

NLG RESOLUTION ON DOMESTIC MISUSE OF THE MILITARY

WHEREAS the Trump administration is now misusing the military within the United States, with 2000 National Guard personnel conscripted into the current illegal occupation of Washington, D.C., and with explicit plans to expand the occupation to other cities;

WHEREAS the deployment of National Guard and other military personnel to quell mass mobilizations and civil unrest in the United States is a violation of the Posse Comitatus Act and an infringement of people's Constitutional rights;

WHEREAS the President's August 11 executive order to "clean up and beautify" the nation's capital, which included calling in the Guard can be seen as a precursor to possible full martial law if Congress and the Courts do not intervene to stop it;

WHEREAS the President's August 25, 2025, executive order, [Additional Measures to Address the Crime Emergency in the District of Columbia – The White House](#), states among other things:

"The Secretary of Defense shall immediately begin ensuring that each State's Army National Guard and Air National Guard are resourced, trained, organized, and available to assist Federal, State, and local law enforcement in quelling civil disturbances and ensuring the public safety and order whenever the circumstances necessitate, as appropriate under law. In coordination with the respective adjutants general, the Secretary of Defense shall designate an appropriate number of each State's trained National Guard members to be reasonably available for rapid mobilization for such purposes. In addition, the Secretary of Defense shall ensure the availability of a standing National Guard quick reaction force that shall be resourced, trained, and available for rapid nationwide deployment,"

WHEREAS this order creates the basis for widespread and illegal domestic use of the National Guard and active military forces;

WHEREAS Secretary of War 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;

WHEREAS [Trump has made clear](#) his intention to make such occupations national, stating "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" ;

WHEREAS the occupations violate the Fourteenth Amendment, with the destruction of encampments for unsheltered people and Trump saying, "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," And 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 remain shielded from full accountability;”

WHEREAS the New York Times describes “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” but serve officially as backup when officers face someone fighting back;

WHEREAS the occupation of Washington, DC, now includes troops from other states including West Virginia, Ohio, South Carolina, Mississippi, Louisiana, and Tennessee;

WHEREAS the August 11 executive order empowers Secretary of War 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;

WHEREAS there is already significant resistance underway, including ongoing litigation in Los Angeles and D.C. and organizing nationwide, including around the proposed use of the National Guard in Chicago;

WHEREAS NLG’s Military Law Task Force is already working with partners like [About Face Veterans](#) against War Veterans for Peace, the [Chamberlain Network](#), and [Do Not Turn on Us](#) to reach National Guard personnel amid these unprecedented domestic deployments;

BE IT THEREFORE RESOLVED: The National Lawyers Guild opposes the illegal military occupations of American cities and the misuse of National Guard and other military personnel for these purposes.

AND BE IT FURTHER RESOLVED: The National Lawyers Guild pledges to support resistance efforts by National Guard and military personnel and by civilians through legal support.

IMPLEMENTATION: Military Law Task Force

SPONSOR: Military Law Task Force, Kathleen Gilberd, Executive Director: mltf@nlgmltf.org; (619) 463-2369

ENDORSERS: NLG International Committee; NLG Mass Defense Committee