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An Analysis of the Sovereign Citizen Movement: Demographics and Trial Behaviors

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An Analysis of the Sovereign Citizen Movement:
Demographics and Trial Behaviors

A thesis submitted in partial fulfillment
of the requirements for the degree of
Master of Arts in Sociology

by

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University of Arkansas
Bachelor of Arts in Criminal Justice and Sociology, 2014

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This thesis is approved for recommendation to the Graduate Council.

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Abstract

To date little to no empirical research has been conducted on the Sovereign Citizen Movement (SCM) and how it fits into the broader far-right domestic terrorist movement. The main focus of this study is to determine if there is a significant difference between the SCM and the far-right in their demographic composition, trial strategies, and trial behaviors and whether the SCM should be grouped together with the broader far-right during analysis. Using the American Terrorism Study (ATS), I coded 97 federal court cases involving sovereign citizen defendants (N=150) and ran basic frequencies on demographic and trial behavior variables on the SCM defendants and compared them to the non-sovereign citizen far-right defendants (N=382) in the ATS; the two groups were different at every level. I then ran bivariate analysis to determine the significance in the differences between the two groups. Results showed that all of the differences between the two groups were significant in relation to demographics, how sovereign citizens behave during trial, and how the government prosecutes sovereign citizen defendants. In conclusion, the SCM is significantly, and substantially, different and should be studied separately from the broader far-right when conducting future research.

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CHAPTER ONE INTRODUCTION

Beginning in 1993, sovereign citizen Winfield Thomas began selling fraudulent anti-tax trusts in Ohio by promoting them as estate planning vehicles to people who attended his seminars. Thomas maintained that the trusts provided asset protection to his clients. During the seminars Thomas often advised his clients to set up bank accounts using their trusts. He argued that any payments made out of the trust bank accounts would be tax deductible. In reality, the trust scheme was nothing more than an illegal strategy to hide monetary assets from the IRS. Thomas sold his trusts to approximately four hundred clients for \$2,000 a piece, receiving nearly \$142,000 in annual revenue. Chad Rickle purchased a trust from Thomas after attending a seminar. After building rapport with Thomas and others involved in the conspiracy, and using his college degree and experience in accounting, Rickle began to prepare tax returns in 1994 for individuals who purchased a trust. Thomas taught Rickle how to prepare fraudulent trusts and individual income tax returns in a way consistent with the scheme Thomas was promoting. By 1997 the IRS began sending letters to the trust scheme clients requiring them to make good on their unpaid taxes. Thomas and Rickle told their clients that if they kept their heads down and ignored the IRS, the problem would go away. It did not.

Between 1999 and 2000 Thomas had added Redemption Scheme (discussed later) as a new strategy for the clients to obstruct the IRS. Clients of the trust scam prepared and sent to the IRS \$28 million in bogus "Bills of Exchange," drafts, and other fictitious financial instruments in an effort to pay off their tax obligations. The conspirators prepared over 900 fraudulent tax returns from 1994 to 2000 for an estimated tax loss of over \$1,000,000, while they earned an average of \$22,000 a year from preparing the returns. In addition, between 1993 to 2006

Thomas and his co-conspirators helped their clients avoid paying over \$15 million in taxes to the IRS.

Winfield Thomas and his co-conspirators were affiliated with a movement of far-right domestic extremists called the Sovereign Citizen Movement. According to the FBI (2011), sovereign citizens are “anti-government extremists who believe that even though they physically reside in this country, they are separate or ‘sovereign’ from the United States” (p. 1). Sovereigns believe that they are not subject to the authority of federal or state governments, and their actions often result in devastating consequences. Sovereign citizens act on these beliefs by using tactics that authorities have described as “paper terrorism.” Paper terrorism, which will be discussed in more detail later, is the use of financial instruments (such as frivolous tax returns or bogus liens) to target the government and its employees. The case study above is a prime example of paper terrorism and the large-scale monetary consequences faced by the government due to the radical beliefs of sovereign citizens.

To date, little is known about the demographics of sovereign citizens or the nature of the threat that sovereign citizens pose even though police consider them to be a significant threat in their communities. Moreover, I could find almost no empirical research on the Sovereign Citizen Movement as a separate entity of far-right extremism. When the Sovereign Citizen Movement has been addressed in extant literature, the focus has been on violence rather than paper terrorism. This research examines how the Sovereign Citizen Movement differs from that of far-right domestic terrorists as a whole and will make a case for studying sovereign citizens separately from the far-right. For this purpose, I will examine the following research question: **How similar are adherents of the Sovereign Citizen Movement to defendants in the broader far-right movement?** This paper will also examine the sovereign citizen’s behaviors throughout

the trial process in an effort to understand how the followers of the movement act towards the authority of the federal court system. For that purpose, I will examine the following research question: **What methods have the federal courts used to prosecute SCM adherents, and how have those individuals behaved in court?**

The following chapter will provide a detailed background of the movement to establish a timeline of how it has grown into the most prominent anti-government movement currently in the United States. The chapter will conclude with more detailed explanation of my research questions.

CHAPTER TWO BACKGROUND

This project focuses on the Sovereign Citizen Movement (SCM) as a subtype of far-right domestic terrorism steeped in anti-government ideology. Emphasis is placed on ascertaining demographic information on the adherents of SCM ideology. An additional goal of this paper is to determine empirically whether the SCM differs significantly from far-right extremism in terms of demographics and trial behaviors, but I will also examine whether the government uses different strategies to prosecute SCM adherents. The first section of this chapter contains a synopsis of the history of the SCM and a timeline centered on how the SCM grew into a dangerous far-right terrorist movement.

Economic and Social Factors

The 1960s and the Vietnam War brought with it the rise of the extremist far-left, which in the United States was mostly made up of college students and college graduates who fought against what they believed to be the United States government's overreach in foreign nations (Smith, 2000). The far-left was built upon an ideology of socialist beliefs and a hatred of capitalism resulting in a movement that was arguably more bloody and violent than what would be felt by the far-right in the years to come. The persistent violence within the far-left movement resulted in many leftist sympathizers distancing themselves from the violent groups. So by the time the Vietnam War ended the zeal of the far-left had already begun to dwindle, paving the way for the emergence of a new ideology of far-right groups in the 1970s (Smith & Morgan, 1994). The 1980s brought with it an influx of homegrown, domestic terrorist organizations that continued to grow in numbers throughout the subsequent decades. Numerous extremist groups started to gain

traction in collective opposition to issues of affirmative action, welfare, race mixing, homosexuality, and abortion (Smith, 1994; Smith, 2000). Far-right groups formed along a myriad of motivational factors—such as white supremacy, anti-gun legislation, anti-abortion, anti-Semitism, and a fringe religious movement, called Christian Identity (discussed in more detail below). Furthermore, the social conflicts of the 1980s mixed with another powerful motivator—a struggling economy.

The 1980s witnessed growth in the far-right for many reasons, and chief among them was the economy. Indeed, a national economic crisis was being felt across the country. The farm crisis of the 1980s, and the bank crisis that followed, had a severe and profoundly negative impact on the United States' economy. According to Kent (2015), “issues that gave rise to the Freemen and sovereign citizens' forerunner in the 1970s, the Posse Comitatus, involved enormous jumps in interest rates as banks reacted to global political and trade realities; but these increases crippled farmers, many of whom had taken out low-interest loans” (p. 7-8). The farm crisis resulted in an estimated 235,000 farms failing, which also destroyed 60,000 supportive businesses in the process. Additionally, many banks failed because they were dependent on the mortgage and debt payments from the farmers that were affected by the crisis (Kent, 2015). Overlapping with the farm crisis, the Savings and Loan crisis, which started during the late 1980s, resulted in 1,000 banks closing their doors and the loss of over \$500 billion in assets. Due to the poor economic conditions of the country and the federal government using tax dollars to bail out the banks, the number of people in the United States who believed that federal income taxes were too high reached record levels during this time period. According to Levitas (2001), an anti-tax movement quickly began to grow throughout the country. During the 1980s, the federal government created new laws in an attempt to slow the growth of the anti-tax movement

by prosecuting anti-tax protestors more harshly (Levitas, 2001). The new laws were not as effective as the government had hoped, and the anti-tax movement was slowed down rather than immobilized completely. The economic crises helped to influence the growth of anti-government movements across the country, especially that of the Posse Comitatus and the early SCM. However, before the economic crises, the leaders of the Posse Comitatus and their extremist anti-government ideologies heavily influenced the SCM since its formation.

The Role of Extremist Ideologies and Leaders

According to Smith (1994) the extreme right became linked to the Christian Identity Movement. The Christian Identity Movement was ideologically centered on the belief that members of the Aryan race were God's chosen people, not the Jews, and that America was God's promised land reserved for Aryans alone. The ideology was built around radical interpretations of the Bible and it was embedded with conspiracy theories that the United States government had been infiltrated completely by Jews creating what the movement called the Zionist Occupational Government. It is under this belief system that the numerous far-right groups emerged.

Within the far-right movement, a Christian Identity patriot group emerged in 1969 under the leadership of Henry Beach and William Potter Gale in Portland, Oregon, called the Posse Comitatus. This group would have an important influence on what would later become the Sovereign Citizen Movement. The Posse Comitatus, whose name translates to *power of the county*, combined an anti-taxation and anti-government ideology with the anti-Semitism of the Christian Identity Movement that allowed the group to quickly gain traction with numerous supporters and expand to thirteen additional states within a few years of its inception (Smith, 1994). Posse Comitatus adherents espoused the idea that the county sheriff, specifically one that

they had personally voted into office, was the highest form of authority and the only authority that the group recognized (Kent, 2015; Fleishman, 2004). Members of the Posse Comitatus embraced the belief that the federal government had no power over them. A common expression of this belief was their refusal to pay taxes. As the years progressed the Posse Comitatus became increasingly violent and encouraged people in the rural parts of the country to defend their homes from the government while the group's leaders threatened to execute government officials who violated their oaths of office (Smith, 1994). The surge in violent rhetoric and acts closely coincided with the agriculture crisis sweeping the nation in the late 1970s and early 1980s, which allowed Gale and the Posse to spread their ideology to struggling farmers across the farm belt (Levitas, 1998). It was during this time of economic crisis that the SCM began to take form as an offshoot of the Posse Comitatus. It is important to discuss the Posse Comitatus in this research because it developed much of the anti-government discourse that eventually provided the SCM with the rhetoric it now uses today. However, despite getting a boost from the Posse Comitatus during the 1970s, the ideology of the SCM did not fully form until the 1980s (Anti-Defamation League [ADL], 2012).

