

FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- AIRTEL

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- UNCLAS E F T O
- UNCLAS

Date 6/10/83

TO: DIRECTOR, FBI

FROM: SAC, KANSAS CITY (100A-16712) (WRA-GRA) (C)

SHERIFFS' POSSE COMITATUS (SPC), aka  
 Posse Comitatus;  
 DOMESTIC SECURITY - POSSIBLE  
 TERRORIST ACTIVITY  
 OO: KC

Enclosed herewith for the Bureau are two copies of LHM reflecting captioned organization and, in general, its activities within the state of Kansas.

As reflected in enclosed LHM, no additional investigation being conducted by Kansas City Division, UACB.

100-487031-26

LHM  
ICE to [redacted] USSS

AIT

ICC 4751  
6-20-83

2 JUN 16 1983

2 - Bureau (Encs. 2) ENCLOSURE  
1 - Kansas City

Approved: \_\_\_\_\_ Transmitted \_\_\_\_\_ (Number) \_\_\_\_\_ (Time) Per \_\_\_\_\_



In Reply, Please Refer to  
File No.

June 10, 1983

SHERIFFS' POSSE COMITATUS (SPC),  
Also Known As Posse Comitatus;  
DOMESTIC SECURITY - POSSIBLE TERRORIST ACTIVITY

Kansas City Division has conducted a preliminary inquiry regarding Sheriffs' Posse Comitatus (SPC) within the state of Kansas to determine the viability of an active terroristic threat. Sources of information in this preliminary investigation have been Alcohol, Tobacco and Firearms (ATF) [REDACTED] and news publications.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

48711-2

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency

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FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

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SHERIFFS' POSSE COMITATUS

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

In view of the fact that no federal statutes appeared to have been violated and no acts of terrorism committed within the state of Kansas, no further investigation is being conducted by the Kansas City FBI Division at this time.

100-487031-27

CHANGED TO

100-487413-10

JUN 21 1964

279



100-487031-NR4

BARBARA A. MIKULSKI

3d DISTRICT, MARYLAND

COMMITTEE:  
ENERGY AND COMMERCE

SUBCOMMITTEE:  
HEALTH AND THE ENVIRONMENT  
COMMERCE, TRANSPORTATION AND TOURISM

MERCHANT MARINE AND FISHERIES

SUBCOMMITTEE:  
MERCHANT MARINE  
COAST GUARD  
OCEANOGRAPHY

PANAMA CANAL/OUTER CONTINENTAL SHELF

SELECT COMMITTEE ON  
CHILDREN, YOUTH, AND FAMILIES

Congress of the United States  
House of Representatives  
Washington, D.C. 20515

June 24, 1983

FEDERAL GOVERNMENT

IN REPLY  
TO OFF

407 CAR  
WASHINGTON  
(202)

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BALTIMORE, MD  
(301)

235 WILDE L  
COLUMBIA, MD  
(301)

BALTIMORE FEE  
8009 FEE  
BALTIMORE, MD  
(301)

Exec AD Adm. \_\_\_\_\_  
Exec AD Inv. \_\_\_\_\_  
Exec AD LES \_\_\_\_\_  
Asst. Dir.:

Adm. Servs. \_\_\_\_\_  
Crim. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Intell. \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Plan. & Insp. \_\_\_\_\_  
Rec. Mgnt. \_\_\_\_\_  
Tech. Servs. \_\_\_\_\_  
Training \_\_\_\_\_  
Off. of Cong. & Public Affairs \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director's Sec'y \_\_\_\_\_

FBI/DO

Mr. William Webster  
Director  
Federal Bureau of Investigation  
9th & Pennsylvania Ave., N.W.  
Washington, D.C. 20535

Dear Director Webster: *Sheriff's posse Comitatus*

During the last few weeks the Baltimore Rabbinate has brought to my attention the activities of several anti-tax, anti-Jewish extremist groups. One such group, the Posse Comitatus, has recently received press scrutiny in connection with the case of Gordon Kahl.

I and many of my constituents are gravely concerned about these groups and the threat they may represent to our basic freedoms. Accordingly, I would like to know if the FBI is currently engaged in investigating these groups and would like as complete a briefing as possible on their activities.

Thank you in advance for your cooperation. I look forward to hearing from you in the near future.

Sincerely,

*Barbara A. Mikulski*  
Barbara A. Mikulski  
Member of Congress  
(Maryland)

BAM/sb

100-487031-27X

EXP. PROC.

JUL 29 1983

8.10.83

8/4/83

*Handwritten initials*

DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATION MESSAGE FORM

PAGE 1 OF 2

DATE 8/3/83

CLASSIFICATION UNCLAS

PRECEDENCE ROUTINE

◆F1798RR SUBDE HQ H0179 ◆HBYUSR 022206Z AUG 83

START HERE

FM DIRECTOR FBI

TO FBI SALT LAKE CITY ROUTINE

BT

UNCLAS

SHERIFF'S POSSE COMITATUS, WASHINGTON COUNTY, UTAH; INFORMATION

CONCERNING

DO NOT TYPE PAST THIS LINE

[REDACTED]

DO NOT TYPE MESSAGE BELOW THIS LINE

100-487031-28

DRAFTED BY [REDACTED] {2} DATE 8/3/83 ROOM [REDACTED] TELE EXT [REDACTED]

AUG 4 1983

54 SEP 9 1983

1333

DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATION MESSAGE FORM

3

PAGE

2

CONTINUATION SHEET

PAGE TWO DE HQ 0179 UNCLAS

[REDACTED]

20

[REDACTED]

18

[REDACTED]

[REDACTED]

16

[REDACTED]

SALT LAKE CITY SHOULD MAKE APPROPRIATE INQUIRIES TO  
DETERMINE IF A DOMESTIC SECURITY/TERRORISM INVESTIGATION IS  
WARRANTED.

12

BT

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August 4, 1983

Honorable Barbara A. Mikulski <sup>FEDERAL GOVERNMENT</sup>  
House of Representatives  
Washington, D. C. 20515

Dear Congresswoman Mikulski:

I appreciate the concern which prompted your June 24th letter regarding the activities of extremist groups. Terrorism and civil rights violations are among our highest investigative priorities, and we are doing everything within our authority to identify those engaged in such activities.

I have been advised by our Criminal Investigative Division that, at this time, there are no terrorist groups being investigated in your area. Of course, we will pursue all such matters coming to our attention which fall within the framework of our responsibilities.

The Sheriff's Posse Comitatus, which you mentioned specifically, is for the most part, a loose-knit, nationwide organization which was established in 1973. Among its stated objectives are the following: resisting statutory authority related to Federal, state, and local taxing authorities; limiting the capability of Federal, state and local law enforcement agents; and limiting the access of all law enforcement agents in trespassing on individual property.

The FBI began an investigation of one chapter of the Sheriff's Posse Comitatus and we are aware of various individuals who may be in that or other chapters. We are interested in those members who have evidenced a willingness to involve themselves in violent activities.

If you desire a more comprehensive briefing, one will be provided. Please contact our Congressional Affairs Office at 324-2727.

100-487031-29X  
Sincerely yours,

William H. Webster  
William H. Webster  
Director

AUG 16 1983

1 - Baltimore - Enclosure

(8) 127 SEE ADDITIONAL DESIGNATIONS AND NOTE PAGE TWO

SEP 30 1983

MAILED 4  
AUG 11 1983  
FBI

- Exec AD Adm. \_\_\_\_\_
- Exec AD Inv. \_\_\_\_\_
- Exec AD LES \_\_\_\_\_
- Asst. Dir.:
- Adm. Serv. \_\_\_\_\_
- Crim. Inv. \_\_\_\_\_
- Ident. \_\_\_\_\_
- Insp. \_\_\_\_\_
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- Legal Coun. \_\_\_\_\_
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- Tech. Servs. \_\_\_\_\_
- Training \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_
- Director's Sec'y \_\_\_\_\_

MAIL ROOM

FBI/DOJ

Honorable Barbara A. Mikulski

[REDACTED]  
1 - Administrative Unit, CID (Room 5121) - Enclosure  
1 - Congressional Affairs Unit - Enclosure

NOTE: Reply coordinated with [REDACTED]  
Information regarding Sheriff's Posse Comitatus provided  
by [REDACTED] and remarks of Assistant Director Young which  
appeared in the June 8, 1983, issue of "The Washington Post."

APPROVED: \_\_\_\_\_  
Director *W. H. [REDACTED]*  
Exec. AD Adm. \_\_\_\_\_  
Exec. AD Inv. \_\_\_\_\_  
Exec. AD LES \_\_\_\_\_

Adm. Serv. _____	Coun. _____
Crim. Inv. _____	& Insp. _____
Ident. _____	Man. _____
Intell. _____	Tech. Servs. _____
Laboratory _____	Training _____
	Off. of Cong. & Public Affs. _____

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PRECEDENCE

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- TOP SECRET
- SECRET
- CONFIDENTIAL
- UNCLAS E F T O
- UNCLAS

Date 8/17/83

TO: DIRECTOR, FBI

FROM: SAC, SPRINGFIELD (100A-14593)

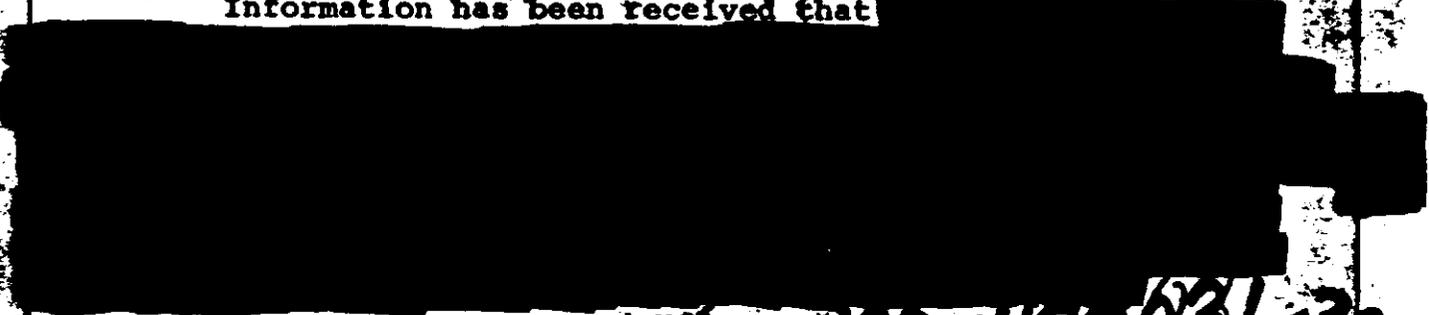
SUBJECT: CHANGED  
SHERIFF'S POSSE COMITATUS (SPC);  
DOMESTIC SECURITY/TERRORISM  
(OO: SI)

Title marked "Changed" to reflect SI as Office of Origin.  
 Title previously carried as "SHERIFF'S POSSE COMITATUS (SPC);  
 DOMESTIC SECURITY/TERRORISM (OO: MP),"

FULL INVESTIGATION AUTHORIZED 5/23/83.

