights of all of them.

YOUR RESPONSIBILITIES:

People of Ferguson, every human being has the right to protest. But *nobody* has the right to initiate acts of violence or destruction of property against other people, no matter how angry or upset they are. In this case, the family of Michael Brown has specifically asked that all protesters remain peaceful. Michael Brown's father even did a [video appeal](#) on that point, declaring:

Hurting others or destroying property is not the answer. No matter what the grand jury decides, I do not want my son's death to be in vain ... We live here together, this is our home, we are stronger united. Continue to lift your voices with us and let's work together to heal to create lasting change **for all people regardless of race** [emphasis added].

We agree. Hurting people and destroying property is not the answer, no matter what the Grand Jury decides. It is a shame that local business owners should have to even worry about violence, looting, or someone setting fire to their shops. Just as the police need to "police their own" to prevent violations of the rights of the people, or risk losing even more credibility, so too must the protest organizers and participants "police their own" by looking out for hot-heads in the crowd who may resort to violence, looting, or property destruction. It is critical that they do all they can to limit such incidents. If they fail to do so, they too will lose credibility and take the focus away from the core issues they are protesting about in the first place.

We also urge the protest organizers and participants to be on the lookout for provocateurs from outside Ferguson who want to start violence, and who want to start a race war. Whether it be the KKK, or the New Black Panthers, *all* racists want to make this only about race, and they want to see racially motivated violence on all sides, and you can expect them to try to manipulate events to get what they all dream of – Americans killing each other in large numbers over the color of their skin. As black journalist Juan Williams [recently wrote](#):

Now, it is true that television networks profit from coverage of riots. So do extremist voices, often from out of town; suddenly people making threats and shouting vile things are in demand for interviews because they are elevated to the status of experts on the black experience. They certainly profit from racial chaos and violence and now they are looking to score again.

Stop it.

Those people looking to get on television and the producers looking for ratings will not be around to repair the damage once the riots tear through town.

We all need to do what we can to help throw a monkey-wrench in the plans of such provocateurs, by rooting them out and exposing them whenever possible, and by making it clear that it is not about race – it is about rights. To do so, we **MUST** protect the lives and property of *every* resident and business owner in Ferguson and surrounding areas.

CALLING ON FERGUSON VETERANS:

We call on the veterans in your community, in particular, to step up and lead the way to defend the lives and property of their neighbors, and we call on them to form neighborhood watches and patrols to put a stop to acts of violence. You have the power to police your own neighborhoods, and keep them safe for all. Black veterans have a proud and noble example to follow, in the [Deacons for Defense and Justice](#), who were World War II and Korean War veterans who stood up to the violence of the Klan, except this time, you must defend against violence by anyone, whether outsiders or locals, of any race, against anyone, of any race. If you take care of your own neighborhoods, it removes the sense of emergency that is used to justify a heavy police presence. And that can also have a lasting effect even after the protests are over. Be your own "police."

Veterans of Ferguson, you swore the same oath to defend the Constitution that we did when we served. Like us, you are also still bound by that oath, and that same duty.

As we did with our [open letter to Governor Nixon](#) in August, we are now penning an open letter to the police in Ferguson and surrounding areas, urging them to respect the right of peaceful protesters to free speech and assembly, and urging them to protect both the peaceful protesters and the innocent business owners and home-owners from any violence or property destruction. Let us all work together to do the same.

And let us join together and stand for the rights of all Americans, of all races, at all times, and against all racism of any kind, at all times. And let us stand united against the dangerous militarization of our police, and for accountability and transparency in the review of all police use of force incidents.

With Liberty and Justice for all,

Oath Keepers

* please post this on forums and pages dedicated to following events in Ferguson and the Brown case.

PS – ADVICE FOR THE POLICE.

Here is the specific strategic and tactical advice our retired Missouri police gave (with input from current serving street cops) on how the police should act in Ferguson. This is from our [Open Letter of Warning](#) to Governor Nixon, dated August 22, 2014:

A Constitutional and Effective Strategy

One retired Special Forces veteran in our group suggested that instead of grouping the police officers in large blocks (50 to 100 men), that you should break up these groups into **rapid reaction teams of 20 to 25 officers and disperse them, staging them in places spread around Ferguson, with a focus on the looters, not the protesters.** Our intelligence and police veterans concurred, and added that you should also **task some officers to go out in street clothes to blend in to the crowds and work as Scouts, identifying threats and looters.** The plainclothes Scouts should be directing the rapid reaction teams to protect the businesses from the ongoing crime, and refocus the police assets away from unconstitutional activities like shooting CS gas at peaceful protesters and enforcing curfews, and get to the business of putting the real criminals behind bars. If you think you need more minority officers for this role, you could easily find them in the St. Louis County Police Department, St. Charles County Sheriff Department, and other local municipal police departments. The plainclothes officers can identify and locate the trouble-makers and their caches and resources, such as gas cans and bottles for Molotov cocktails, bricks, etc., and they can also film the trouble-makers in support of later arrests and prosecutions.