William Gale, a farmer himself, was extremely upset with the federal government during the crisis. He used his newly founded Posse Comitatus to fight against the banking system and the government. Gale's actions served only to heighten the federal government's awareness of both the growing anti-tax agenda and the SCM, which quickly gained notoriety as an offshoot of the Posse Comitatus (Kent, 2015). However, the rise of the SCM was short lived. As the farm crisis abated in the late 1980s, the SCM also faded (Steinback, 2011). The SCM then reemerged for a brief period of time in the 1990s as a result of high profile government conflicts that occurred across the country.

High Profile Conflicts

During the 1990s, three major events had a profound impact on the Sovereign Citizen Movement and far-right terrorism as a whole. Two of these events acted as catalysts to the far-right—Ruby Ridge in 1992 and Waco in 1993. The final event, the Oklahoma City bombing, extinguished the spark that had been ignited in the far-right during the two years leading up to it. Ruby Ridge and Waco created a total body count just shy of 90 people, and the far-right took violent exception to these deaths. More profoundly, the far-right identified with the victims. Preaching to anyone who would listen, the right argued that the deaths of these individuals were the direct result of an overreach of federal government power. The violence fueled the far-right's anti-government hatred and resulted in an increase of extremist activity. From 1993 through 1994, the far-right saw a surge of growth in its numbers that it had not seen since the 1980s. Timothy McVeigh then bombed the Murrah Federal Building in Oklahoma City in 1995, temporarily chilling the growth of the extreme right. The bombing forced many far-right groups and their members underground as law enforcement focused its investigative efforts solely on members of far-right extremist organizations. A few years after the OKC bombing, militia and patriot groups began to resurface, this time in response to the globalist conspiracy of the New World Order (Pitcavage, 2001). Militia and patriot groups are related to the SCM in terms of anti-government beliefs, but Pitcavage argues that there are important differences, especially among their ideologies and tactics. Patriot and militia groups rely on paramilitary tactics and heavy weaponry, while the SCM focuses its attention on acts of paper terrorism. Though the patriot movement is different from the SCM in some fundamental ways, Steinback (2011) argues that the reemergence of the Patriot movement rekindled the SCM during the 1990s, the financial

crisis of the late 2000s provided fuel for the SCM to grow, and the election of Barack Obama set the movement aflame.

Emergence of the Modern SCM

The bank crisis and real estate crisis of 2008 had a severe, negative impact on the U.S. economy resulting in nearly 4 million home foreclosures that displaced 10 million people (Kent, 2015). Beyond the recession, the proliferation of the Internet and the election of the United States' first black president fueled the SCM's growth. These factors combined to create a situation that made many far-right extremists anxious and have allowed the SCM to experience continued growth since 2008 (Steinback, 2011). Indeed, the Anti-Defamation League (ADL) argues that the SCM has had the largest growth in membership and activity of any anti-government movement within the United States (2012). Troublingly, there is no indication that the movement is slowing down, and the literature suggests that each year brings an increase in violent confrontations, fraud, and intimidation tactics through acts of paper terrorism (ADL, 2012). Recently, the Department of Homeland Security released a statement claiming that the threat of the SCM is equal to, and at times greater than, that of foreign terrorist groups such as ISIS and it is an important issue to address (Perez & Bruer, 2015). Although the SCM has seen continuous growth, little is known about the nature of the SCM and how the SCM differs from other far-right terrorism.

Research Problem

The Sovereign Citizen Movement is a growing and potentially dangerous form of terrorism, yet little is known about the nature of the movement. The extant literature and research is generally anecdotal, and it lacks sufficient, if any, empirical analysis (see, for example, ADL, 2012;

Federal Bureau of Investigation [FBI], 2011). This lack of research is a significant problem since state and federal law enforcement officials consider the SCM to be a major threat to the well-being of the country. According to a recent study conducted by the National Consortium for the Study of Terrorism and Responses to Terrorism (START), contemporary law enforcement agencies are quite concerned with the threat presented by adherents of the SCM, and consider sovereign citizens a larger threat than groups associated with Christian Identity and white supremacy; this represents a vast difference in law enforcement attitudes from a few decades ago (Carter et al., 2014). Current empirical treatment of the SCM poses an interesting dilemma for researchers, and demands a fresh approach. The SCM is typically discussed within the broader far-right movement, but should it be?

Carter et al., (2014) suggest that sovereign citizens are quite different when compared to other right wing individuals due to the fact that SCM ideology is not supremacist in nature. Rather, the authors maintain, SCM ideology focuses strictly on the government's illegitimate authority and not on the social status of individuals associated with minority groups. Grouping sovereign citizens together with other far-rightists could explain why the existing literature on the SCM is limited in scope and relatively devoid of empirical findings. This is troubling, as the available literature provides little in the way of reliable findings to aid either academic or law enforcement communities. Perhaps researchers should consider the SCM as a unique subgroup of the far-right, and give them separate treatment altogether. My first research question will address this issue: How similar are adherents of the SCM to defendants in the broader far-right movement? Palpable differences would indicate that separate treatment is necessary for future research.

Yet another issue that arises in extant research is the focus on violent acts. That approach is flawed in the case of the SCM. If paper terrorism is the primary threat the SCM poses, the violence-only focus in studying sovereign citizens is not likely to provide a very detailed or useful understanding of the subject matter, and more troubling, such research may provide misleading results. If it is important to develop an understanding of what SCM cases involve, then a different focus is warranted. One area where the differences between the far-right and the SCM may be measured is in courtroom behavior. Much is already known about far-right courtroom behavior, such as plea bargain rates (Shields et al., 2006; Shields, 2008), about the strategies the federal prosecutors use to process far-right cases (Shields et al., 2009), and about case outcomes (Shields, 2012), so results from a study of the SCM should provide some meaningful insight. As will be discussed in the following literature section, some commentators have expressed concern that SCM adherents use tactics to plug-up and delay the federal court system. At present, we do not know the extent of this problem, whether it is different from the broader far-right, or even what it looks like. These issues will be addressed in my secondary research question: What methods have the federal courts used to prosecute SCM adherents, and how have those individuals behaved in court?

CHAPTER THREE LITERATURE REVIEW

While little of the literature on the Sovereign Citizen Movement is based on the empirical analysis of data, the extant literature is important, and in many cases, quite rich and detailed. I have organized this chapter by first reviewing literature on the ideology of the SCM. What follows is a discussion of the known literature on the structure and organization of the SCM and what scholars have noted about the changing demographics of the movement. Finally, I will provide a review of relevant literature on the targets of sovereign citizen adherents as well as the behaviors practiced by sovereign citizens in the courtroom.

Ideology

Similar to other groups within the far-right, the ideology of the SCM was originally rooted in the Christian Identity beliefs of anti-Semitism, but it was also marked by a strong anti-government and anti-taxation stance. Like the Posse Comitatus, the SCM adamantly opposes the authority of the federal government, which includes paying any form of federal taxes. The literature suggests that over the years, however, the SCM left behind its Christian Identity roots and embraced an anti-tax and anti-government ideology devoid of racism (ADL, 2012).

Sovereign citizens—who also call themselves constitutionalists, state citizens, and freemen to indicate to others that they are not under the jurisdiction of the federal government—believe that there are two forms of government: an illegitimate government and the original government (FBI, 2011; Kent, 2015; ADL, 2012). To them the illegitimate government is the current structure of the federal government in the United States. The SCM believes that at some point since its founding, the federal government drifted away from the original and intended

common law foundation. Common law, unlike the system of law in place today, revolved around principles of legal precedent rather than legal statutes, which sovereign citizens believe dates back to the American Revolution after the colonists were freed from British rule and were granted authority over their individual property (Parker, 2014). According to adherents of the SCM, the original government did not interfere with its citizens; it governed the people under the authority of God's laws. To sovereign citizens, when the government does not govern using God's laws it is going against the best interest of the people (ADL, 2012; Federal Bureau of Investigation, Domestic Terrorism Operations Unit [DTOU], 2010). Interestingly, however, there are many competing viewpoints within the SCM on when this transition in government actually occurred and no exact date is available (ADL, 2012).

Even though adherents of the SCM reject the authority of the federal government, they still use both federal and state laws to construct parts of their ideology, which can be seen through their interpretation of the Fourteenth Amendment to the U.S. Constitution (Fleishman, 2004). According to Finch and Flowers (2012), even though the Fourteenth Amendment was passed in an effort to unify the country after the Civil War, sovereigns believe that the Amendment was a scam orchestrated by the federal government. SCM adherents believe the Amendment forced the people of the United States to give up their state citizenship, making them federal, corporate citizens without their knowledge. Simultaneously, the Amendment allegedly created a special class of citizenship where citizens would only be allowed certain rights that were granted to them by the government (ADL, 2012). Sovereign citizens believe that “the federal government tricked Americans into becoming ‘citizens of the United States’ by offering them privileges...which were actually hidden contracts with the government through which Americans unknowingly gave away their sovereignty” (ADL, 2012, p. 3). Because they

believe they have found the true meaning of the Fourteenth Amendment, the only way for sovereign citizens to become subjects of the illegitimate government is by voluntarily giving up their common law rights and seeking contracts with the federal government (Parker, 2014). Examples of these contracts include birth certificates, driver's licenses, and social security cards. It should come as no surprise that sovereigns do not carry these items because they believe them to be null and void (Finch & Flowers, 2012; Fleishman, 2004). Sovereign citizens believe that obtaining a driver's license is pointless because the act of driving is regarded as a God-given right, and law enforcement officers do not have the power to tell them otherwise (Finch & Flowers, 2012). Additionally, devoted followers of the SCM refuse to use zip codes in their addresses because they believe using one is tantamount to submitting to the jurisdiction of the federal government. By simply tearing up these contracts from the government, sovereigns believe that they retain their common law rights and become "immune to the illegitimate government" (Anti-Defamation League [ADL], 2005; ADL, 2012, p. 3). In reality, it is simply not feasible for sovereign citizens to give up every contract with the government, so they conform under protest when they have to rely on the government for essential needs (Jackson, 2013). An example of this would be sovereign citizens sending their children to a public school to receive an education.