Re SI letter to Bureau (no copy to receiving offices)  
 captioned, "SHERIFF'S POSSE COMITATUS (SPC); DOMESTIC SECURITY  
 (OO: MP)," 5/20/83; Bureau teletype to All FBI Field Offices cap-  
 tioned "SHERIFF'S POSSE COMITATUS (SPC); DOMESTIC SECURITY/  
 TERRORISM," 6/29/83.

Information has been received that



100-484631-30

- 2 - Bureau
- 2 - Cincinnati
- 2 - Denver
- 2 - Kansas City
- 2 - Louisville
- 2 - Pittsburgh
- 2 - Springfield (100A-14593)

Approved:

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Transmitted

(Number)

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Per

2 AUG 17 1983

54 SEP 26 1983 4251

[REDACTED]

Investigation has revealed that [REDACTED] was a speaker at a meeting of farmers held in [REDACTED] and he probably was the speaker at a similar meeting of farmers held in [REDACTED]. These meetings were supposedly held to advise farmers how to fight foreclosure proceedings on their property.

LEADS:     CINCINNATI DIVISION

AT CINCINNATI, OHIO

Will review indices for any information indicating [REDACTED] is affiliated or sympathetic to the SPC or any similar group.

DENVER DIVISION

AT DENVER, COLORADO

Will review indices for any information indicating [REDACTED] is affiliated or sympathetic to the SPC or any similar group.

KANSAS CITY DIVISION

AT KANSAS CITY, MISSOURI

Will review indices for any information indicating [REDACTED] are affiliated or sympathetic to the SPC or any similar group.

LOUISVILLE DIVISION

AT LOUISVILLE, KENTUCKY

Will review indices for any information indicating [REDACTED] is affiliated or sympathetic to the SPC or any similar group.

PITTSBURGH DIVISION

AT PITTSBURGH, PENNSYLVANIA

Will review indices for any information indicating [REDACTED] is affiliated or sympathetic to the SPC or any similar group.

100-487031-31  
-32

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**CHANGED TO**

JUN 21 1984



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FBI

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SECRET

Date 8/26/83

TO : DIRECTOR, FBI

FROM : SAC, DENVER (100A-12614) (RUC)

SUBJECT: SHERIFF'S POSSE COMITATUS (SPC)  
DOMESTIC SECURITY/TERRORISM  
OO: SI

FFI authorized 5/23/83.

Re Springfield airtel to the Bureau, dated 8/12/83.

Concerning [redacted] as set forth in referenced airtel, the Bureau and Springfield should be advised Denver indices are negative.

Full Field Initiated

100-487031-33

1 SEP 1 1983

2 - Bureau  
1 - Denver

Handwritten initials/signature

- 1\* -

Approved: [Signature] Transmitted \_\_\_\_\_ Per \_\_\_\_\_

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		<input type="checkbox"/> UNCLAS
		Date: 9/9/83

TO: DIRECTOR, FBI  
 (Attention: FBI Laboratory)

FROM: SAC, INDIANAPOLIS (157-8112) (P)

SHERIFF'S POSSE COMITATUS  
DOMESTIC SECURITY

30915040

OO: Indianapolis

Enclosed herewith for the Bureau are the following:

1A) [REDACTED]

1B) [REDACTED]

1C) Four page document regarding Posse Comitatus, showing an address of C.L.E.R.C., 3530 N.E. Lombard Court, Portland, Oregon, 97211, telephone (503) 281-2043.

2.) [REDACTED]

3.) [REDACTED]

- 3 - Bureau (Enc. 8)
- 2 - Louisville (Enc. 2)
- 2 - Portland (Enc. 2)
- 2 - Indianapolis

100-487031-34

SEP 13 1983

Approved: \_\_\_\_\_ Transmitted \_\_\_\_\_ Per \_\_\_\_\_  
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IP 157-8112

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Indianapolis Division has opened this matter in an effort to determine if the letter and literature from the Posse Comitatus, [REDACTED] originated from out of the State of Indiana or possibly was sent by a previously unidentified chapter of the Posse Comitatus within the Indianapolis Division.

On 8/26/83, Assistant United States Attorney (AUSA) Roger L. Duncan, United States Attorney's Office, Southern District of Indiana (SDI), Indianapolis, Indiana, was contacted regarding this matter and advised he would withhold any prosecutive opinion as to a possible extortion violation until such time as the enclosed letter and related documentation has been examined for latent fingerprints by the FBI Identification Division, due to the fact the letter was possibly sent by an individual or individuals affiliated with the Posse Comitatus.

REQUEST OF THE BUREAU

The FBI Laboratory is requested to examine the letter (enclosure 1B) and envelope (enclosure 1A) for the purpose of determining the type of typewriter used in printing letter.

The Latent Fingerprint Section, Identification Division, is requested to examine the enclosed letter, envelope, and literature (enclosure 1A through C) for latents. If latents developed, will compare with the known prints of [REDACTED]

IP 157-8112

[REDACTED] Provided any unknown latents developed, with compare with the prints of any other prior suspects who have been developed in cases of this nature where the Posse Comitatus is possibly connected.

The enclosures should be returned to the Indianapolis Division to be retained as evidence.

LEADS

LOUISVILLE DIVISION

At Louisville, Kentucky

Will furnish Indianapolis with the names of any individuals who have previously been identified as being affiliated with the Posse Comitatus and forwarding letters of the type mentioned herein.

PORTLAND DIVISION

At Portland, Oregon

Will furnish Indianapolis with any information regarding the identities of individuals affiliated with the Posse Comitatus who have sent through the United States Mail letters of the type mentioned herein.

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FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

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For your information: \_\_\_\_\_  
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POSSE COMITATUS----THE POWER OF THE PEOPLE.

Since the Founding Fathers well knew that that there was no guarantee that a sheriff, even though being close to the People, would honor his oath of office to defend and protect the Constitution, they made certain that the People themselves could defend the local jurisdiction if he refused to do so. All officers should realize however, that no sheriff or other officer of the law is protected by any unconstitutional law.

"An unconstitutional statute has been held to confer no authority on, and to afford no protection to, an officer acting thereunder." Also, "Officers cannot be punished for refusing to obey unconstitutional statute. (CJS 16, sec. 101, p. 479) "Such laws are in legal contemplation, as inoperative as tho' they had never been passed or as if the enactment had never been written, and are regarded as invalid or void from the date of enactment, and not only from the date on which it is judicially declared unconstitutional. Such a law generally binds no one, confers no rights, affords NO PROTECTION, and imposes no duties, and a compliance therewith is unnecessary." (CJS 16, p. 469)

Nevertheless, if a sheriff decides that he does not wish to get involved in resisting the enforcement of such arbitrary laws, the posse comitatus may act without him. Since the posse comitatus is "all men of the county", and the county is the unit of government closest to the People, the posse represents the People. The People are the Sovereigns, which makes them in fact, the government.

The first three words of the Constitution--"We the people"--declare by what authority the United States of America is ruled. The People gave only certain powers to their elected government, and these are listed or enumerated in the Constitution. If a power is not delegated to government, then government does not have it! Everything else the People kept for themselves. Amendments 9 & 10 of the Bill of Rights, makes it clear that government is not to interfere with the rights of the People. The government of the United States is not a concession to the people with some one higher up. It is the creation and the creature of the people themselves, as absolute sovereigns.

Constitutional law explains the powers of the People in the following manner: "Since the supreme authority or sovereignty resides in the people, they can in general withhold grant, or withdraw governmental powers. Powers not granted to the United States or prohibited to the states are reserved to the states or to the people.

"Since the People are the source of all governmental and political powers they may at their pleasure, withhold such powers, distribute them among various departments for the purpose of governments, or may withdraw such powers as have been conferred."

"A Constitutional provision is not necessarily a limitation or grant of power, although such is its primary purpose." "No legislative body which is governed by a written Constitution, possesses sovereign power. No legislative body can make laws that are not according to, and consonant with, the fundamental laws that have been prescribed for its government by the people, who are superior to both the law-making power and the constitution themselves. All written constitutions therefore are limitations on legislative powers or the sovereignty which in all organized governments must reside somewhere."

Can we say, then, that it is "mob rule" when the people or men of the local community or county combine their forces in a posse comitatus action to protect their lives, their property, and their freedom against a lawless element? Of course not. The right of the people is one of the inalienable rights that government is forbidden to interfere with in the BILL OF RIGHTS!

