

# MILITARY LAW TASK FORCE

## NLG MLTF STATEMENT ON DOMESTIC MISUSE OF THE MILITARY

The Military Law Task Force opposes the Trump administration's misuse of the military, with 2,000+ National Guard personnel ordered into the current illegal occupation of Washington, D.C. and explicit plans to expand the occupation to other cities.



The President's August 11 executive order to "clean up and beautify" the nation's capital, which included calling in the Guard, is illegal. Mark Joseph Stern writes at *Slate*, "Although the president [likes to tout](#) his prerogative to "take over" the District, he has no such freestanding right. The Constitution awards Congress—not the executive branch—the power to "exercise exclusive legislation in all cases whatsoever" over D.C. In 1973 the legislative body exercised that authority by passing the [Home Rule Act](#), which handed District residents far greater control over their own government." This use of the military to "aid" local law enforcement is temporary for now but can be seen as a precursor to possible full martial law if Congress and the Courts do not intervene to stop it.

We oppose how Secretary of Defense Hegseth is turning [Northern Command into the president's militia](#), and re- [designating](#) servicemembers' duty status from Title 10 to Title 32 thus allowing them to participate in law enforcement activities.

We decry the normalization of this occupation, with [the New York Times describing](#) "National Guard troops, wearing camouflage uniforms and protective vests, are patrolling the paths along the National Mall," who occasionally detain someone who "the authorities say assaulted a U.S. Park Police officer" after "an altercation." So far, no servicemembers have been publicly involved in such altercations, which have included [violent harassment and beatings of civilians by multiple federal agents](#), but serve officially as backup when officers face someone fighting back. And it's not just the D.C. Guard, which is directed by the President, but troops from other states including West Virginia, Ohio, South Carolina, Mississippi, Louisiana, and Tennessee.

It doesn't all stop in D.C., as [Trump made clear](#): "We have other cities also that are bad. Very bad. You look at Chicago, how bad it is. You look at Los Angeles, how bad it is. We have other cities that are very bad. New York has a problem. And then, of course, you have Baltimore and Oakland. You don't even mention them anymore; they're so far gone." The racism in the military Commander-in-Chief's framing has been [widely noticed](#), with the Los Angeles ACLU [telling the Associated Press](#): "We've seen before how federal control of the D.C. National Guard and police can lead to abuse, intimidation and civil rights violations — from military helicopters swooping over peaceful racial justice protesters in 2020 to the unchecked conduct of federal officers who

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remain shielded from full accountability.” MLTF sees clear violations of the Fourteenth Amendment in such plans, as well as in the destruction of encampments for unsheltered people.

But there is cause for hope. That August 11 Executive Order empowers Hegseth to “coordinate with governors of states and authorize the orders of any additional members of the National Guard to active service, as he deems necessary and appropriate.” But such “coordination” is not automatic; the governor of Vermont refused to send his state’s National Guard to D.C, having already refused last month to order them to work in support of ICE operations. MLTF is tracking the ongoing litigation in Los Angeles and D.C., and noting the organizing already going on around the proposed use of military bases like Fort Dix for immigrant detention.

Nonetheless, the need for outreach to Guard and Reserve members is clear: MLTF will work with partners like [About Face Veterans](#), the [Chamberlain Network](#), and [Do Not Turn on Us](#) to reach them amid these unprecedented domestic deployments. As MLTF Chair Jeff Lake states, “The MLTF will stand with military resisters and provide all the assistance we can until these unlawful occupations end.”