SCM adherents use a number of justifications to bolster their beliefs about the federal government, but one of the most important is the Redemption Theory. This theory is the driving force behind the movement's desire to defraud banks, credit institutions, and above all, the federal government and its entities (FBI, 2011). Redemption Theory promotes a belief that the United States government went bankrupt in 1933 when it abandoned the gold standard as the

basis for its currency (DTOU, 2010). According to SCM, this left paper money valueless and allowed the federal government to use its own citizens as collateral to trade with other countries.

Sovereign citizens believe the United States government issues social security numbers and birth certificates as a means to register U.S. citizens “to be used in trade agreements with other countries” (FBI, 2011; DTOU, 2010, p. 6). Sovereigns draw this conclusion based on the practice of the government issuing birth certificates containing names in all capital letters—sovereigns believe a name spelled in this manner signifies the corporate shell of the person, rather than the flesh-and-blood person—and print them on bond paper with a government seal (Southern Poverty Law Center [SPLC], 2010). Once citizens are registered at birth, they believe each person has a different net worth ranging anywhere from \$630,000 to \$3 million, although this amount has been debated. The amount of each person’s individual worth corresponds to his or her social security number. This money is allegedly kept in accounts under the corporate shell names of each citizen—in “straw man” accounts—within the U.S. Department of Treasury (FBI, 2011; DTOU, 2010). Sovereign citizens believe that in order to gain access to the money in their straw man accounts, they must extort the money from the U.S. Treasury by filing “legitimate IRS and Uniform Commercial Code forms for illegitimate purposes” (FBI, 2011, p.2). Sovereigns believe that doing so correctly will give them access to these accounts so that they can use the money to eliminate their mortgages, credit card debts, and car debts (FBI, 2011; Finch & Flowers, 2012). Essentially, this process is an attempt by sovereign citizens to charge their debt to the U.S. Treasury Department with the belief that their debts will be paid off by the money in their individual straw man accounts (DTOU, 2010). In an effort to access their straw man accounts, many sovereign citizens have resorted to criminal behavior such as mail fraud, money laundering, or tax violations, while others travel the country teaching fellow adherents how to

commit fraud and access their accounts for a fee (FBI, 2011). These individuals that travel and teach are referred to as gurus and will be discussed in more detail later in this section.

The beliefs of the SCM are unusual in that they take legitimate historical events as the root of their conspiracy theories, but manipulate and obscure those events to use as evidence for their claims against the government (Finch & Flowers, 2012). According to scholars, sovereign citizens differ from person to person in their commitment to the ideology because they adhere to the parts of the ideology that they like and dismiss the aspects that they do not (Fleishman, 2004; Kent, 2015). Kent (2015) stated that followers of the movement range anywhere from individuals who make “critical comments among friends, to public statements of displeasure,” to those who engage in everything from “social protest...to criminal attacks against government property and politicians” (p. 1). While there are a handful of people who reject the entire governmental system and follow no rules at all, most sovereign citizens do not reach such a drastic and dangerous level of adherence and are situated somewhere in the middle of the spectrum (Jackson, 2013). The following sections will look at the structural make-up of the movement as well as what we currently know about their courtroom behaviors.

Structure and Demographics

Although sovereign citizens espouse an anti-government ideology, they are not considered anarchists like individuals associated with far-left terrorism in the 19th and 20th centuries (FBI, 2011; Jensen, 2009). Instead, adherents to the sovereign citizen ideology carry out the ideals of the movement on an individual basis without the governance of a central office or leadership. Because sovereign citizens do not act within organized groups, most people are not aware that the SCM exists (ADL, 2012; IACP Committee on Terrorism [IACP], 2014). However, on

special occasions members of the SCM do come together informally for a small duration to help each other with filling out fraudulent documents, creating tax evasion schemes, or simply to talk to one another about their ideological motivations (FBI, 2011; ADL, 2012; DTOU, 2010). Because there is no central leadership, it is nearly impossible to know the exact number of individuals who claim to be sovereign citizens within the United States. According to the Southern Poverty Law Center (“Sovereign Citizens Movement,” n.d.), in 2011 the SCM had around 200,000 non-violent followers and another 100,000 who were considered to be hardcore (potentially violent) sovereigns, for an estimated total of 300,000 nationwide.

Although the exact numbers of the movement are hard to calculate, the Anti-Defamation League (2012) asserts that determining the personality types and demographics of sovereign citizens is much easier. People who claim to follow sovereign citizen ideology are typically middle-aged or older, and the majority of the followers are males. The ADL notes, however, that a sizeable female population exists, with some of them being gurus (experts on paper terrorism) within the movement. Historically, members of the SCM have predominantly been white due to its origins in the Christian Identity Movement, but more recently that has changed. Because the anti-government ideology is applicable to any race and ethnicity, the number of non-white sovereign citizens has allegedly grown since the 1990s (ADL, 2012). For instance, there has been an increase in the number of African Americans in the SCM, with an even larger number active in the Moorish Movement. African American adherents believe that they hold a privileged status similar to that of Native Americans. African American sovereign citizens tend to overlook, or are possibly unaware of, the racist beginnings of the SCM (Nelson, 2011; Parker, 2014).

Gurus within the SCM are typically in their 60s and 70s and this has caused law enforcement to underestimate their propensity towards violence since traditionally violent crimes are not committed by people in that age group (Hirshi & Gottfredson, 1983). Despite the age of gurus, some researchers suggest that new growth within the movement has attracted younger recruits (ADL, 2012). This means that the age range within the movement has the possibility of being vast.

According to the ADL (2012), the SCM attracts people who are financially stressed, people who are angry about government regulation, and con artists who want to make money. The ADL suggests that these people seek out the SCM as a way to escape and find relief for life's hardships. But others disagree. While the ADL argues that followers of the SCM can be evaluated based on specific demographics and characteristics, the IACP (2014) believes that "sovereign citizens are not typically identifiable by age, gender, distinctive clothing, tattoos, body piercings, or hair styles" (p. 58-60). In the current study, the demographics of the indictees will be analyzed in upcoming sections in order to determine if the ADL was correct in their claims made about the structure and demographics of the SCM.

Targets

While it is beyond the scope of this project to examine the targets of the Sovereign Citizen Movement, a brief overview of this subject will help inform my hypotheses. The literature suggests that sovereign citizens predominantly engage in non-violent acts. Moreover, when they do become violent it is typically spontaneous, where their actions are directed towards law enforcement officers during home visits or traffic stops; acts of violence can also include threats, citizen's arrests, and takeovers of government buildings (ADL, 2012). When stopped by the

police, sovereign citizens are already on edge. They do not view the officer as a person, but rather as a symbol of the government that is oppressing their liberties. Pitcavage (1998) argues that this is the main reason confrontations become dangerous. According to Finch and Flowers (2012), encounters between law enforcement and sovereign citizens are the most dangerous during traffic stops because sovereign citizens view traffic stops as unconstitutional. Another unique SCM view that complicates traffic stops is sovereign citizen's definition of crime. Sovereigns maintain that only those actions that harm victims are criminal, and common traffic violations, such as speeding, lack a victim and are not considered to be crimes (Pitcavage, 1998). Finch and Flowers (2012) reported that while acts of violence are rare among the SCM, there have been a few cases of fatal shootings during traffic stops since 2000. An example of this would be when father and son sovereign citizens, Jerry and Joe Kane, shot and killed two West Memphis, Arkansas, police officers during a traffic stop in May 2010. During traffic stops, sovereign citizens have been known to argue with the law enforcement officers about the officers' jurisdiction and their right to stop a citizen when traffic violations produce no victim, however, verbal arguments can turn to violent, physical encounters very quickly.

The literature suggests that the most common tactic of the Sovereign Citizen Movement is paper terrorism—false liens, financial scams, identity theft, and the like—and these tactics are frequently directed at the most popular target of the SCM: the federal government and its employees. Among paper terrorism tactics, tax evasion and tax scams are two of the most common forms due to sovereign citizen's anti-tax ideology (ADL, 2012). Tax schemes are directed at the Internal Revenue Service as well as state taxing authorities as a way to publically demonstrate sovereign citizens' discontent with the tax system as a whole. Additionally, sovereigns use paper terrorism tactics to harass, threaten, intimidate, or retaliate against their

perceived enemies, such as law enforcement officers, attorneys, judges, and other government employees (Finch & Flowers, 2012; Steinback, 2011; ADL, 2012; Chamberlain & Haider-Markel, 2005; Kent, 2015). Furthermore, Fleishman (2004) argues that whenever sovereigns target someone in particular it is usually a person they believe is directly responsible for the hardships that the sovereign is facing from the government. Examples of this would be sovereign citizens filing frivolous lawsuits or liens against the arresting officer or prosecuting attorney handling their court case.

The literature is not clear when exactly sovereign citizens target certain people. However, speaking anecdotally, and based on information from the court cases I have coded for this study, sovereign citizens prefer targeting law enforcement officers and government officials following an encounter (Smith & Damphousse, 2000); I have found no examples so far to suggest that sovereign citizens have targeted individuals without a prior confrontation.

As previously stated, law enforcement officers are targeted because SCM adherents see them as the face of the illegitimate government, and that has the potential of leading to tense situations when officers cite sovereigns with a ticket during traffic violations, remove them from squatting in foreclosed homes, or arrest them at their residences (ADL, 2012). Additionally, attorneys are targeted by the SCM due to the movement's ideology and conspiracy theories rooted in radical interpretations of the Constitution. They believe that the "original" Constitution contained a Thirteenth Amendment¹ that would not have granted citizenship to those who hold titles of nobility. According to Pitcavage (1997), sovereign citizens consider lawyers to be nobility because attorneys use "Esq." after their names. Sovereigns also believe that attorneys

¹ The radical interpretation of the 13th Amendment lead to the SCM creating common law courts in an effort to retaliate against officials of the current justice system. For a detailed overview of the common law court system, refer to Chamberlain & Haider-Markel (2005) and Pitcavage (1997).

removed the original Thirteenth Amendment years ago. For both of these reasons, sovereign citizens are wary of attorneys and the legal system as a whole (Fleishman, 2004). As they do with police officers, sovereign citizens allegedly target attorneys and other justice system officials during and after trial.

Sovereigns place liens on their target's homes as retribution for being arrested by the police, charged with a crime by the federal prosecutor, or sentenced to time in prison by the judge. This tactic has caused victims serious financial damage, especially in cases where the individuals remained unaware a lien was placed on their property or failed to remove it in a timely fashion (Finch & Flowers, 2012). Finch and Flowers also determined that sovereigns file lawsuits against law enforcement and government officials to seek reimbursement for the amount of time the sovereign was detained. Time is very important to sovereign citizens. They maintain that if government officials waste a sovereign's time, he or she should reimburse the sovereign monetarily.