The right of self and community protection is one that free men had enjoyed for many centuries and the whole purpose of the Constitution was to protect it. This idea was well expressed in the preamble of the Constitution: "We, the people of the United States, in order to form a more perfect Union, establish JUSTICE, insure domestic tranquillity, provide for the common defense, Promote the general

8-2-5-83

112

welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

Most State Constitutions likewise provide for this same protection: "All men are by nature free and equal, and certain inalienable rights, among which are enjoying and defending life and liberty; acquiring, possessing and protecting property; pursuing happiness and securing safety."

Some people say, "Show me in the Constitution where it provides for a Posse Comitatus!" The Posse comes to us by way of the common law, which referred to and recognized in the Constitution in the 6th and 8th Amendments. The Constitution is based on this common law, as are the laws and constitutions of our states. Most states recognize the common law, and where there is no statute, state law depends on the common law. The common law is that body of Old English law which evolved over many centuries in the common law courts of England. It had its beginning in the time of King Alfred the Great and was based on Christian principles of fairness and justice. This is the law that the colonists had been using up to the time of the Revolutionary war. The liberties enjoyed by Englishmen were wrested from the Crown, and the American colonists claimed these liberties as their inheritance, and won by force of arms, the final right to them and to further ones which had been born and fostered by the conditions of the colonial governments. So it is natural that they would have used the common law as a base for the Constitution. In addition: each new state adopted the common law as it joined the Union.

The common law practice of using the County as the seat of government for the body politic (the People) had been used since feudal days when the castle and its lands were the legal unit of government. The sheriff was in charge of law enforcement and all the men of the county (posse comitatus) were expected to come to his aid fully armed and ready to defend the local jurisdiction whenever he needed them. This was a militia system of law enforcement, and is used even today in Switzerland--a country that has not been involved in any wars for many hundreds of years. No country has dared to challenge them, and they have not had the enormous expense of a large standing army. This militia system of law enforcement was what the founding fathers intended for this country.

They provided for it in Article 1, Section 8, clause 15, " (The Congress shall) provide for the Militia, to execute the laws of the union, suppress insurrections and repel invasions." Also in Amendment II, "A well regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed." The main purpose of this Amendment was to forbid government to interfere with the inalienable right of the people to keep and bear arms--inferring also the right to the Posse Comitatus to defend the local jurisdiction, and recognizing the right of the State to call out the militia. It did not confer on citizens some new right to keep and bear arms; this was a right they had enjoyed for centuries and they did not intend to lose it. It was largely due to the small local militias such as those at Lexington and Concord, and all those who came to support them from every small village and town, that made it possible to win the war against the British. They were incredibly successful, and these were men who had never fought together before, and some did not even have an officer in charge, as for instance, the action at Breed's Hill where the British were completely beaten and demoralized by a small company of old grey-haired farmers.

The Militia as has been provided for by law, are those men enlisted from the Posse Comitatus, by the state. They are under the supervision of the Governor, and are in the service of the state. They are soldier-citizens who ordinarily work at their own profession most of the time, and are trained as soldiers to be ready if needed. They may be called by the Governor or by the President in a larger action.

The Posse Comitatus is all the men of the county that a sheriff may call to his assistance in the discharge of his official duty, as to quell a riot or to make an arrest. County Sheriffs must be advised of the instances where unlawful acts of officials or agencies of government are committed or unlawful

acts of any kind. It is the duty of the Sheriff to protect the local citizens from such unlawful acts. Once he has been advised and refuses to perform his lawful duty in respect to the matter, the Posse Comitatus has the lawful right under natural law to act in the name of the Sheriff to protect local jurisdiction. They may make arrests, the accused being given into the custody of the County Sheriff for trial by a Citizen Jury empanelled by the Sheriff from citizens of the local jurisdiction.

The Posse acts only within the County; they are not considered a part of the military; and they are not subject to military law, since they have never been enlisted by the state and are not under their authority. It includes all the men of the County between the ages of 18 and 45 and others may volunteer!! The Posse and the Militia have essentially the same purpose; they are men who act in the execution of the law.

"State statutes relating to the military organization, drill, and parade under arms do not interfere with the privileges and immunities of citizens of the United States unless they conflict with the acts of Congress." (CJS 16A, p.227) This refers to the right of the people to keep and bear arms, and to the defense of the local jurisdiction.

The Posse is provided for in most states, under "Sheriff, duties, it says "Sheriff may command the aid of as many male inhabitants of the county as he may think necessary in the execution of these duties." This provision in the state law has been held to be an affirmation of the Posse Comitatus in the common law.

From whence would the state militia be drawn if there were no Posse Comitatus??? In addition, the Constitution directs the Congress to provide for the militia, to execute the law of the land. It doesn't say, "maybe", it says "SHALL", meaning that this is mandatory. The Congress is to "provide for governing only that part of the militia that is employed in the service of the United States, reserving to the states respectively...the authority of the training of the Militia...and the appointment of officers."

But WHY are some people so anxious to delete the Posse from the law?? Why do they immediately pounce upon every reference to it and proclaim it to be "illegal", "mob rule" and "lynch law"??? Why do they immediately brand anyone who mentions it to be "dangerous" and ignorant? Surely those who are obeying the supreme law of the land, the U.S. Constitution have nothing to fear from the Posse.. The Posse is to make sure that public officials are obeying the law, it is true, but even though they were to arrest someone accused of violating it, they may be assured of a trial by jury. I have never said that the sheriff was to conduct the trial, merely to call the jury! I feel confident that if all the members of the jury were to return a verdict of guilty, that the convicted would deserve it. A jury trial is not a 100% guarantee that justice will be done, but over the centuries, it has been found to be the best method ever devised for arriving at a decision that is fair and just, provided of course, that the judge stays with his job of referring the case and allows the jury to make the decision....

But there are many other benefits to be derived from a Posse Comitatus. How peaceful and lawabiding our communities would suddenly become if there were several hundred posse members in a county whose business it was to enforce the law!! Would it not be an advantage in holding down the costs of government? Are there not many emergencies when the Sheriff or officers of the law can be in only one place at a time???

There have been recent instances of group action by neighbors with firearms who were successful in preventing violations of the law, and those who were protected were very thankful for the action taken. Why should we endure lawless communities and lawless government? Every county should have, and is entitled to a POSSE COMITATUS!!!

It would be ridiculous to suppose that those who fought so valiantly for freedom would intend to leave

the counties defenseless except for a county sheriff, who must often have many square miles of territory under his jurisdiction. This inalienable right of defense was intended to be left to the discretion of the men of the county to organize their own self-defense without interference from either the state or federal governments.

In referring back to the debates and essays written in regard to the Militia by Alexander Hamilton, one of the principle framers of the Constitution, it becomes clear that a deep distrust of a large standing army was one of the great motivations in establishing the militia. But even then, there were those who were suspicious of the militia and thought it would be dangerous. To this fear, Hamilton speaks as follows: "There is something so far-fetched and so extravagant in the idea of danger to liberty from the militia, that one is at a loss whether to treat it with gravity or with raillery...Where, in the name of common sense, are our fears to end if we may not trust our sons, our brothers, our neighbors, our fellow-citizens? What shadow of danger can there be from men who are daily mingling with the rest of their countrymen, and who participate with them in the same feeling, sentiments, habits, and interests? What reasonable cause of apprehension can be inferred from a power in the Union to prescribe regulations for the militia, and to command its services when necessary, while the particular States are to have the sole and exclusive appointment of the officers?"

Or those who value freedom and liberty, he made the following interesting observations: "If there should be an army to be made use of as the engine of despotism, what need of the militia? If there should be no army, whither would the militia, irritated by being called upon to undertake a distant and hopeless expedition for the purpose of riveting the chains of slavery upon a part of their countrymen, direct their course, but to the seat of the tyrants who had meditated so foolish as well as so wicked a project, to crush them in their imagined intranchements of power, and to make them an example of the just vengeance of an abused and incensed people? (The Federalist Papers No. 29, Militia Hamilton Essay.)

It should be obvious that a Posse Comitatus would be a deterrent to despots, and a valuable aid in the reservation of freedom and liberty. Ever worsening affairs in the field of American Government at all levels should be a warning to the People that they must not delay in asserting their sovereignty.

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3530 N.E. Lombard Court  
Portland, Oregon 97211  
Phone: (503) 291-2043

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**FEDERAL BUREAU OF INVESTIGATION  
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1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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32



DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATION MESSAGE FORM

3

PAGE 1 OF 2	CLASSIFICATION	PRECEDENCE
SEPTEMBER 6, 1983	UNCLASSIFIED	ROUTINE

♦FO32RR DN KC LS MP PG SIDE HQ H0032 ♦HEYUER 061645Z SEP 83

mf

FM DIRECTOR FBI

TO FBI SPRINGFIELD (100A-14593) ROUTINE

FBI DENVER ROUTINE

FBI KANSAS CITY ROUTINE

FBI LOUISVILLE ROUTINE

FBI MINNEAPOLIS ROUTINE

FBI PITTSBURGH ROUTINE

9  
H/m

BT  
UNCLAS

SHERIFF'S POSSE COMITATUS (SPC); DOMESTIC SECURITY/TERRORISM;

00: SPRINGFIELD

PRELIMINARY INQUIRY INITIATED MAY 11, 1983, EXTENDED TO OCTOBER 10, 1983.

REFERENCE SPRINGFIELD TELETYPE TO FBIHQ DATED AUGUST 30, 1983.

ABOVE DOMESTIC SECURITY/TERRORISM INVESTIGATION EXTENDED AS NOTED ABOVE.

