

T H U R S I
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U.S. Army soldiers from Ft. Rucker patrol the downtown area of Samson, Alabama



"U.S. Army soldiers from Ft. Rucker patrol the downtown area of Samson, Alabama after a shooting spree March 10, 2009. " REUTERS/Mark Wallheiser [caption as it is on Reuters [website](#)].

There is an alarming trend of increasingly using active duty military in "support" or "observation" roles to assist civilian law enforcement. In this case, it appears military police from Ft. Rucker were brought in *after* the gunman was dead, to assist in cordoning off the crime scene area(s) in support of the civilian police.

Our position is that the U.S. military should not be involved in any capacity in local law enforcement, not even in a supposed "support" role.

First of all, this was a local criminal matter only, not a federal matter. No part of the federal government has any jurisdiction. Thus, merely calling it "support" and not law enforcement does not cure the threshold problem of the federal

government involving itself in the internal police of a state.

Under the original understanding of the Founders, the federal government would have no authority to act regarding such intrastate matters. What the American people consented to by ratifying the Constitution of 1787 was a dual sovereignty system, granting the new national government only certain, enumerated, and limited powers, with no general police power (a general law-making power to pass laws for the health, safety, and welfare of the people). Only the States had such a general power, which they retained, as the debates over ratification make clear:

The powers delegated by the proposed Constitution to the federal government, are few and defined. Those which are to remain in the State Governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce ...The powers reserved to the several States will extend to all the objects, which, in the ordinary course of affairs, concern the lives, liberty, and property of the people; and the internal order, improvement and prosperity of the State. - James Madison, Federalist 45

Under that original understanding, the FBI, for example (let alone federal military police!), would have no jurisdiction or grounds for being involved in a local crime. Unfortunately, that concept of a federal government limited to few and defined powers, exercised principally on external objects, such as war, has been flipped on its head (through artful court decisions "interpreting" the commerce clause), such that we now have over us a federal government that claims all powers not expressly and specifically forbidden, and the power to make laws over us in all cases whatsoever.

Secondly, calling such involvement "support" is a very thin fig leaf to cover what is clearly a use of the military in a law enforcement capacity, in violation of Posse Comitatus. The military police were used to man blockades.

If the civilian police need additional help, they should look first to the militia of their own state, such as the select militia now known as the Alabama National Guard, under the command of that state's governor.

This increased use of the military in domestic roles is especially alarming in light of the permanent assignment of the 3rd Infantry Division's 1st Brigade Combat Team to a domestic "support" role, under command of U.S. Army North (NORTHCOM). That brigade combat team includes heavy armor, artillery, and mechanized infantry elements.

Here is an excerpt from the [wikipedia entry](#):

On October 1, 2008, the US Army announced that the [3rd Infantry Division's](#) 1st Brigade Combat Team (BCT) will be under the day-to-day control of U.S. Army North, the Army service component of [Northern Command](#) (NORTHCOM), as an on-call federal response force for natural or man-made emergencies and disasters, including terrorist attacks.

This marks the first time an active U.S. Army unit will be given a dedicated assignment to NORTHCOM, where it is stated they may be *"called upon to help with civil unrest and crowd control or to deal with potentially horrific scenarios such as massive poisoning and chaos in response to a chemical, biological, radiological, nuclear or high-yield explosive (CBRNE) attack."* These soldiers will also learn how to use non-lethal weapons designed to *"subdue unruly or dangerous individuals"* without killing them, and also includes equipment to stand up a hasty road block; spike strips for slowing, stopping or controlling traffic; shields and batons; and [beanbag bullets](#).^[5] However, the *"non-lethal crowd control package [...] is intended for use on deployments to the war zone, not in the U.S. [...]"*.^[5]

The US military will have around 20,000

uniformed personnel in this role in the United States by 2011, specifically trained and equipped to assist state and local government, respond to major disasters, terrorist attack, other major public emergencies.^[6] This shift in strategy is a result of recommendations by Congress and outside experts.^[6] This response capability is not new, but now accompanies a permanent assignment of forces to NORTHCOM.

All of the above is the proper responsibility of the National Guard, under the command of a state's governor, not the regular Army.

Our constitutional republic is being transformed into something entirely incompatible with the principles upon which this nation was founded.

Oath Keepers.



POSTED BY STEWART RHODES AT [2:35 PM](#)

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