Sovereigns also target government officials with lawsuits by asserting copyright infringement—for the official's non-permissive use of the sovereign's name—as grounds for legal action. According to the DTOU (2010) "sovereign citizens believe their name is their personal property and cannot be used by others without prior approval...and that the unauthorized use of a sovereign citizen's name entitles them to financial remedy from the offender. This, in their view, allows them to file a lien against the offender to collect that debt" (p. 10). These lawsuits and liens, such as with previous examples, can claim millions of dollars in damages. Sovereign citizens have also been known to target law enforcement officers by filing false IRS documents that show that the sovereign citizen has paid them a large sum of

money, which raises red flags with the IRS when the income is not reported on income tax forms and leaves the officer completely unaware of these actions (IACP, 2014).

Due to the nature of their work, law enforcement and government officials are the most likely to find themselves in the crosshairs of the SCM. According to Fleishman “even a simple traffic stop can ripen into years of legal battles with parties who do not recognize the authority of local government” (2004, p. 9). The bottom line is that no matter how minor or serious the perceived offenses against them, sovereigns use fictitious liens and lawsuits as a way to intimidate police officers and members of the justice system (Finch & Flowers, 2012). Indeed, the majority of law enforcement officers and government officials do not have the training needed to effectively protect themselves against civil actions brought on by sovereign citizens (IACP, 2014).

Courtroom Behaviors

Pitcavage (1997) suggests that sovereign citizens target the court system whenever they are on trial. Sovereigns, unlike typical criminals, often express joy at the prospect of appearing in court. Like previously stated, they hold the belief that there is a hidden history of the Thirteenth Amendment and sovereigns do not consider lawyers to be citizens (Pitcavage, 1997). Because of this, they frequently reject court appointed counsel and defend themselves *pro se* in an effort to avoid the attorneys they distrust so much (IACP, 2014). Additionally, Parker (2014) asserts that sovereign citizens hold a belief that under common law there is no government law or ruling that can deprive any citizen of their common law rights. SCM adherents warn that these common laws are under assault. They believe that the illegitimate federal government has attempted to eclipse the common law via ratification of the Thirteenth and Fourteenth Amendments (Parker,

2014). Sovereigns maintain that the court system is corrupt and no longer follows common law, but instead, is built on a foundation of commercial and admiralty law. Sovereigns now consider the courts to be military in nature, and argue they illegitimately administer the laws of the sea and international commerce (SPLC, 2010). Using these beliefs as the foundation for the argument that the federal government has no jurisdiction over them, sovereigns challenge the government's jurisdiction at trial in an attempt to have their cases dismissed.

Sovereign citizens also bog down the court with fraudulent and frivolous paperwork, in what Finch and Flowers (2012) call "a conscious effort" to confuse government officials and disrupt the criminal justice system in hopes that the court will dismiss the case rather than continuing to deal with them. The authors warn that filing irrelevant and pseudo-legal paperwork slows down the trial process and risks costing the court system a lot of money over time. Currently, the literature regarding trial strategies of sovereign citizens is sparse. The present study will attempt to fill in this gap.

The previous literature offers a comprehensive overview regarding what we currently know about the composition of people who identify with the SCM, and a discussion of how scholars think they operate during trials. Under the umbrella of my research questions, I have framed the following hypotheses to examine the arguments presented in the literature. To test my first research question I created hypotheses one through three. These hypotheses will be tested using the demographic variables *gender*, *race*, and *age at arrest* to compare the differences between the SCM and other far-right adherents.

H₁ Sovereign citizens have a higher female population than other far-right adherents

H₂ Sovereign citizens have a higher minority population than other far-right adherents

H₃ Sovereign citizens are older than other far-right adherents

To test my second research question I have turned to the literature and developed seven additional hypotheses. I will analyze these hypotheses using the following variables: *trial outcome, conviction rate, defense method, attorney type, and average number of motions filed.*

H₄ Sovereign citizens take their cases to trial more often than other far-right defendants

H₅ Sovereign citizens enter fewer plea bargains than other far-right defendants

H₆ Sovereign citizens have higher conviction rates than other far-right defendants

H₇ Sovereign citizens use a “lack of jurisdiction” defense at a higher rate than other far-right defendants

H₈ Sovereign citizens appear *pro se* more often than other far-right defendants

H₉ Sovereign citizen court cases are longer on average than those of the other far-right

H₁₀ Sovereign citizens file more motions than other far-right defendants

Each of the aforementioned variables will be discussed more thoroughly below. The following chapter provides a description of the data and methodology I have employed in the current study to examine these hypotheses.

CHAPTER FOUR DATA AND METHODS

In this chapter I will discuss the data I am using, the inclusion criteria I used to locate and code Sovereign Citizen Movement cases, the variables I used in the analyses, and the types of analyses I performed.

American Terrorism Study

For this project, I will use the American Terrorism Study (ATS), which contains data on federally indicted terrorists, with cases spanning the last 35 years. The ATS is an open-source, relational database that is comprised of federal court cases, the majority of which are the result of an FBI terrorism investigation. The ATS uses the FBI's definition of domestic terrorism when collecting cases. According to the FBI, domestic terrorism is: "the unlawful use, or threatened use, of force or violence by a group or individual based and operating entirely within the United States or Puerto Rico without foreign direction committed against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof in furtherance of political or social objectives" (Federal Bureau of Investigation, 2005, p. V). That definition posed a problem for this project. To this point, the ATS did not include SCM cases as a separate category of the far-right, and the few SCM cases that were included in the database were there because they met the FBI definition of terrorism, i.e. they were violent in nature (for example, Posse Comitatus cases). As mentioned above, the literature suggests that most SCM cases are not violent, but rather focus on paper terrorism. Therefore, I developed inclusion criteria to locate federal SCM cases.

I first identified potential cases using online media articles and nonprofit legal advocacy groups such as the Southern Poverty Law Center and the Anti-Defamation League. These groups have released numerous articles listing sovereign citizen activity by year and state as well as individually listing dozens of sovereign citizens by name along with their criminal activity. Once I identified potential cases through the media, I searched for the individuals via Public Access to Court Electronic Records (PACER). When I determined that the person of interest had co-conspirators, I searched for the newly identified codefendants using media documents to determine whether they were affiliated with the SCM. If they were affiliated, I collected their court cases and documents as well. Before I included the identified defendants in my SCM sample, I determined whether the court documents identified the indictees as: 1) adherents of the SCM; 2) linked to the SCM movement; or 3) the defendants self-identified as sovereign citizens during the trial. Only defendants who met these criteria were included, allowing for greater certainty in my analyses. I located 143 SCM cases using the preceding methods (containing 286 defendants), and then I collected court case documents via PACER. I was able to collect electronic documents on 127 cases (226 defendants), and I completed coding 97 of these cases and included them in my sample (150 defendants).

I added these cases to the ATS database, and pulled a comparison sample for analysis. The comparison group in this study is all of the far-right terrorist indictees in the ATS who were not categorized as modern era (2000-2015) sovereign citizens (N = 382). The ATS categorizes the far-right as any group or individual that adheres to a radical right-wing ideology. For example, this could include anti-Semitism, anti-black, white supremacist, or anti-abortion beliefs. The final sample size for my project is 532 defendants.

Variables

The majority of the variables I analyzed came from the existing pool of variables in the ATS database. To examine the hypotheses associated with my first research question, I analyzed *gender, race, education, marital status, age at arrest, and previous military experience*.

Education is an ordinal variable that captures the highest education level obtained by the defendant at the time he or she was indicted. I recoded the variable into six categories (1=8th grade or less, 2=high school or less, 3=some college, 4=college graduate, 5=post-graduate work, 6=doctorate degree). *Marital status* is a categorical variable that captures the defendant's marital status at the time of indictment (1=single, 2=married, 3=other), and *military experience* is a dichotomous variable (Yes=1, No=0) that measures whether the defendant had any prior military experience when he or she was indicted.

To examine the hypotheses associated with my second research question, I used variables related to trial characteristics and prosecutorial strategies. These variables include *case result, conviction, case length, prosecution method, defense method, attorney type, and number of motions filed*. *Case result* is a categorical variable that captures several potential case outcomes. I recoded the original data into six categories (1=plea, 2=jury conviction, 3=dismissed, 4=acquittal, 5=died prior to trial, 6=pending, all other outcomes were coded system missing). *Conviction* is a dichotomous variable that records whether the case resulted in a conviction (Yes=1, No=0). *Case length* is a ratio variable that measures the number of months the court case lasted (from the date of indictment to the date of final judgment).

Prosecution method is a categorical variable that captures the strategies used by prosecutors during the court case. *Prosecution method* is operationalized into three categories: 1) conventional criminality; 2) political innuendo/subtle innuendo; and 3) explicit politicality.

Conventional criminality occurs whenever the prosecution treats the defendant like a traditional offender; there is no mention of any terrorist groups or ideologies throughout the duration of the case. Political innuendo/subtle innuendo occurs when the indictment falls silent with regard to the defendant's connection to terrorism or a radical ideology, but the prosecutor later hints, suggests, or implies the connection during other phases of the case or trial. Explicit politicality occurs when the state makes an explicit link between the defendant and a terrorist group and/or radical ideology in the indictment. This strategy is characterized by heightened media coverage as well, and the "explicit" language can appear either through words used by the government stating that the defendant was involved in terrorist related activities, or it can be the result of the defendant being charged with terrorism specific charges from the United States Code.