DO NOT TYPE PAST THIS LINE

DO NOT TYPE MESSAGE BELOW THIS LINE

DATE	DRAFTER	DATE	ROOM	TELE EXT
		9/6/83		

[Redacted]

DE-131 100-487031-35

12 SEP 14 1983

2100 [Redacted]

FBI

TRANSMIT VIA

- Teletype
- Facsimile
- Airtel

PRECEDENCE

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- UNCLAS E F I O
- UNCLAS

Date 8/24/83

TO: DIRECTOR, FBI

FROM: SAC, SALT LAKE CITY (100A-11714) (C)

SUBJECT: SHERIFF'S POSSE COMITATUS,  
Washington County, Utah,  
Information Concerning

*US Sheriff's Posse Comitatus*

Re Bureau tel to SU 8/2/83; SU tels to Bureau dated 6/25/83, 3/1/83, 3/2/83, 3/8/83, 3/15/83, 3/23/83, entitled MARMURS MAJOR CASE #43, Bureau file number 89-5436, SU file number 89B-133.

[REDACTED]

[REDACTED]

100-487031-36

[REDACTED]

[REDACTED]

[REDACTED]

3 - Salt Lake City  
(2 - 100A-11714)  
(1 - 89B-133)

1,3

[REDACTED]

Approved: \_\_\_\_\_ Transmitted \_\_\_\_\_ (Number) \_\_\_\_\_ (Time) Per \_\_\_\_\_

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FEDERAL BUREAU OF INVESTIGATION  
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- Deleted under exemption(s) b7C b7D with no segregable material available for release to you.
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[REDACTED]

[REDACTED]

the following are observations and comments of

[REDACTED]

The Zion Township in Washington County, Utah, is similar to townships across the United States formed by tax resisters and protesters. The Zion Township is an amalgamation of ultra-right conservatives, John Birch Society members, survivalists, constitutionalists, tax protestors and resisters. Richard D. Cooper, St. George, Utah, is the supreme court judge of the Zion Township. Walter P. Mann III, Bloomington, Utah, is a confederate of Cooper's and acts as legal counsel for Cooper although he does not have a law degree. The Posse Comitatus is the "police or military" arm of the Zion Township.

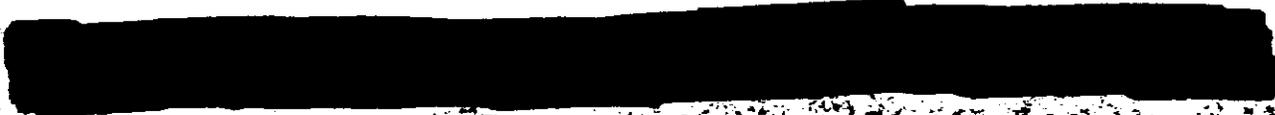
The Chief of the Zion Township Posse Comitatus is Michael Earnest Stuermer, who resides in Washington, Utah. A peace officer of the Posse Comitatus is Charles James Thompson [REDACTED]

[REDACTED] Stuermer is known to wear fatigue shirt and trousers and a .45 caliber pistol without clip in Washington, Utah. Dorman Bruce Sissell is the armourer for the Posse Comitatus resides in Enterprise, Utah, and has a permit from Alcohol, Tobacco, and Firearms to sell and purchase firearms.

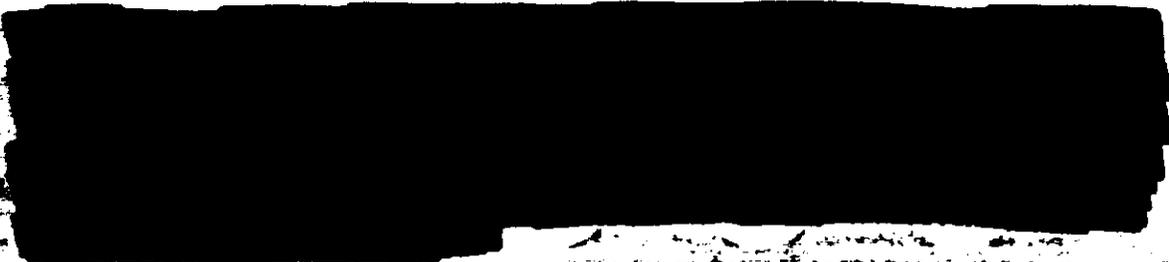
[REDACTED]



Individuals who are members of the Zion Township have been investigated by ATF concerning allegations of their possessing or altering weapons to be automatic weapons. To date this investigation has proven negative.



Members of the Zion Township do own and possess firearms, however, it is felt that Utah probably has one of the highest weapons per capita percentage in the United States. Ownership of firearms in Utah is the norm.



SU Division has been aware of Zion Township since its inception, and has been on the alert to secure Bureau interests should it become necessary to do so. To date there are no known violations perpetrated by the Townshippers which would justify a preliminary or full investigation into their organization under domestic security/terrorism guidelines. Therefore this case is being placed in a closed

SU 100A-11714

status by SU Division. However, should information be received or activity be reported on behalf of the township meeting the criteria for the opening of a domestic security/terrorism investigation, the Bureau will be advised expeditiously.

105

DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATION MESSAGE FORM

PAGE 1 OF 2	CLASSIFICATION UNCLASSIFIED	PRECEDENCE PRIORITY
DATE AUGUST 23, 1983		

\*FO15EPP CI DN KC LS PG SISE HQ HD105 \*H2YUSP 231907Z AUG 83

START HERE

FM DIRECTOR FBI

TO FBI SPRINGFIELD (100A-14593) PRIORITY

FBI CINCINNATI PRIORITY

14 FBI DENVER PRIORITY

FBI KANSAS CITY PRIORITY

12 FBI LOUISVILLE PRIORITY

FBI PITTSBURGH PRIORITY

10 BT

UNCLAS

SHERIFF'S POSSE COMITATUS (SPC); DOMESTIC SECURITY/TERRORISM  
(DS/T); 00: SPRINGFIELD

REFERENCE SPRINGFIELD LETTER TO FBIHQ CAPTIONED, "SPC;  
DOMESTIC SECURITY; 00: MINNEAPOLIS" DATED MAY 20, 1983;  
SPRINGFIELD AIRTEL TO FBIHQ AND RECIPIENTS DATED AUGUST 12,  
1983, CAPTIONED AS ABOVE; AND BUTELCAL BETWEEN

CRIMINAL INVESTIGATIVE DIVISION AND

ON AUGUST 23, 1983.

TYPE MESSAGE BELOW THIS LINE

DATE 8/23/83	ROOM	TELE EXT
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SEE NOTE PAGE THREE

100-487031-37

23 AUG 31 1983

111K

2100A

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DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATION MESSAGE FORM

PAGE 2

CONTINUATION SHEET

PAGE TWO DE HQ 0105 UNCLAS

PRELIMINARY INQUIRY INITIATED MAY 11, 1983, EXTENDED TO  
SEPTEMBER 10, 1983.

BY SPRINGFIELD COMMUNICATION DATED MAY 20, 1983, SPRINGFIELD  
INITIATED A PRELIMINARY INQUIRY BASED ON INFORMATION RECEIVED  
REGARDING A POSSIBLE SPC CHAPTER LOCATED IN METROPOLIS,  
ILLINOIS. THE INFORMATION INDICATED THE POSSIBILITY OF A  
CONFRONTATION BETWEEN SUSPECTED SPC MEMBERS AND THE UNITED  
STATES MARSHAL'S SERVICE CONCERNING A BANKRUPTCY MATTER.

AS RECIPIENTS ARE AWARE, INDIVIDUAL CHAPTERS OF THE SPC  
ARE TO BE INVESTIGATED PREDICATED UPON THE ACTIVITIES OF THE  
CHAPTER WHICH MEET THE NEW ATTORNEY GENERAL GUIDELINES ON  
DS/T INVESTIGATIONS.

AS A RESULT, FBIHQ AUTHORIZATION GRANTED TO CONDUCT A  
FULL DS/T INVESTIGATION IN THE MATTER ENTITLED, "SPC; DS/T;  
OO: MINNEAPOLIS" DOES NOT APPLY TO THE CAPTIONED MATTER.

THE CAPTIONED PRELIMINARY INQUIRY IS EXTENDED AS NOTED  
ABOVE. SPRINGFIELD SHOULD EXPEDITIOUSLY ADVISE FBIHQ IN THE  
EVENT THAT ADDITIONAL INVESTIGATIVE TIME IS NEEDED.

BT

DO NOT TYPE MESSAGE BELOW THIS LINE

DO NOT TYPE PAST THIS LINE

NOTE:

THE ABOVE TELETYPE IS NECESSARY TO CLARIFY THE AUTHORITY  
TO CONDUCT A DS/T INVESTIGATION REGARDING THE SPC.

REPORT  
of the



FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535

To: SAC, Indianapolis (157-8112)

October 6, 1983

FBI FILE NO.

LAB. NO.

30915040 D US

Re: SHERIFF'S POSSE COMITATUS,  
DOMESTIC SECURITY

OO: Indianapolis

Examination requested by: Indianapolis

Reference: Communication dated September 9, 1983

Examination requested: Document - Fingerprint

Specimens received: September 15, 1983

Specimens:

Q1 [Redacted]

Q2 [Redacted]

Q3 Accompanying four-page pamphlet entitled "POSSE  
COMITATUS---THE POWER OF THE PEOPLE.," bearing  
typewritten note at top of first page "The really  
important GUN ISSUE-----"

100-487091-38

ALSO SUBMITTED:

[Redacted]

2 OCT 6 1983

Page 1

(over)

1983

**Result of examination:**

Specimens Q1 through Q3 were searched through the appropriate sections of the Anonymous Letter File without effecting an identification. Copies have been added to this file for future reference.

No watermarks, indented writing of significance or other identifying characteristics were observed when examining specimens Q1 through Q3 which would indicate the immediate possible source of these items.