Those plainclothes Scouts can also be directly backed up by small teams of five to seven additional plainclothes officers to take down identified looters in a manner that uses minimum force along with effective surprise applied only to the actual suspected looter. And those plainclothes small reaction teams can be further backed up by the uniformed rapid response teams, if needed, as they apprehend the looters and shooters. **If possible, each officer should have a small, discrete camera – such as a badge camera – pinned to their clothing and running at all times,** so that there is a recording of all that occurs.

An additional recommendation from one of our members was that, **rather than closing portions of West Florissant Avenue and ordering protesters to disperse, officers could place cones on the street to reserve the center lane for police use only (warning that any others entering that lane will be arrested), staging officers at various points along that center lane and using it for police vehicles, while leaving traffic free to move North and South** (with appropriate turn lanes interspersed), leaving the sidewalks open for protesters and media, and not trying to confine either to any particular area. That preserves the middle lane for police to move freely back and forth along that critical two mile stretch while not restricting free speech and assembly rights.

The initial response of the Highway Patrol, to deescalate and demilitarize the situation, was on the right track. However, it also failed to secure the arrest of the looters. In fact, officers were explicitly told to *not* go after the looters. De-escalating of militarized policing against peaceful protesters was a good idea. But **the “de-escalation” toward the looters and shooters – intentionally NOT going after them – was insane and failed to protect the**

people and businesses of Ferguson. Backing off and letting the looters run free failed to solve the problem and actually made it worse, with the success of the looters drawing trouble-makers from all over the country, who came to Ferguson to loot and shoot and incite more violence. As evidence of the failure, we now have local business owners having to hire private security to protect them from looting because the police in their community are failing to do so.

De-escalation and demilitarization must go hand-in-hand with effective policing that stops the looters and shooters. The officers must be told that if they see an act of looting or violence, they must arrest that man. That needs to be the policy from the beginning to the end. Again, we recommend the use of plainclothes officers and small reaction teams to effectively arrest looters and shooters while respecting the rights of the peaceable protesters.

With hundreds of criminals stealing the businesses of Ferguson blind and damaging private property, how many arrests of actual looters took place? The percentage is embarrassing (and arrests of otherwise peaceful protesters for “failure to disperse” or “failure to keep moving” don’t count). The Highway Patrol’s tactics did not work, and it is time to admit it. It was a mistake to remove St. Louis County from a command role. Instead, Governor, you should have directed them to use their considerable assets to go after the looters while respecting the right of the people to peaceably assemble.

Likewise, bringing the National Guard in for “force protection” secured the Command Location, but what about all the other locations where people’s lives were being destroyed? The National Guard was not the answer. Effective, smart, focused policing was. You did the right thing by finally pulling the National Guard back out. Now you just need to direct the application of effective, focused policing.

We need officers focused on looters, not on bullying the media and protesters. We need officers to put violent criminals in jail, not shoot tear gas and rubber bullets at reporters too ignorant to not shine lights in the officers’ eyes while they are trying to work. We need a Governor smart enough to reject the riot control tactics developed before cell phones – tactics that are now failing catastrophically – and smart enough to not try to stifle free speech and violate our Bill of Rights. We need a Governor to show enough wisdom to lead our state *by* the Constitution rather than against it with ineffective abuses like curfews. Governor Nixon, tell us you are wise enough to defeat the criminals without violating our rights. No, **SHOW** us you are wise enough to change your failing tactics and demand from your men that they discern between peaceful protesters and looting thugs. **SHOW US**, you will protect the rights of the **FREE PRESS** and have the courage to demand your officers arrest the real bad guys. Stop gassing the innocent and start arresting the looters!

Wisdom and discernment will go a long way on the streets of Ferguson, and it is time you focus the police on putting real criminals behind bars, not reporters and peaceful protesters.

Oath Keepers volunteers continue to guard Ferguson businesses and we have retained two patriotic St. Louis, Missouri lawyers from the firm of Hearne & Bendick to represent us in our defiance of, and legal challenge to, the St. Louis Police Chief’s unlawful order asserting that we cannot guard Ferguson residents and businesses against arsonists without a “security officer” permit. Their initial letter to Chief of Police, St. Louis:

<http://www.scribd.com/doc/249001595/Letter-for-Oath-Keepers-to-Chief>

Please help support that legal fight, and also help us provide legal defense if any of our volunteers are cited or arrested while engaged in civil disobedience against that unlawful order. Go here —

<https://www.formstack.com/forms/?750628-oJ9AeG1sgf>

— where you can donate specifically to our legal defense fund. Any left over legal defense funds will be reserved to assist future litigation and legal defense.

Categories: [all-oathkeeper-posts](#), [oathkeeper-articles](#)

About Author



[Larry Diffey](#)