Defense method is a categorical variable that captures the strategies used by the defendant and/or their legal counsel during the court case. Defense method is operationalized into nine categories: 1) lack of jurisdiction; 2) good faith; 3) good faith and lack of jurisdiction; 4) disassociation; 5) conventional; 6) affirmative/self-defense; 7) entrapment; 8) quasi-legal; and 9) other. To code this variable, I looked at the motions filed by the defense and examined the language used in defense filings from the time of indictment until the time of judgment. Motions filed after the judgment had been handed down were not considered. Based on the types of motions, and the language used in them, I coded the variable into the aforementioned categories. If two or more defense types were used, I coded the method that was used the most. As my coding progressed, I had to create new values. The prior defense strategies coded in the ATS did not contain some of the strategies I found in SCM cases. I included new values for good faith, lack of jurisdiction and good faith, and quasi-legal. I selected good faith defense whenever the defendant claimed that tax evasion or tax fraud was the result of the defendant's

misinterpretation of the Internal Revenue Laws. When using this strategy, the defense would cite the Supreme Court ruling of *Cheek v. United States* (1991), which established that a person can have an actual good faith belief that they were not violating the law if they honestly misinterpreted the law and acted in a way that they believed was correct based on their good faith interpretation; in essence, good faith negates the defendant's criminal purpose. In each SCM case I examined, juries found that sovereign citizens had the purpose to defraud the U.S. government. So despite being used on numerous occasions, this defense was never successful. The quasi-legal strategy was created in an effort to capture sovereign citizens who claim that they were not breaking any laws with their actions. The quasi-legal defense consists of the defendant flooding the court with numerous documents containing citations from real case law, but interpreted in a bogus and incorrect manner; hence the name quasi-legal. The remaining method, good faith and lack of jurisdiction, is simply a combination of a lack of jurisdiction defense, which already existed in the ATS, and the good faith defense. I selected the combination whenever the defense used both methods equally.

Attorney type is a categorical variable that measures whether the defendant used a private attorney, appointed counsel/public defender, or if the defendant acted *pro se*. If multiple attorney types were used throughout the court case, I coded the attorney type that the defendant was using at the time the jury reached a verdict, the defendant pleaded guilty, or the case was dismissed. *Number of motions filed* is a continuous variable, measuring the number of motions filed by the defendant in the case. This variable simply measures the number of motions, it makes no distinctions in the types of motions.

I divided the sample into a dichotomous variable based on two groups (SCM=1, Far-Right=0). I then performed independent samples T-Tests where my independent variables were ratio or interval. I performed crosstabs when my independent variables were categorical.

CHAPTER FIVE RESULTS

The results of this study are separated into two sections. First I will present the descriptive statistics for demographic variables and trial strategies of the Sovereign Citizen Movement. In the second section I present bivariate analyses of the SCM and far-right samples for each hypothesis I tested. After coding the SCM cases I identified, and after pulling the existing far-right cases from the ATS, I ended up with a total sample of 532 indictees. That sample consisted of 150 sovereign citizen indictees and 382 other far-right indictees.

Table 1 Number of indictees for analysis

| Category | Number of Indictees |
|-----------------|----------------------------|
| SCM | 150 |
| Far-right | 382 |
| Total | 532 |

In terms of general demographics of the SCM, the majority of indictees were male and white with just over 85% and 67% respectively (see Table 2). Additionally, nearly 69% of sovereign citizens were married, and almost 18% of sovereign citizens had some sort of prior military experience. In terms of education, sovereign citizens were extremely well educated with nearly 49% being college graduates—almost 12% of indictees in my sample had received a doctorate degree of some kind. Only 24.5% of sovereign citizens had a high school education or less. In court cases involving indictees associated with the SCM, over 56% of the cases proceeded to

trial. Broken down further, the cases resulted in a trial conviction 52% of the time and guilty pleas nearly 39% of the time, for an overall conviction rate of 91% (See Table 3). When looking at prosecution method, the government was almost equally as likely to use a conventional criminality method as they were a political/subtle innuendo method—48.6 % and 50%, respectively—and less than 2% of indictees experienced explicit politicality. Additionally, nearly half (43.8%) of sovereign citizens used a conventional defense and over a quarter (26.4%) of SCM indictees claimed that the federal government lacked jurisdiction to prosecute. Looking at attorney type, over 54% of sovereign citizens used a public defender during their case, while a quarter decided on self-representation and appeared *pro se*.

Table 2 Descriptives of SCM Categorical Variables

| Variable | Value | N | Percent |
|-----------------|---------------------------------|----------|----------------|
| Gender | Male | 128 | 85.3 |
| | Female | 22 | 14.7 |
| Race | White | 91 | 67.4 |
| | Non-white | 44 | 32.6 |
| Marital Status | Single | 18 | 14.9 |
| | Married | 83 | 68.6 |
| | Other | 20 | 16.5 |
| Education | Less than 8 th grade | 1 | 1.1 |
| | High school or less | 22 | 23.4 |
| | Some college | 25 | 26.6 |
| | College graduate | 30 | 31.9 |
| | Post-graduate work | 5 | 5.3 |
| | Doctorate | 11 | 11.7 |

Table 2 Descriptives of SCM Categorical Variables Cont.

| Variable | Value | N | Percent |
|---------------------------|-----------------------------|----------|----------------|
| Prior Military Experience | Yes | 24 | 17.5 |
| Trial Outcome | Plea | 58 | 38.7 |
| | Trial conviction | 78 | 52 |
| | Dismissed | 7 | 4.7 |
| | Acquittal | 6 | 4 |
| | Died prior to trial | 1 | 0.7 |
| Prosecution Method | Conventional criminality | 69 | 48.6 |
| | Political/subtle innuendo | 71 | 50 |
| | Explicit politicality | 2 | 1.4 |
| Defense Method | Lack of jurisdiction | 38 | 26.4 |
| | Good faith | 16 | 11.1 |
| | Good faith and jurisdiction | 9 | 6.3 |
| | Disassociation | 12 | 8.3 |
| | Conventional | 63 | 43.8 |
| | Affirmative/Self-defense | 1 | 0.7 |
| | Entrapment | 1 | 0.7 |
| | Quasi-legal | 4 | 2.8 |
| Attorney Type | Pro se | 37 | 24.8 |
| | Public defender or CJA | 81 | 54.4 |
| | Private attorney | 31 | 20.8 |

The sovereign citizens in my sample averaged 52 years of age at the time of arrest (see Table 3), and their average case length was a little over 17 months. Sovereign citizens also filed an average of 8.71 motions throughout the duration of their court case. Additionally, I have included the frequencies for the remainder of the far-right using the same variables in Appendix 1.

Table 3 Descriptives of SCM Variables

| Variable | N | Mean |
|------------------------------|----------|-------------|
| Age at Arrest | 115 | 52.3 |
| Case Length in Months | 149 | 17.09 |
| Avg. Number of Motions Filed | 150 | 8.71 |
| Conviction Rate | 150 | .91 |

After running basic descriptive analyses on demographic, trial strategy, and trial behavior variables, I noted a clear, visible difference between the SCM and far-right on each individual variable. To determine whether these differences were statistically significant, I performed a combination of crosstabs and independent samples T-tests. Before I could do that, however, I noted from my frequencies that some variables contained less than five values per category. I recoded those variables in order to run accurate crosstabs. *Race* became a dichotomous variable (1=white, 0=non-white), and I recoded *marital status* as a dichotomous variable categorized by living arrangements (1=cohabitation, 0=non-cohabitation). Cohabitation included defendants who were married or living with their significant other, and non-cohabitation included defendants who were single, divorced, separated, or widowed. I recoded *education* into three groups (1=high school or less, 2=some college, 3=college graduate or more). Additionally, *trial outcome*, *prosecution method*, and *defense method* had to be recoded as well. I operationalized *trial outcome* into three categories (1=plea, 2=jury conviction, 3=no conviction), where “no conviction” included acquittals and dismissals. Similarly I recoded *prosecution method* into a dichotomous variable (1=politicized, 0=conventional) by combining explicit politicality and subtle/political innuendo into “politicized” prosecution strategy. Finally, I recoded *defense*

method into a dichotomous variable (1=lack of jurisdiction, 0=conventional), where “lack of jurisdiction” includes lack of jurisdiction, good faith, and good faith and lack of jurisdiction defenses. Those results follow.

Significance Tests – Demographic Variables

As mentioned above, I ran cross tabulations and independent samples T-tests depending on the independent variables. T-tests were used to compare *age at arrest*, *case length*, *number of motions filed*, and *conviction rate*. Crosstabs were used to compare the categorical variables, which include: *gender*, *race*, *marital status*, *education level*, *military experience*, *case outcome*, *prosecution method*, *defense method*, and *attorney type*.

Table 4 Crosstab of gender

| Gender | Far-right | SCM | Total |
|---------------|------------------|--------------|--------------|
| Male | 354 92.7% | 128 85.3% | 482 90.6% |
| Women | 28 7.3% | 22 14.7% | 50 9.4% |
| Total | N=382 100 | N=150 100 | N=532 100 |

($\chi^2 = 6.809$ df = 1 p < .01)

There was a substantial difference between the SCM and far-right in terms of gender. While the majority of both the far-right (92.7%) and SCM (85.3%) were males, Table 4 reveals that the SCM sample had more than twice the proportion of female indictees (14.7%) than the remaining far-right (7.3%). The model was statistically significant (p < .01) and supported the

first hypothesis, which asserted that SCM cases have a higher proportion of female defendants than other far-right cases.

Table 5 Crosstab of race

| Race | Far-right | SCM | Total |
|-------------|------------------|--------------|--------------|
| White | 349 93.3% | 91 67.4% | 440 86.4% |
| Non-white | 25 6.7% | 44 32.6% | 69 13.6% |
| Total | N=374 100 | N=135 100 | N=509 100 |

($\chi^2 = 56.819$ df = 1 p = .000)

Table 5 provides the results of my analysis of the racial composition of the two samples, and it provides support for my second hypothesis, which asserted that SCM cases have a higher proportion of minority defendants than other far-right cases. The majority of both the far-right and SCM samples were white, at around 93% and 67%, respectively, but there were large and statistically significant differences in the racial composition of both samples (Appendix 2). Notably, the proportion of black SCM defendants (24.4%) was nearly four times higher than the far-right sample (6.4%). The SCM sample also contained 3% Asian defendants and 1% Native Hawaiian/Pacific Islander defendants, where the far-right had none. The model was statistically significant (p = .000).

The following models on marital status, educational attainment, and military background are not tied to proposed hypotheses, but do examine the first research question. The results for marital status are presented in Table 6. A higher proportion of SCM indictees were married or

living with their significant other (70.2%) than in the far-right sample (56%), and the SCM sample contained fewer non-cohabitating defendants—29.8% compared to 44%. Of the non-cohabitating samples, 14.9% of SCM defendants and 27.6% of far-right defendants were single (Appendix 3). The marital status model was statistically significant ($p < .01$).