The questioned typewriting appearing upon the submitted specimens has a horizontal spacing of 2.54mm per character and closely resembles the Laboratory standards for a Brother style of type.

The submitted specimens will be returned separately with the results of the requested latent fingerprint examinations. Specimens Q1 through Q3 have been photographed and appropriate copies are being retained.

RECORDED  
9/22/83

FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE

9/15/83

Laboratory Work Sheet

To: SAC, Indianapolis (157-8112)

OCT 3 P.M. 57  
FBI FILE NO. 100-487031-

LAB. NO. 30915040 D UZ

Re: SHERIFF'S POSSE COMITATUS;  
DOMESTIC SECURITY

YOUR NO.

OO: Indianapolis

Examination by: 

Examination requested by: Indianapolis

Reference: Communication dated September 9, 1983

Examination requested: Document - Fingerprint

Specimens received: September 15, 1983

Specimens:

- Q1 
- Q2 
- Q3 Accompanying four-page pamphlet entitled "POSSE COMITATUS----THE POWER OF THE PEOPLE.," bearing typewritten note at top of first page "The really important GUN ISSUE-----"

ALSO SUBMITTED:



ALF: (P<sub>1</sub>) Q<sub>2</sub>-Q<sub>3</sub> + I.D. A.L.F. copies added for future reference.

PHYSICALS: (P<sub>2</sub>) No watermarks, indented section of top of page on other I.D. characteristics absent showing (Q<sub>2</sub>-Q<sub>3</sub> indicate immediate possible source)

TW: (P<sub>3</sub>) Q<sub>1</sub>: 254 serials Brother style of type

DISPOSITION: (P<sub>4</sub>) Sides still returned w/serials L.F.P. Photo taken Q<sub>2</sub>-Q<sub>3</sub> 

**BROTHER (J)**

Formule

254	2	b	2	B
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DELE : SELECTA 7500 (à sphère)  
 FABRICANT : BROTHER (J)  
 ANNEE DE FABRICATION : NAGOYA (J)  
 ANNEE : 1979  
 MATRICULE : F 91232931  
 TYPE DE CARACTERES : PICA 10  
 SÉRIE DE CARACTERES : BROTHER (J)

HAUTEUR DU "M" : 2,75mm  
 HAUTEUR DU "u" : 2,00mm  
 MOTION : Néant.  
 LARGEUR MAX PAPIER : 330 mm  
 TYPE DE CLAVIER : Français.  
 INTERLIGNES : 4,25 & 6,37 mm.

CLAVIER :

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ww	xx	cc	vv	bb	nn	.,	::	::	==		

FBI NO.  
4290  
 FISCHE NO.  
1660  
 ALSO SEE:

1°interligne : peux-tu m'envoyer de ce bon vieux whisky, comme celui que j'ai bu chez françois le frère du forgeron du village.  
 2°interligne : PEUX-TU M'ENVOYER DE CE BON VIEUX WHISKY, COMME CELUI QUE J'AI BU CHEZ FRANCOIS LE FRERE DU FORGERON DU VILLAGE.

24.9.79

Fiche n°1660



4-27-78

TRADE NAME AND MODEL  
OF MACHINE

BROTHER, M7500.

FORMULA

254	2	6	2	B
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MANUFACTURED BY

BROTHER INDUSTRIES, LTD.

B 2-1-78

FBI NO.  
#3008  
FISCHE NO.

STYLE OF TYPE

Standard Pica

ALSO SEE:  
Book #15

RIBBON SPECIMEN

Nylon Fabric

1234567890=- qwertyuiop; asdfghjkl;' sxcvbnm,./ ---Lower case  
 !@#%&\*() +\_ QWERTYUIOP; ASDFGHJKL:" ZXCVBNM,.? ---Upper case

CARBON SPECIMEN

One time Carbon Ribbon

1234567890=- qwertyuiop; asdfghjkl;' sxcvbnm,./ ---Lower case  
 !@#%&\*() +\_ QWERTYUIOP; ASDFGHJKL:" ZXCVBNM,.? ---Upper case

TYPE SYMBOL

MOTION

LETTER SPACING

LINE SPACING

ALL

10/1inch

SERIAL NO. OF MACHINE

DATE TYPE  
INTRODUCED

REMARKS

81663950

11/78



**Evidence Files Searched**

	Section(s) Searched	Date Searched	Section(s) Added	Date Added
Art	_____	_____	_____	_____
Bank Robbery Note File	_____	_____	_____	_____
Motor Vehicle Title	_____	_____	_____	_____
✓ Anonymouse Letter File:	<u>T/W sect.</u>	<u>9/26/83</u>	<u>SAME</u>	<u>10/3</u>
✓ Motive	_____	Typewriter information:		
State(s)	_____	<u>2.54 spacing - reasonable</u>		
	_____	<u>Brother style of type</u>		
VIP	_____	<u>(262B)</u>		
Bombing	_____	_____		
Other	<u>ISALF</u>	_____		

**Standards Files Searched**

	Date Searched
Tire Tread	_____
Shoe Print	_____
✓ Typewriter	<u>9/26/83</u>
Watermark	_____
Office Copier	_____
Safety Paper	_____
Computer Print Out	_____

Remarks: \_\_\_\_\_

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Examiner's Name



Date

9/20/83

Lab #

30915040

Recognition Section:

1.	10.	19.	28.
2.	11.	20.	29.
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4.	13.	22.	31.
5.	14.	23.	32.
6.	15.	24.	33.
7.	16.	25.	34.
8.	17.	26.	35.
9.	18.	27.	36.

National Fraudulent Check File

Date Searched	Date Added	
_____	_____	Signature Section
_____	_____	Company Name File
_____	_____	Checkwriter Section - Classified as _____
_____	_____	Gimmick Section
_____	_____	Master Check Section
_____	_____	Counterfeit Travelers Checks
_____	_____	Counterfeit Money Orders
_____	_____	Counterfeit Checks
_____	_____	Altered Travelers Checks
_____	_____	Altered Money Orders
_____	_____	Raised Bank Checks
_____	_____	Checks prepared with False "Certified" Impressions
_____	_____	Checks prepared with Press-On Letters

Stolen Money Orders & Travelers Checks Section:

Travelers Checks - Type	# From	To #
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Money Orders - Type

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Photographed: \_\_\_\_\_

Date:

9/23

Roll #:

443

RECORDED  
9/22/83

FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE

9/23/83

cc: Indianapolis (157-9112)

FILE NO. 100-227037-39

LAB. NO. 9915046 B WE

FOUR NO.

SHERIFF'S POSSE COMITATUS  
DOMESTIC SECURITY

OO: Indianapolis

Examination by:

Examination requested by:

Indianapolis

Reference:

Communication dated September 9, 1983

Examination requested:

Domestic Fingerprint

Specimens received:

September 13, 1983

Specimens:

Q1

[Redacted]

Q2

[Redacted]

Q3

Accompanying four-page pamphlet entitled "POSSE COMITATUS---THE POWER OF THE PEOPLE," bearing typewritten note at top of first page "The really important GUN ISSUE-----"

ALSO SUBMITTED:

[Redacted]

[Redacted]

*L.F.P.S. will process returns  
the submitted specimens*

*Q1 thru Q3  
returned to  
Indianapolis  
with AFPS report  
dated 11/2/83*

SEP 28 1983

KC0303 255 15247

PP HQ SI

DE KC

P 121629Z SEPT 83

RECEIVED  
TELETYPE UNIT

12 SEP 83 16 37 Z

FEDERAL BUREAU  
OF INVESTIGATION

FM KANSAS CITY (100A-16712)(SQ 4)(RUC)

TO DIRECTOR PRIORITY

SPRINGFIELD (100A-14593) PRIORITY

BT

UNCLAS

SHERIFF'S POSSE COMITATUS (SPC);

DOMESTIC SECURITY/TERRORISM (DS/T); OO: SPRINGFIELD.

PRELIMINARY INQUIRY INITIATED MAY 11, 1983, EXTENDED TO  
SEPTEMBER 10, 1983.

RE SPRINGFIELD AIRTEL TO BUREAU DATED AUGUST 12, 1983;  
SPRINGFIELD TELETYPE TO BUREAU AND KANSAS CITY DATED AUGUST 30,  
1983.

**100-487031-39**

ON SEPTEMBER 9, 1983, A REVIEW OF KANSAS CITY INDICES FAILED  
TO DISCLOSE ANY RECORD RE [REDACTED]

BT

SEP 26 1983

FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- AIRTEL

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- UNCLAS E F T O
- UNCLAS

Date 9/7/83

TO: DIRECTOR, FBI

FROM: *JMY SA* SAC, LOUISVILLE (100A-6966) (RUC)

*D* SHERIFF'S POSSE COMITATUS *D*(SPC);  
 DOMESTIC SECURITY/TERRORISM (DS/T)  
 (OO: Springfield)

*9*

*5/2*

Re Springfield airtel to the Bureau dated 8/12/83.

"Preliminary Investigation" initiated 5/11/83 and extended through 9/10/83.

Referenced communication, dated 8/12/83, set forth information indicating that [redacted] and

[redacted]

[redacted]

On 8/31/83, a review of the indices of the Louisville Division revealed no information identifiable with [redacted] including possible affiliation with the SPC or similar group.

*100-487031-40*

- D* - Bureau
- 2 - Springfield
- 1 - Louisville

12 SEP 9 1983

(5)

Approved: \_\_\_\_\_

*CCFSJ/90*

Transmitted \_\_\_\_\_

(Number)

(Time)

Per \_\_\_\_\_

[redacted]

LS 100A-6966

No additional investigation is contemplated by Louisville Division and captioned matter is being RUC'd to the Springfield Division.