Table 6 Crosstab of marital status

| Marital Status | Far-right | SCM | Total |
|-----------------------|------------------|--------------|--------------|
| Cohabitation | 150 56% | 85 70.2% | 235 60.4% |
| Non-cohabitation | 118 44% | 36 29.8% | 154 39.6% |
| Total | N=268 100 | N=121 100 | N=389 100 |

($\chi^2 = 7.106$ df = 1 p < .01)

Table 7 Crosstab of education

| Education | Far-right | SCM | Total |
|--------------------------|------------------|-------------|--------------|
| High school or less | 130 54.4% | 23 24.5% | 153 45.9% |
| Some college | 69 28.9% | 25 26.6% | 94 28.2% |
| College graduate or more | 40 16.7% | 46 48.9% | 86 25.8% |
| Total | N=239 100 | N=94 100 | N=333 100 |

($\chi^2 = 40.358$ df = 2 p = .000)

The results of the education model are presented Table 7. Adherents of the SCM were substantially more educated than the defendants in the far-right sample, and the model was statistically significant ($p = .000$). Nearly half of the sovereign citizen defendants (48.9%) had at least an undergraduate degree as compared to only 16.7% of far-right defendants. By contrast, the majority of far-right defendants (54.4%) had at most only received a high school diploma, while only 24.5% of sovereign citizens fell into this category. I ran frequencies on both groups and the results showed an even more substantial difference (Appendix 4). While almost 49% of sovereign citizens had at least a college degree, nearly 12% of the sample had received a doctorate degree of some kind—these degrees were held by people that were doctors, dentists, and lawyers. None of the far-right indictees had gone on to receive a doctorate degree of any kind.

Table 8 Crosstab of military experience

| Military Experience | Far-right | SCM | Total |
|----------------------------|------------------|--------------|--------------|
| Yes | 72 38.3% | 24 17.5% | 96 29.5% |
| No | 116 61.7% | 113 82.5% | 229 70.5% |
| Total | N=188 100 | N=137 100 | N=325 100 |

($\chi^2 = 16.441$ df = 1 p = .000)

In Table 8 we found a statistically significant difference ($p = .000$) in prior military experience between the two samples. Within the SCM sample, only 17.5% of the indictees had

any prior experience, while more than twice the proportion of right wing indictees (38.3%) had prior military experience.

Additionally, Appendix 5 shows that the difference in age at arrest between the SCM and far-right was statistically significant ($p = .000$). The average age at arrest for sovereign citizens was 52.30 years old and the average age for the far-right was 38.71. Appendix 6 shows a more detailed breakdown of the sample by age groups in order to show the age ranges of the two groups.

Each of the analyses above provided statistically significant differences between the SCM adherents and the far-right defendants contained in the ATS. Each of my first three hypotheses was supported, suggesting that the answer to my first research question is, yes, the SCM is demographically dissimilar to the far-right. But that only completes part of my analyses. In the next section I report the findings on my second research question: whether SCM adherents are treated differently than other far-right defendants in the court, and whether SCM adherents behave differently in court than do other far-right defendants.

Significance Tests – Courtroom Behavior Variables

In Table 9 we see the first examination of variables related to the second research question. The majority of SCM indictees (52%) were convicted by a jury, while just under 39% pleaded guilty prior to trial. The far-right shows a very different trend. Nearly 52% of right wing indictees pleaded guilty prior to trial, and just over 31% were convicted by a jury. Additionally, over 17% of far-right defendants and over 9% of SCM defendants received no conviction at all. Another interesting result was the higher acquittal and dismissal rates enjoyed by the far-right (7.7% for each) (Appendix 7). By contrast, SCM defendants secured acquittals

just 4% of the time, and dismissals just 4.7% of the time. The case result model was statistically significant ($p = .000$). The results generally supported H_4 , which asserted that sovereign citizens take their cases to trial more than other far-right defendants, and H_5 , which asserted that SCM defendants enter into fewer plea bargains than other far-right defendants.

Table 9 Crosstab of trial outcome

| Trial Outcome | Far-right | SCM | Total |
|----------------------|------------------|--------------|--------------|
| Plea | 193 51.5% | 58 38.7% | 251 47.8% |
| Jury conviction | 117 31.2% | 78 52% | 195 37.1% |
| No conviction | 65 17.3% | 14 9.3% | 79 15% |
| Total | N=375 100 | N=150 100 | N=525 100 |

($\chi^2 = 20.709$ df = 2 p = .000)

Table 10 Crosstab of prosecution method

| Prosecution Method | Far-right | SCM | Total |
|---------------------------|------------------|--------------|--------------|
| Conventional | 57 16.9% | 69 48.6% | 126 26.3% |
| Politicized | 281 83.1% | 73 51.4% | 354 73.8% |
| Total | N=338 100 | N=142 100 | N=480 100 |

($\chi^2 = 51.993$ df = 1 p = .000)

I did not posit a hypothesis on prosecution strategies, but examined this variable because it is tied to the second research question, and could potentially influence defendant behavior. Table 10 reveals ($p = .000$) that federal prosecutors used different strategies to prosecute SCM defendants than they used with far-right defendants. The majority of both far-right and SCM defendants experienced politicized prosecution—83.1% and 51.4%, respectively. However, only 16.9% of the far-right experienced a conventional method, while almost 49% of sovereign citizens experienced that same method. Appendix 8 shows a more interesting breakdown of prosecution methods between the two groups that could not be shown with the recoding of this variable. Prosecutors were more likely to use a political/subtle innuendo prosecution strategy on sovereign citizens (50%) than on far-rightists (29%). In fact, the results revealed that prosecutors treat far-right defendants more aggressively, exposing them to explicit politicality prosecution strategies more than half the time (54.1%), whereas sovereign citizen indictees were subjected to explicit politicality less than 2% of the time.

Sovereign citizens behaved differently at trial as well (see Table 11). Sovereign citizens used unique defenses at trial and defense methods were used to test H_7 . Defendants in the SCM sample used lack of jurisdiction, good faith, and a combination of good faith/lack of jurisdiction at a rate of 32.6%, while far-right defendants used this method only 12.4% of the time. This is important, as the good faith defense and the good faith/lack of jurisdiction defenses were created specifically for SCM court cases, as they do not occur in far-right cases. But there were similarities between the two groups as well. Nearly 68% of sovereign citizens and nearly 88% of far-rightists used a conventional defense in their trials. This model was statistically significant ($p = .000$) and generally supported H_7 , which stated that sovereign citizens use lack of jurisdiction defense at a higher rate than other far-right defendants.

Table 11 Crosstab of defense method

| Defense Method | Far-right | SCM | Total |
|-----------------------|------------------|--------------|--------------|
| Conventional | 282 87.6% | 97 67.4% | 379 81.3% |
| Lack of jurisdiction | 40 12.4% | 47 32.6% | 87 18.7% |
| Total | N=322 100 | N=144 100 | N=466 100 |

($\chi^2 = 26.783$ df = 1 p = .000)

When comparing differences in attorney type, the majority of sovereign citizens and far-rightists were represented by a public defender or CJA at a rate of 54.7% and 74.1%, respectively (see Table 12). Importantly, Sovereign citizens were more likely to appear *pro se* (almost 25% of the time) than right-wing indictees (14%). Additionally, the rate of private

Table 12 Crosstab of attorney type

| Attorney Type | Far-right | SCM | Total |
|------------------------|------------------|--------------|--------------|
| Pro se | 47 14% | 37 24.7% | 84 17.3% |
| Public defender or CJA | 249 74.1% | 82 54.7% | 331 68.1% |
| Private attorney | 40 11.9% | 31 20.7% | 71 14.6% |
| Total | N=336 100 | N=150 100 | N=486 100 |

($\chi^2 = 18.046$ df = 2 p = .000)

attorney representation with the SCM is almost double that of the far-right—20.7% compared to 11.9%. Differences in attorney type proved to be statistically significant ($p = .000$) and provided support for H_8 that sovereign citizen indictees are more likely to use self-representation than other far-right defendants.

Table 13 provides the results for my analyses of case lengths, number of motions filed, and conviction rates. The mean case length involving sovereign citizens (17.05 months) was over five months longer than cases involving far-right indictees (11.68 months), providing support for H_9 , which asserted that SCM court cases would be longer than far-right cases. The Levene’s test indicated that the variances were equal (Sig. .062), and the results were statistically significant ($p = .000$). The mean number of motions filed by the sovereign citizen indictees (8.71) was less than half the number of motions filed by far-rightists (20.72). The Levene’s test showed that variances were not equal (Sig. .000), but the results were statistically significant ($p = .000$). These results did not support H_{10} . Finally, analysis revealed that the conviction rate of

Table 13 Differences between SCM and Far-right Independent Samples T-Tests

| Factor | Group | N | Mean | Std. Dev. | Sig. |
|-----------------------|--------------|----------|-------------|------------------|-------------|
| Average case length | SCM | 150 | 17.05 | 12.98 | .000* |
| | Far-right | 369 | 11.68 | 12.70 | |
| Num. of motions filed | SCM | 150 | 8.71 | 10.29 | .000** |
| | Far-right | 332 | 20.72 | 36.43 | |
| Conviction rate | SCM | 150 | .91 | .29 | .01** |
| | Far-right | 375 | .83 | .38 | |

* equal variance assumed

** equal variance not assumed

sovereign citizens (91%) was higher than for indictees associated with the far-right (83%). The Levene's test revealed that equal variances were not assumed (Sig. .000). The difference in conviction rates was statistically significant ($p = .01$) and the results supported H_6 , which posited that sovereign citizens have a higher conviction rate than other far-right defendants.

Whether comparing the SCM to the far-right with demographic factors, trial behaviors, or trial strategies, there are substantial differences. The bivariate analyses revealed that every measure was statistically significant, which strongly supports the proposition that the two groups should be analyzed separately, as not doing so would cloud important distinctions. In the following chapter I will discuss the implications further.

CHAPTER SIX DISCUSSION AND LIMITATIONS

This study examines the differences that are present between the Sovereign Citizen Movement and the far-right in basic demographic composition and trial strategies and behaviors. The analysis revealed that there are significant differences, and at times, substantial differences, in every variable analyzed. This has implications for the ways in which most research is currently being conducted. In this chapter, I will present an argument that supports analyzing the SCM separately from the far-right in future research. I will also discuss a few of the limitations of this study.

For the first research question, I tested a number of hypotheses to determine whether the SCM was similar demographically to the rest of the far-right. The majority of both the SCM and the far-right samples are males, however, the SCM has a significant number of females (14.7%), which is more than twice the proportion of females in the far-right (7.3%). One explanation is that perhaps the non-violent focus of paper terrorism is more appealing to women. Another likely cause is the SCM's shift away from Christian Identity ideology, which traditionally placed women in subordinate roles to men. The anti-tax and anti-government ideology of the SCM does not appear to embrace gender distinctions, but more research needs to be focused in this area.