SI0009

FM HQ DN KC LS MN

DE SI

P 302133Z AUG 83

FM SPRINGFIELD (100A-14593) (P)

TO DIRECTOR PRIORITY

DENVER PRIORITY

KANSAS CITY PRIORITY

LOUISVILLE PRIORITY

MINNEAPOLIS PRIORITY

PITTSBURGH PRIORITY

BT

UNCLAS

RECEIVED  
TELETYPE UNIT

40 AUG 83 21 52z

FEDERAL BUREAU  
OF INVESTIGATION

Exec AD-Adm.	
Exec AD-Inv.	
Exec AD-LES	
Asst. Dir.:	
Adm.	
Crim. Inv.	
Ident.	
Insp.	
Intell.	
Laboratory	
Legal Coun.	
Off. of Cong. & Public Affs.	
Rec. Mgmt.	
Tech. Servs.	
Training	
Telephone Rm.	
Director's Sec'y	

① SHERIFF'S POSSE COMITATUS (SPC); DOMESTIC SECURITY/TERRORISM (DS/T);

OO: SPRINGFIELD

PRELIMINARY INQUIRY INITIATED MAY 11, 1983, EXTENDED TO SEPT. 10, 1983.

**100 - 487031-41**

RE BUREAU TELETYPE, AUG. 23, 1983. (NO COPY TO MINNEAPOLIS)

BUREAU AUTHORITY IS REQUESTED TO CONTINUE THIS PRELIMINARY INQUIRY FOR AN ADDITIONAL 30 DAYS, TO ALLOW SUFFICIENT TIME FOR COVERAGE OF PREVIOUSLY SET OUT LEADS, AND TO ALLOW FOR AN EVALUATION

12 SEP 9 1983

sent teletype to SI, DN, KC, LS, MP, PG, dated 9/6/83,

6 OCT 1983

PAGE TWO SI 100A-1 93 UNCLAS

TO BE MADE AS TO WHETHER A FULL INVESTIGATION IS WARRANTED IN THIS MATTER.

REQUEST OF THE BUREAU: AUTHORIZE A 30 DAY CONTINUANCE OF THIS PRELIMINARY INQUIRY.

RECEIVING OFFICES ARE REQUESTED TO COVER PREVIOUSLY SET OUT LEADS, HOWEVER, NO INVESTIGATION SHOULD BE CONDUCTED AFTER SEPT. 10, 1983, UNLESS NOTIFICATION IS RECEIVED THAT BUREAU AUTHORIZED AN EXTENSION IN THIS MATTER,

SPRINGFIELD DIVISION, AT CARBONDALE, ILLINOIS: UPON RECEIPT OF INFORMATION THAT ALL LEADS HAVE BEEN COVERED, MAKE AN EVALUATION AS TO WHETHER A FULL INVESTIGATION IS WARRANTED, AND WILL THEN SUBMIT AN LHM TO BUREAU.

BT

100-487031-42  
CHANGED TO  
100-487371-4

JUN 21 1984



100-487031-NR6

FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- AIRTEL

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- UNCLAS E F T O
- UNCLAS

Date: 10/11/83

TO: DIRECTOR, FBI (100-487031)  
(Attention: FBI Laboratory)

FROM: SAC, INDIANAPOLIS (157-8112) (P)

SHERIFF'S POSSE COMITATUS  
DOMESTIC SECURITY

31018C83

OO: Indianapolis

30915040 D UZ

Re Indianapolis airtel to Bureau, 9/9/83, captioned as above.

COPIES AND SPECIMENS RETAINED IN LAB  
Robert LHC - 26141

[REDACTED]

[REDACTED]

REQUEST OF THE BUREAU:

100-487031-43

The FBI Laboratory is requested to examine [REDACTED] for the purpose of determining the type of typewriter used in preparing [REDACTED] and if typewriter identical to typewriter used in preparing [REDACTED]

REPRODUCED ENCL

- 3 - Bureau (Enc. 1)
- 1 - Louisville (Enc. 1) (Info)
- 1 - [REDACTED] (Enc. 1) (Info)
- 2 - Indianapolis

10 OCT 19 1983

Approved: \_\_\_\_\_

Transmitted \_\_\_\_\_

(Number) (Time)

MP 157-8112

The Latent Fingerprint Section, Identification Division, is requested to examine [REDACTED] for latents and thereafter to compare any latents developed with the known prints of [REDACTED] as furnished with referenced communication. Will also compare any latents developed with any prior suspects who have been developed in cases of this nature.

The enclosure should be returned to Indianapolis for retention as evidence.

Information copies of this communication being furnished to Louisville and Portland in view of their investigative interest in this matter.

REPORT  
of the



FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535

1 [REDACTED]

To: SAC, Indianapolis (157-8112)

November 3, 1983

FBI FILE NO. 100-487031

LAB. NO. 31018083 D UZ

Re SHERIFF'S POSSE COMITATUS  
DOMESTIC SECURITY

OO: Indianapolis

Examination requested by: Indianapolis  
Reference: Communication dated October 11, 1983  
Examination requested: Document - Fingerprint  
Specimens received: October 18, 1983

Specimen:

Q4 [REDACTED]

Result of examination:

100-487031-44

Specimen Q4 was searched through the appropriate sections of the Anonymous Letter File without effecting an identification. Copies have been added to this file for future reference.

NOV 4 1983

No indented writing of significance or other identifying characteristics were observed when examining specimen Q4 which would indicate the immediate possible source of this item.

The questioned typewriting appearing upon specimen Q4 resembles the Laboratory standards for an IBM style of type. The questioned typewriting appearing upon specimen Q4 is a different size and style of type than the questioned typewriting appearing upon

(over)

MAILED 6  
NOV 8 1983  
FBI

[REDACTED] (4)  
MAIL ROOM [REDACTED]

[REDACTED]

specimens Q1 through Q3, previously submitted in this case.

Specimen Q4 will be returned separately with the results of the requested latent fingerprint examination. This specimen has been photographed and appropriate copies are being retained.

RECORDED  
10/19/83

FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE

10/18/83

Laboratory Work Sheet

To: SAC, Indianapolis (157-8112)

FBI FILE NO. 100-487031 41

LAB. NO. 31018083 D UZ

Re: SHERIFF'S POSSE COMITATUS  
DOMESTIC SECURITY

YOUR NO.

OO: Indianapolis

Examination by: 

Examination requested by: Indianapolis

Reference: Communication dated October 11, 1983

Examination requested: Document - Fingerprint

Specimens received: October 18, 1983

Specimen:

Q4 

HLF: (P) Q4 should appropriate action ALE w/out I.D.  
Copies added for further reference.

PHYSICALS: (P) No JW sig or other I.D. desc. observed marking  
Q4 indicates immediate possible source from agencies

JW: (H) Q4W by suitable laboratory standards I am safe of type  
Q4W sufficient by copy of Q4 PS

NETAS: 11-1-83

DISSEMINATION: (H) Q4 not ALEF plate 9/24/83  
11-1-83

Q4 47021 R S  
7 7 7 7  
Q4 47021 Q2 P3  
7 7 7  
Q3 S



Examiner's Name [REDACTED]

Date 10/26/83

Lab # 31018083

**Recognition Section:**

1. _____	10. _____	19. _____	28. _____
2. _____	11. _____	20. _____	29. _____
3. _____	12. _____	21. _____	30. _____
4. _____	13. _____	22. _____	31. _____
5. _____	14. _____	23. _____	32. _____
6. _____	15. _____	24. _____	33. _____
7. _____	16. _____	25. _____	34. _____
8. _____	17. _____	26. _____	35. _____
9. _____	18. _____	27. _____	36. _____

**National Fraudulent Check File**

Date Searched	Date Added	
_____	_____	Signature Section
_____	_____	Company Name File
_____	_____	Checkwriter Section - Classified as _____
_____	_____	Gimmick Section
_____	_____	Master Check Section
_____	_____	Counterfeit Travelers Checks
_____	_____	Counterfeit Money Orders
_____	_____	Counterfeit Checks
_____	_____	Altered Travelers Checks
_____	_____	Altered Money Orders
_____	_____	Raised Bank Checks
_____	_____	Checks prepared with False "Certified" Impressions
_____	_____	Checks prepared with Press-On Letters

**Stolen Money Orders & Travelers Checks Section:**

Travelers Checks - Type	# From	To #
_____	_____	_____
_____	_____	_____
_____	_____	_____

Money Orders - Type		
_____	_____	_____
_____	_____	_____
_____	_____	_____

Photographed: \_\_\_\_\_

Date: \_\_\_\_\_

Roll #: \_\_\_\_\_

**Evidence Files Searched**

	Section(s) Searched	Date Searched	Section(s) Added	Date Added
Art				
Bank Robbery Note File				
Motor Vehicle Title				
Anonymous Letter File:	2.12 162B 2.12 262B 2.54 162B 2.54 262B	10/26/83		
Motive	—		Typewriter Information:	
State(s)	—		Elite Type with Pica Spacing (162B, 262B)	
VIP			resembles IBM Elite 72	
Bombing				
Other	ISALF			

**Standards Files Searched**

	Date Searched
Tire Tread	
Shoe Print	
✓ Typewriter	10/26/83
Watermark	
Office Copier	
Safety Paper	
Computer Print Out	

Remarks: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

RECORDED  
10/19/83

FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE

10/18/83

SAC, Indianapolis (157-5112)

FBI FILE NO. 100-487031-49

LAB. NO. 91012083 D UE

SHERIFF'S POSSE COMITATUS  
DOMESTIC SECURITY

YOUR NO.