There were significant and substantial differences in the racial composition between the SCM and the far-right. Nearly one-quarter of the SCM sample was black; black indictees were part of a non-white sample that totaled almost 33%. In contrast, the far-right sample contained a relatively small (6.7%) proportion of non-white indictees, and many of the minorities indicted were not group members, but merely got caught up as co-defendants in complex conspiracies. The increase in the minority population within the SCM is most likely a result of the movement

moving away from the racist roots of Christian Identity (ADL, 2012). The literature suggests that the SCM has shifted to an ideology that is based solely on anti-tax and anti-government beliefs, and as a result blacks are increasingly becoming a part of the SCM and the related Moorish Movement. I found support for Nelson's (2011) and Parker's (2014) contentions that blacks are choosing to overlook the racist roots of the SCM and adhere to the current racially-benign anti-government ideology.

One of the more glaring differences I noted was in educational attainment. Overall, sovereign citizens were much more educated than the other far-right defendants. Over half of the sovereign citizens in the sample had attained a college degree, while most far-right indictees received, at most, a high school education. There are a few possible explanations for this. First, the schemes used by the SCM involving tax evasion and fraudulent liens might require a higher educational background to understand and initiate. It might also be possible that more highly educated people are attracted to the non-violent SCM ideology and tactics than they are to the violent far-right. The loose nature of the SCM might also be more attractive to individuals with higher educational attainment. As was mentioned in the literature review, SCM adherents are largely "in it alone." They ignore the parts of the ideology they do not like, while embracing the parts they do. That is probably much different than members of the far-right, and especially far-right groups, which are more likely to require allegiance to the entire ideology. In either case, this should be addressed in future research.

The average age of sovereign citizens was around 13 years older than indictees in the far-right. Remarkably, the standard deviation for the far-right sample on the variable of age was slightly higher than the SCM sample, and that combined with the t-test results (in Appendix 5) indicate that the difference between the groups is real, and not the product of outliers. So not

only does the SCM appeal to a wider range of people racially, to more women, and to people of higher educational attainment, it also appeals to an older demographic.

Another difference is somewhat puzzling, but also quite telling. The far-right sample contained more than twice the proportion of people with military backgrounds than did the sovereign citizens sample. I cannot find much in the literature to explain this difference. The difference could be a reflection of educational attainment, and it could be a result of greater gender diversity. It is also possible that the non-violent tactics and ideology of the SCM are more attractive to a broader range of people (military and non-military alike), whereas the violent tactics of the far-right holds particular appeal to a smaller group of individuals, including those with a military background (Simi & Bubolz, 2013).

In terms of marital status, the majority of both the SCM and far-right defendants were married. However, sovereign citizens were married at a rate of nearly 15% higher than far-rightists. One explanation for this might again turn towards the non-violent tactics of the SCM. Individuals might be more inclined to adopt non-violent SCM extremist ideologies when they are part of a stable family unit, while single and divorced individuals, without the stability of marriage, might be less inhibited by the violence of the far-right. Another explanation of this could be correlated to education level. The National Longitudinal Survey of Youth (U.S. Department of Labor, Bureau of Labor and Statistics, 1979) asserts that men who had received a bachelor's degree were more likely to be married than men who had not graduated from college. Moreover, the study suggests that divorce rates were inversely related to education level and that more than 50% of respondents who had not received a high school diploma had marriages that ended in divorce. Sovereign citizens are significantly more likely to have received a college

degree, which could explain why their marriage rates are higher and divorce rates are lower, where the inverse might explain the far-right.

The results are similar for research question two: the SCM and far-right are significantly different from each other when looking at trial strategies and defendant behaviors. The analysis I performed on the differences in trial outcomes revealed that over half of sovereign citizens are convicted by jury at trial, and just over 31% of far-right cases result in jury conviction. In all, 56% of SCM cases go to trial. That is an astounding number, but it is entirely inconsistent with the literature, which suggests that SCM defendants tend to use the courts as a means to fight what they see as an illegitimate government. The literature also suggests that the far-right (and terrorists in general) have a habit of using the courts as a platform to spread their agenda (Shields et al., 2006), and that cases involving terrorism defendants typically involve lower plea bargain rates (Smith, 1994; Damphousse & Shields, 2007; Shields et al., 2009; Shields, 2012). Nonetheless, the difference between the SCM and the far-right is startling. Almost 52% of far-right cases result in a guilty plea prior to trial, which is much lower than the national average (96%), but SCM cases result in guilty pleas less than 40% of the time. Shields (2012) found a correlation between negative case dispositions (higher trial rates and fewer convictions) in terrorism cases and the prosecution's use of an explicit politicality prosecution method (a highly politicized trial strategy used in high profile cases). That, however, was not the case here. SCM cases in this sample were prosecuted using a non-politicized strategy (common criminality) as frequently as they were prosecuted using a slightly politicized strategy. While prosecutors did use some moderately politicized prosecution strategies against the SCM, Shields' (2012) study did not find a significant relationship between the "middle" approach and a defendant's decision to take his or her case to trial. As I did not run a multivariate analysis in this study, I cannot say

whether the middle strategy has a different impact on SCM defendants. It might. But there is another possibility; the results tend to support trends reported in the literature, that SCM defendants intend to bog down the court (IACP, 2014).

The literature suggests that there is an inherent risk when the government uses an explicit politicality prosecution method. Not only does it increase media coverage, it substantially reduces the likelihood that defendants will force their cases to trial, and when at trial, their odds of gaining an acquittal or a dismissal go up (Shields, 2008; Shields et al., 2009). Once again, we find different results. As mentioned above, even though the government pursues the far-right with explicit politicality much more often than the SCM, the SCM is far more likely to not only go to trial, but almost counter intuitively, to get convicted. This is probably a function of the defense strategies used. And once again, the defense methods used by the SCM and far-right are dramatically different. While the majority of both sovereign citizens and far-rightists used a conventional defense, over 32% of sovereign citizens and over 12% of the remaining far-right used either good faith, lack of jurisdiction, or a combination of the two defenses. Another factor that is probably contributing to their high conviction rates is tied to their ideology and rooted in their distrust of attorneys. Among SCM defendants, 24.7% appeared *pro se*. *Pro se* defenses are notoriously ineffective. Again, this probably accounts for some of the increased conviction rate.

The available literature suggests that sovereign citizens take pleasure in filing numerous documents during trial proceedings in an effort to harass the court system into dropping their case; they believe the best way to do this is to file numerous motions. While I found no support for my hypothesis predicting that sovereign citizens would try to bog down the court with motions, the explanation for this may be linked to the defendants appearing *pro se* in such great numbers. Licensed attorneys are intimately more familiar with defense proceedings and file

motions to cover any manner of issues as a case progresses. *Pro se* defendants are most likely unfamiliar with many of these. Ergo, *pro se* defendants just file fewer motions. Another possibility is also very likely. SCM defendants use paper terrorism against actors in the courtroom, prosecutors, judges, and law enforcement officers. Paper terrorism, such as a fraudulent tax lien, is not accomplished by filing a motion in a criminal hearing, so any real retaliation the defendants are engaging in will not show up in the court records. It is worth noting, however, that SCM cases are generally longer in length than far-right cases. Future studies will have to determine why this is the case.

Although all of the differences in the findings were statistically significant, there were certain limitations to the study. Due to time constraints I was not able to code all of the cases that I had collected. The remaining cases will be coded at some point in the future, and these analyses will be easy to reproduce. Also, the sample in this study only included non-violent acts, and that is because I did not come across any violent sovereign citizen court cases at the federal level. According to the literature sovereign citizens typically engage in violent acts when confronted by law enforcement officers during traffic stops or residence visits. This means that violent cases are most likely to appear in state court. The addition of state SCM cases would be beneficial to future analyses. Finally, the average number of motions for the SCM could be low due to how I coded this variable. I only counted documents labeled as “motions” when I should have also included “demands” in the total number of motions filed. That will need to be addressed in the future. Additionally, it would be beneficial to count all of the quasi-legal paperwork filed by sovereign citizens. Most sovereign citizens filed numerous *pro se* documents, but they were not filed as motions. Rather they were filed as “notices” and “affidavits” and for this reason were not counted as motions filed. However, these filings are

still being used to bog down the court system, and should be looked at more closely in future research. These limitations will be addressed in more detail, as well as suggestions for future research, in the following section.

CHAPTER SEVEN FUTURE RESEARCH

The current study has clearly shown that there are significant differences between the Sovereign Citizen Movement and the far-right, however, this study is only creating a foundation for future research. There are still large steps to be taken to understand more completely how the SCM operates and what role it plays within the broader far-right movement. This section will list a few areas of study that I believe will be beneficial to analyze in the future.

One area of future research that needs to be investigated involves the collection and analysis of state SCM court cases. This will permit the capture of missing data on violent sovereign citizen incidents. Including violent perpetrators into the analysis will allow for a more robust sample to compare to the far-right in order to determine whether there are still significant differences between the two groups. Furthermore, if the differences between the far-right and SCM diminish with the addition of violent sovereign citizens, then more research must be conducted to determine how sovereign citizens who engage in violence are different from those who choose paper terrorism as their primary tactic. Even though no state court cases were included in the current study due to ATS methodology and inclusion criteria, the results presented above provide an accurate picture of how the SCM relates to the broader far-right—adding violent sovereign citizens to the data set will allow for more comprehensive analyses.

Future research should also focus on the tactics and targets of the SCM. The available literature suggests the SCM uses a vast number of tactics and selects ideologically motivated targets; yet, again there have been no empirical studies to date. It is important to determine whether sovereign citizens actually use paper terrorism tactics in the ways suggested in the literature, and to study the frequency with which they focus their attentions towards targets

affiliated with the government and law enforcement. That information could prove crucial in efforts to combat adherents of the SCM. During the course of this project I collected information on the tactics and targets associated with each of the SCM court cases I coded. However, due to the ultimate direction the project took, I was unable to evaluate these data. Nonetheless, I believe these data hold promise for future research.

The literature suggests that unlike typical criminals, sovereign citizens are more likely to continue operating at every level of incarceration. As with tactics and targets, I also collected data on whether the defendants were indicted for actions they carried out while in prison. I think future research on this area is vital to understanding how extensive the threat of incarcerated sovereign citizens may be. The literature states that sovereign inmates utilize the prison libraries to research case law in an effort to continually develop new ways to create and file fraudulent legal and financial documents and engage in criminal activity (DTOU, 2010). Understanding SCM operations behind bars and stopping them before they begin could help to substantially reduce the number of retaliatory liens and lawsuits targeting law enforcement and government officials that are being filed from prison.

As I read through hundreds of court documents I noted a pattern in sovereign citizen *pro se* court document filings; there is an obvious connection to religion within the movement. The vast majority of *pro se* filings contained numerous Bible verses, which the authors used as a tool to support the radical arguments they were making. Although the SCM is no longer under the umbrella of Christian Identity, the movement's ideology is still rooted in the belief that the federal government is illegitimate because it is no longer governing by God's law (ADL, 2012). In future studies it would be interesting to focus on how the SCM uses religious references, and for what purpose.

Finally, I suggest that future research looks at the actions of sovereign citizens during the trial (i.e. targeting judges and prosecutors with lawsuits). I came across a handful of examples where sovereign citizens used aggressive paper terrorism tactics during trial proceedings in an effort to harass government representatives to drop their cases. This includes filing frivolous lawsuits, demanding payment to be made to the sovereign citizen because the court system used their real name, and filing liens against prosecutors in retaliation to them bringing charges against the sovereign. Currently the ATS does not collect data on any variables that would capture these types of tactics used during trial; so new variables would have to be made. This would be important to research in order to better educate the workers of the legal system on what to look for and how to protect themselves from being the victims of paper terrorism.

Continuing to conduct research on the Sovereign Citizen Movement is vital to the understanding of the movement and to continue building on the still lacking knowledge on the details of how the SCM operates.

CHAPTER EIGHT CONCLUSION

The literature that preceded this study was largely anecdotal and lacked empirical research. What was known about the Sovereign Citizen Movement was focused towards basic demographics, tactics, and targets of the movement, with no focus on SCM trial strategies and behaviors. The current study adds to the available literature by providing an empirical examination of the demographic composition of the SCM, as well as an examination of how sovereign citizens and prosecutors behave during the course of criminal trials. This study reveals statistically significant differences between the SCM and far-right—all but one of my hypotheses were supported—and illustrates the need to treat the two groups separately in future analyses. The SCM and far-right are demographically different from one another and they operate differently at trial.

Future research must also explore the SCM and its relationship to the far-right even further. This might include the addition of state-level violent SCM cases to the sample, and it should probably involve a thorough investigation of the tactics and targets associated with sovereign citizen adherents. Importantly, research needs to be conducted on how sovereign citizens target government officials during their trials and how they continue to operate while incarcerated. This study has created a foundation for future research on the SCM to be built upon. This project reveals for the first time that there is in fact a significant difference between the SCM and far-right while also providing evidence of how the two groups are different. What is not known, however, is *why* they are different and that is the next question that needs to be answered.

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**CHAPTER TEN
APPENDICES**

Appendix 1 Descriptives of Far-right Categorical Variables

| Variable | Value | N | Percent |
|---------------------------|---------------------------------|----------|----------------|
| Gender | Male | 354 | 92.7 |
| | Female | 28 | 7.3 |
| Race | White | 349 | 93.3 |
| | Non-white | 25 | 6.7 |
| Marital Status | Single | 74 | 27.6 |
| | Married | 145 | 54.1 |
| | Other | 49 | 18.3 |
| Education | Less than 8 th grade | 7 | 2.9 |
| | High school or less | 123 | 51.5 |
| | Some college | 69 | 28.9 |
| | College graduate | 37 | 15.5 |
| | Post-graduate work | 3 | 1.3 |
| | Doctorate | 0 | 0 |
| Prior Military Experience | Yes | 72 | 38.3 |
| Trial Outcome | Plea | 193 | 51.5 |
| | Trial conviction | 117 | 31.2 |
| | Dismissed | 29 | 7.7 |
| | Acquittal | 29 | 7.7 |
| | Died prior to trial | 4 | 1.1 |
| | Awaiting trial | 3 | 0.8 |
| Prosecution Method | Conventional criminality | 57 | 16.9 |
| | Political/subtle innuendo | 98 | 29 |
| | Explicit politicality | 183 | 54.1 |

Appendix 1 Descriptives of Far-right Categorical Variables Cont.

| | | | |
|----------------|-----------------------------|-----|------|
| Defense Method | Lack of jurisdiction | 40 | 12.4 |
| | Good faith | 0 | 0 |
| | Good faith and jurisdiction | 0 | 0 |
| | Disassociation | 78 | 24.2 |
| | Conventional | 157 | 48.8 |
| | Affirmative/Self-defense | 3 | 0.9 |
| | Quasi-legal | 0 | 0 |
| Attorney Type | Pro se | 47 | 14 |
| | Public defender or CJA | 249 | 74.1 |
| | Private attorney | 40 | 11.9 |

Appendix 2 Frequencies of Race for the SCM and Far-right

| Race | Far-right | SCM | Total |
|--|------------------|--------------|--------------|
| White | 349 93.3% | 91 67.4% | 440 86.4% |
| Black | 24 6.4% | 33 24.4% | 57 11.2% |
| Asian | 0 0% | 4 3% | 4 0.8% |
| Native Hawaiian or Pacific Islander | 0 0% | 1 0.7% | 1 0.2% |
| Other | 1 0.3% | 6 4.4% | 7 1.4% |
| Total | N=374 100 | N=135 100 | N=509 100 |

Appendix 3 Frequencies of Marital Status for the SCM and Far-right

| Marital Status | Far-right | SCM | Total |
|-----------------------|------------------|--------------|--------------|
| Single | 74 27.6% | 18 14.9% | 92 23.7% |
| Married | 145 54.1% | 83 68.6% | 228 58.6% |
| Other | 49 18.3% | 20 16.5% | 69 17.7% |
| Total | N=268 100 | N=121 100 | N=389 100 |

Appendix 4 Frequencies of Education for the SCM and Far-right

| Education | Far-right | SCM | Total |
|-------------------------------|------------------|-------------|--------------|
| 8 th grade or less | 7 2.9% | 1 1.1% | 8 2.4% |
| High school or less | 123 51.5% | 22 23.4% | 145 43.5% |
| Some college | 69 28.9% | 25 26.6% | 94 28.2% |
| College graduate | 37 15.5% | 30 31.9% | 67 20.1% |
| Post-graduate work | 3 1.3% | 5 5.3% | 8 2.4% |
| Doctorate | 0 0% | 11 11.7% | 11 3.3% |
| Total | N=239 100 | N=94 100 | N=333 100 |

Appendix 5 Age at Arrest Independent Samples T-Test

| Factor | Group | N | Mean | Std. Dev. | Sig. |
|---------------|--------------|----------|-------------|------------------|-------------|
| Age at arrest | SCM | 115 | 52.30 | 12.32 | .000* |
| | Far-right | 340 | 38.71 | 12.67 | |

* equal variances assumed

Appendix 6 Frequencies of Age at Arrest by Age Group for the SCM and Far-right

| Age Group | Far-right | SCM | Total |
|------------------|------------------|--------------|--------------|
| 1 to 20 | 14 4.1% | 2 1.7% | 16 3.5% |
| 21 to 40 | 187 55% | 16 13.9% | 203 44.6% |
| 41 to 60 | 122 35.9% | 65 56.5% | 187 41.1% |
| 61 or older | 17 5% | 32 27.8% | 49 10.8% |
| Total | N=340 100 | N=115 100 | N=455 100 |

Appendix 7 Frequencies of Trial Outcome for the SCM and Far-right

| Trial Outcome | Far-right | SCM | Total |
|----------------------|---------------------|---------------------|---------------------|
| Plea | 193 51.5% | 58 38.7% | 251 47.8% |
| Jury conviction | 117 31.2% | 78 52% | 195 37.1% |
| Dismissed | 29 7.7% | 7 4.7% | 36 6.9% |
| Acquittal | 29 7.7% | 6 4% | 35 6.7% |
| Died prior to trial | 4 1.1% | 1 0.7% | 5 1% |
| Awaiting trial | 3 0.8% | 0 0% | 3 0.6% |
| Total | N=375 100 | N=150 100 | N=525 100 |

Appendix 8 Frequencies of Prosecution Method for the SCM and Far-right

| Prosecution Method | Far-right | SCM | Total |
|---------------------------|---------------------|---------------------|---------------------|
| Conventional Criminality | 57 16.9% | 69 48.6% | 126 26.3% |
| Political/subtle innuendo | 98 29% | 71 50% | 169 35.2% |
| Explicit politicality | 183 54.1% | 2 1.4% | 185 38.5% |
| Total | N=338 100 | N=142 100 | N=480 100 |

Appendix 9 Research Compliance Protocol Letter



UNIVERSITY OF
ARKANSAS

Office of Research Compliance
Institutional Review Board

November 24, 2015

MEMORANDUM

TO: Brent Smith
Garrett Smith
Chris Shields
Paxton Roberts

FROM: Ro Windwalker
IRB Coordinator

RE: New Protocol Approval

IRB Protocol #: 15-11-301

Protocol Title: *Examining the Sovereign Citizen's Movement Among Far-Right Extremism*

Review Type: EXEMPT EXPEDITED FULL IRB

Approved Project Period: Start Date: 11/23/2015 Expiration Date: 11/22/2016

Your protocol has been approved by the IRB. Protocols are approved for a maximum period of one year. If you wish to continue the project past the approved project period (see above), you must submit a request, using the form *Continuing Review for IRB Approved Projects*, prior to the expiration date. This form is available from the IRB Coordinator or on the Research Compliance website (<https://vpred.uark.edu/units/rsdp/index.php>). As a courtesy, you will be sent a reminder two months in advance of that date. However, failure to receive a reminder does not negate your obligation to make the request in sufficient time for review and approval. Federal regulations prohibit retroactive approval of continuation. Failure to receive approval to continue the project prior to the expiration date will result in Termination of the protocol approval. The IRB Coordinator can give you guidance on submission times.

This protocol has been approved for 160 participants. If you wish to make *any* modifications in the approved protocol, including enrolling more than this number, you must seek approval *prior to* implementing those changes. All modifications should be requested in writing (email is acceptable) and must provide sufficient detail to assess the impact of the change.

If you have questions or need any assistance from the IRB, please contact me at 109 MLKG Building, 5-2208, or irb@uark.edu.