OO: Indianapolis

Examination by:

Examination requested by: Indianapolis  
Reference: Communication dated October 11, 1983  
Examination requested: Document - Fingerprint  
Specimens received: October 18, 1983

Specimen:

Q4 [REDACTED]

*L.F.P.S. will process return Q4*

*Q4 returned  
to Indianapolis  
with LFPJ  
dated 12/1/83*

[REDACTED] 10-1-83

[REDACTED]

OCT 19 1983



To : DIRECTOR, FBI (100-487031)

Date

10/12/83

From : SAC, SPRINGFIELD (100A-14593) -C-

Subject : SHERIFF'S POSSE COMITATUS (SPC),  
Massac County, Illinois;  
DOMESTIC SECURITY/TERRORISM  
(OO: SI)

PRELIMINARY INQUIRY INITIATED 5/11/83; EXTENDED TO 10/10/83.

Enclosed for the Bureau is the original and four copies of an LHM re captioned matter.

A copy of the enclosed LHM will be disseminated locally to the IRS.

Identities of Sources in LHM

[REDACTED]

[REDACTED]

Review of documents at the Circuit Court of the First Judicial Circuit, Massac County, Illinois, was conducted by [REDACTED]

No information has been developed to indicate any criminal activity has occurred, or is contemplated, in this matter. The three individuals who were reportedly sympathetic to the SPC have been interviewed. All three vehemently deny being members of that group, and disavow the use of violence.

DE-94 100-487031-45

Based on available information, further investigation in this matter does not appear to be justified at this time.

- ② - Bureau (100-487031) (Enc. 5)
- 1 - Springfield (100A-14593)

10 OCT 14 1983

[REDACTED] USSS  
IRS  
TCC 4247

Index DE-94 Hm P13

[REDACTED]



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to  
File No.

Springfield, Illinois

October 12, 1983

SHERIFF'S POSSE COMITATUS (SPC),  
Massac County, Illinois;  
DOMESTIC SECURITY/TERRORISM

Investigation in this matter was predicated upon information provided by a Special Agent of the Criminal Investigative Division, Internal Revenue Service (IRS). The IRS representative received information that

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

100-4-151-45

XXXXXX  
XXXXXX  
XXXXXX

**FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET**

5 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) b7c b7D with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

\_\_\_\_\_ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

For your information: \_\_\_\_\_  
\_\_\_\_\_

The following number is to be used for reference regarding these pages:

FBIHQ 100-487031-45

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XXXXXX

XXXXXXXXXXXXXXXXXXXXX  
X DELETED PAGE(S) X  
X NO DUPLICATION FEE X  
X FOR THIS PAGE X  
XXXXXXXXXXXXXXXXXXXXX

SHERIFF'S POSSE COMITATUS

---

[REDACTED]

[REDACTED]

A public meeting was held at a restaurant in Metropolis, Illinois. The meeting was well advertised in Kentucky and southern Illinois, and open to anyone who wanted to attend. The purpose of the meeting was to inform farmers how to legally protect themselves against foreclosure proceedings. There was no mention of the SPC at the meeting. The main speaker stressed that he was against violence of any kind.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

XXXXXX  
XXXXXX  
XXXXXX

FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

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For your information: \_\_\_\_\_  
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The following number is to be used for reference regarding these pages:

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X NO DUPLICATION FEE X  
X FOR THIS PAGE X  
XXXXXXXXXXXXXXXXXXXXX

100-487031-46  
CHANGED TO  
100-487371-5

JUN 21 1964



100-487031-NR7

TRANSMIT

PRECEDENCE

CLASSIFICATION

Immediate

TOP SECRET

Priority

SECRET

Routine

CONFIDENTIAL

DIRECTOR

SUPERVISOR

SAC, NEW ORLEANS

SHERIFF'S POSSE COMITATUS

DOMESTIC SECURITY - TERRORISM

NEW ORLEANS

The Bureau teletype to all field divisions dated 5/29/83 and Bureau airtel and LHM to all SAC's dated 5/3/83.

Enclosed for the Bureau are the original and five copies of a self-explanatory LHM regarding captioned matter.

Information contained herein pertaining to a group of individuals at Lafayette, Louisiana, possibly using the organizational name of Sheriff's Posse Comitatus, was volunteered to New Orleans Division.

The New Orleans Division has not opened an investigation on this organization.

The Bureau is requested to review the information contained in enclosure and determine if the individuals described therein appear to be affiliated with the loosely knit national organization known as the Sheriff's Posse Comitatus and whether investigation is warranted to attempt to more fully identify those persons and the local organization as a potential for violence, as described in the Attorney General Guidelines for Domestic Security Terrorism Investigations.

15/100-487031-46X

12 OCT 31 1983

2 - Bureau (Enc. 5)  
2 - New Orleans

ENCLOSURE

Approved:

Transmitted

(Number)

(Time)

64 JAN 3 1984

XXXXXX  
XXXXXX  
XXXXXX

FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

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For your information: \_\_\_\_\_  
\_\_\_\_\_

The following number is to be used for reference regarding these pages:  
FBIHQ 100-487031-46X

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XXXXXX  
XXXXXX

XXXXXXXXXXXXXXXXXXXXX  
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X NO DUPLICATION FEE X  
X FOR THIS PAGE X  
XXXXXXXXXXXXXXXXXXXXX

SHERIFF'S POSSE COMITATUS

ATTACHMENTS

Attached to this letterhead memorandum are copies of the various letters and police and court documents pertaining to the individuals at Lafayette, Louisiana, thought to possibly be members of a group called Sheriff's Posse Comitatus.

XXXXXX  
XXXXXX  
XXXXXX

FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

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For your information: \_\_\_\_\_  
\_\_\_\_\_

The following number is to be used for reference regarding these pages:

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X DELETED PAGE(S) X  
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X FOR THIS PAGE X  
XXXXXXXXXXXXXXXXXXXXX

VOW OF POVERTY

I Robert Kaltenbach, residing at 225 W Bayou Pkwy. Lafayette, Louisiana 70503, Parish of Lafayette, being unable to acquire LAWFUL MONEY, and having none, voluntarily state the following:

That regarding the Coinage Act of 1792, later Coinage Acts, including the Bland Allison Act of 1878, and most specifically the Constitution of the United States of America I am unable to own or possess any Lawful money of the United States.

Being thus unable to possess or own any Lawful money, and having none in my pockets or in any of my other possessions at the time of signing this Oath, I must declare to one and all the Public at large, that I am a pauper.

I do hereby declare for my religious beliefs and for the principles of my own character that I must save myself the worry and fret of a dishonest character.

No Lawful money is owed to me now, nor do I expect to inherit any Lawful money now or in the future.

I AM A PAUPER.

Dated May 17, 1983

*Robert Kaltenbach*  
-SEAL-

Robert Kaltenbach

STATE OF LOUISIANA )

) SS

PARISH OF LAFAYETTE )

Subscribed and Sworn to before me this 17 day of May, 1983

My Commission expires *at death*

*Louis R. [Signature]*  
NOTARY PUBLIC

FILED THIS 20  
1983  
CLERK OF CREW COURT

CITY COURT OF LAFAYETTE

CITY OF LAFAYETTE

STATE OF LOUISIANA

CASE NO. ACT 83-108340

THE PEOPLE OF THE )  
STATE OF LOUISIANA )  
Plaintiff )

vs. )

ROBERT KALTENBACH )

Defendant )

MOTION TO WAIVE JURY FEE

AND

AFFIDAVIT TO SO WAIVE

COMES NOW the Defendant and respectfully requests the Court to waive the Jury fee on the account of the Defendant's inability to pay the fee involved.

The sum total wages, salaries, tips and other compensation received for the entire year of 1982 to the present time, I have received less than \$750.00. I have received no other income in either the forms of wages, dividends or interest.

The sum total of my personal property and worth does not even come close to making me able to pay the fee involved, because nothing can be sold which would effect lawful payment for any value tendered up, and I do hereby certify to have taken a Vow of Poverty, a copy of which is attached and made a part hereof.

I swear by the Ever Living God that the foregoing is true, complete and correct to the best of my knowledge, so help me God.

Further Affiant Sayeth Not.

Signed

Robert Kaltenbach  
Robert Kaltenbach

Filed This 20 Day  
of June 1983  
Shirley L. White  
CLERK OF CITY COURT

STATE OF )  
LOUISIANA ) ss

PARISH OF )  
LAFAYETTE )

Subscribed and Sworn to before me this 17 day of May 1983.

My Commission expires a<sup>d</sup> ditto

Annis R. ...  
NOTARY PUBLIC

CITY COURT OF LAFAYETTE  
CITY OF LAFAYETTE  
STATE OF LOUISIANA

CASE NO. LCT 83-108340

THE PEOPLE OF THE STATE )  
OF LOUISIANA )

Plaintiff )

vs. )

ROBERT KALTENBACH )

Defendant )

NOTICE OF SPECIAL  
CONTINUING APPEARANCE

I hereby appear specially and not generally and assert all of my rights as secured by Magna Charta, The Bill of Rights of 1689, The Declaration of Resolves of the First Continental Congress of October 14, 1774, The Declaration of Causes and Necessity of Taking up Arms of 1775, The Declaration of Independence, The Articles of Confederation, The Treaty of Peace with Great Britain of 1783, The Northwest Ordinance of 1789, The Constitution of the United States, and more particularly the Sixth Article of the Bill of Rights, the 14th Amendment and the Constitution and Law of this State not inconsistent with any of the foregoing.

I respectfully object to the jurisdiction and/or authority of this Court both over the subject matter and/or my person, and I do hereby refuse to enter any plea.

I DEMAND ALL OF MY RIGHTS, AND I DO NOT WAIVE ANY OF THEM! I therefore demand my right to enjoy a trial by jury of 12 empaneled to decide the law, facts and admissability of evidence as constituted by Common Law, and the right to counsel of my choice.

Dated May 17, 1983

Respectfully Submitted

*Robert Kaltenbach*  
Robert Kaltenbach

CITY COURT OF LAFAYETTE

Pro Se Litigant

CITY COURT OF LAFAYETTE

CITY OF LAFAYETTE

STATE OF LOUISIANA

CASE NO. LCT 83-108340

THE PEOPLE OF THE STATE  
OF LOUISIANA                      Plaintiff

VS

ROBERT KALTENBACH

Defendant

NOTICE OF ASSISTANCE

OF COUNSEL

COMES NOW the Defendant specially and not generally herein to ask this Court to take Judicial Notice of his right to counsel or co-counsel of his choice, and that Defendant shall exercise such right freely.

The Constitutional right and guarantee to Assistance of Counsel is not qualified to only someone who has received a license from some supreme court or other authority. To Wit:

"In all criminal prosecutions, the accused shall enjoy the right ... to have the Assistance of Counsel for his defense."

Sixth Article of the Bill of Rights

Since the United States Constitution was ordained and established by the People, for their protection, and since it may not be superceded or amended by any act of Congress or by any other "laws," even of this State, this Defendant is going to exercise such right, and will choose either counsel or co-counsel or both to help him with his defense.

Defendant further asks this Court to take Judicial Notice of the language of the Sixth Amendment quoted above, as it is very precise, and the men who were responsible for its form were learned in the Law, in fact many of them were lawyers. Therefore, the conspicuous lack of the word, "attorney," is notable, indeed!

While the Bill of Rights was being debated and argued, the

FILED THIS 220  
at Worcester 1983  
St. Louis  
CLERK OF CITY COURT

same members of Congress were in the process of passing the First Judiciary Act of September 24, 1789. Please also notice, that ON THE VERY SAME DAY THE PRESIDENT SIGNED THIS BILL, that the House and Senate finally came to an agreement on the "express and explicit language and form" of the Sixth Amendment which was quoted above! In re, Williams v Florida 90 S Ct 1893, 1904 (1970). Please take further notice, the Sixth Amendment wasn't ratified until after the Judiciary Act, or until December 15, 1791!

Therefore, it is abundantly clear that the 'explicit language and form' of the First Judiciary Act was and is today the meaning of the Sixth Amendment. To Wit:

"Sec. 35. And be it further enacted, That in all the courts of the United States, the parties may plead and manage their own causes personally OR by the assistance of such counsel OR attorneys at law as by the rules of the said courts respectively shall be permitted to manage and conduct causes therein."

FIRST CONGRESS. Session I, Chapter 20, pg 92

(See, also, section 30 pg 89 "... not being of counsel OR attorney to either of the parties ..."

Further authorities continue to shine the examples which are to be followed. To Wit:

"The intention of the lawmaker constitutes the law."  
Stewart v Kahn, 11 Wall, 78 US 493, 504.

and,

"As the meaning of the lawmaker is the law, so the meaning of the contracting parties is the agreement."  
Whitney v Wyman, 11 Otto, 101 US

As it regards reference to the Sixth Amendment and the supremacy clause of Defendant's absolute right to Assistance of Counsel there are the following:

"The fundamental right of accused to representation by counsel must not be denied or unreasonably restricted."  
Polidexter v State, 183 Tenn 193, 191 SW 2d 445

"While the Constitution guarantees to a defendant in a criminal case the right to be heard by counsel, it also allows him to be heard "by himself," and where he elects to appear for himself rather than by an attorney he cannot be compelled to employ counsel, or to accept services of counsel assigned by the court."  
People v Shapiro, 188 Misc 363, 67 NYS 2d 774

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elled to accept assigned counsel, he nevertheless has a fundamental right to choose counsel from anyone of his choice, because;

"The right of counsel is not formal but substantial."  
Snell v U.S., (CA 10), 174 F 2d 580; U. S. ex rel.  
Mitchell v Thompson, (DC-NY), 56 F Supp 683;  
Johnson v U.S., 71 App DC 400, 110 F 2d 562

This Defendant claims the right to Assistance of Counsel as imperative, necessary, essential and the prerequisite to a proper defense, as certain of his life, liberty and property have been endangered by the fruitful, however, unLawful restraint of said Defendant. The right to Assistance of Counsel may not be limited to any condition, because;

"... it is one of the fundamental rights of life and liberty."  
Robinson v Johnson, (DC-Cal), 50 F Supp 774

and finally,

"The right to the effective assistance of counsel in a criminal proceeding guaranteed by this amendment is a basic and fundamental right secured to every person by the Due Process Clause of the Fourteenth Amendment.  
Amrine v Tines, (CCA 10), 131 F 2d 827

WHEREFORE: Defendant asks this Court to take notice of the above authorities and his intentions. Inasmuch as such was once well known to be the right of the People, this Defendant here and now asserts it and takes it back. No governmental entity was ever properly given power or authority to take such a right away!

WHEREFORE: Defendant asks this Court to take notice of the above authorities and his intentions. Inasmuch as Defendant believes he cannot receive proper, fair, effective and conscientious representation from a bar member, because it has become apparent to Defendant they neither care to understand nor defend Christian Common Law nor that which they have sworn to uphold -- the Constitution of the United States, and therefore this Defendant's rights as secured thereby. Thus Defendant may very well refrain from using or be forced to use against his will a "licensed lawyer."

Dated May 17, 1983

Respectfully Submitted,

Filed This 20 th  
of 1983 10  
1983

*Robert Kallenbach*  
Robert Kallenbach

Pro Se Litigant



THE PEOPLE OF THE STATE  
OF LOUISIANA

CITY COURT OF LAFAYETTE

VERSUS

CASE NO. LGT 83-10834

ROBERT KALTENBACH

CITY OF LAFAYETTE, LOUISIANA

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NOTION TO DISMISS FOR LACK OF AUTHORITY AND OR JURISDICTION

COMES NOW the Defendant to question and challenge this Court's authority and/or jurisdiction over all of the subject matter and over his person or property, and to enter this motion to dismiss with prejudice on the following grounds:

STATEMENT AND INTRODUCTION

The alleged Defendant believes that this Court cannot maintain jurisdiction over him in a case where it appears that the Plaintiff is non-existent, for if the matter is as herein alleged, then there is, in fact, no case for the Court to take jurisdiction of.

The question and challenge raised herein is whether or not the City of Lafayette actually exists, or if it has been functioning illegally under a scheme which is actually unconstitutional.

Alleged Defendant wishes to show that the City of Lafayette admit its need for a Republican form of government, but that the alleged Entities exercises an entirely different form. It is thus hindered to a fault and it should be considered improper to further detain or harass the alleged Defendant.

The alleged Defendant asks the Court to take Judicial Notice that parishes, cities, and government entities are true sub-divisions of, and adjunct to the State government. Alleged Defendant will show that there are necessary, good and legal reasons for any of our forms of government to be separately powered, and proof will follow to show that the City of Lafayette, to a fault, is not exercising the only legal FORM of government allowed in the United States.

FILED 11th  
BY Julie  
Blanche T. [unclear]

In our Declaration of Independence, one of the reasons Jefferson reviled King George III was,

"For...altering fundamentally the forms of our governments:"

It is to this end that the alleged government operates in such a manner as to deprive the alleged Defendant of his right to a Republican form of government.

ARGUMENT

If alleged Plaintiff, City of Lafayette, is not the entity it purports itself to be, it cannot be Plaintiff as set forth in this action, and the Court is without jurisdiction to act.

A Republican form of government is guaranteed to every State in the Union by the Law of the Land. Article IV, sec. 4, United States Constitution.

"The United States shall guarantee to every state in this union a republican form of government,"

This State has acclaimed, declared and utilized as its form of government the same as is required by the United States to become a State of the Union.

Under the Act for the admission of this State into the Union it is stated:

The Enabling Act passed by the Congress of the United States requires that government for the State of Louisiana to be republican in form,...and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. Louisiana Constitution Enabling Act.

TO THE QUESTION: What form of government is the State supposed to have?

ANSWER: We only have need to turn to its Constitution, except as otherwise provided by this Constitution, not one of these branches nor any person holding office in one of them, shall exercise power belonging to either of the other. Louisiana Constitution Article II, Distribution of Powers.

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of July 18 83  
E. J. White

Should the State ever cease to have this form of government, it follows that it would cease to be a State of the United States, immediately, and at that very point in time! It must be so, since this was the basis of its admission as one of the States of the Union.

TO THE QUESTION: Is the alleged City of Lafayette adjunct to, or a legal sub-division of the State?

ANSWER: Alleged Defendant asks the Court to take judicial notice of the fact that cities are sub-divisions of the State.

"In its public character a municipal corporation acts as an arm of the sovereignty of the state created for the convenient administration of the government."  
Commonwealth v. Walker, 156A 340; 305 Pa. 31.

Speaking of municipal corporation 62. Cor. Jur. Sec., sec 110 (pgs. 243 - 244) it is pointed out that it exercises government functions and powers of the state.

Since the State can only have a Republican form of government itself, it can only give a Republican form of government to its sub-divisions, because the State can only give that which it has to give! It is an inescapable fact, the State cannot give what it does not have!

TO THE QUESTION: (1) What constitutes a Republican form of government and (2) Does the alleged City of Lafayette have one?

ANSWER: An examination of the basis of Republican form of government will show that two major components have been recognized by the courts and established Constitutional authorities alike to be, (1) the separation of powers doctrine, and (2) elective representation.

In O'Donoghue v. U.S., 289 US 516, 77 L Ed 1356, 53 S Ct 740, the separation of powers doctrine has been referred to as one of the chief merits of the American system of written constitutions. And, in Tucker v. State, 218 Ind 614, 35 NE 2d 270, it is stated and declared that the division of governmental powers into executive, legislative and judicial branches, represents probably the most important principle of government, declaring and guaranteeing the liberties of the people! It is declared to be essential to the maintenance of a republican form of government!

Filed This 11/4 1953  
at Chicago Ill.  
R. D. ...