

# Evaluations of Urban Sovereign Citizens' Competency to Stand Trial

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There are few studies of sovereign citizens undergoing competency-to-stand-trial evaluations and little has been written about African-American or urban sovereign citizens. In this study, we examined competency-to-stand-trial reports of 36 New York City defendants who declared themselves to be sovereign citizens during their evaluations. All were men and 33 were African American. The majority denied recent or remote histories of psychiatric hospitalizations or substance use. Sixty-nine percent were deemed competent. Compared with those deemed competent, those deemed not competent were significantly more likely to have diagnosed psychotic disorders and to have reported histories of psychiatric hospitalizations. The 36 who declared themselves sovereign citizens were compared with 200 who did not, from a study conducted in the same forensic clinic. The sovereign citizens were significantly more likely to be male, African American, and high school graduates and were significantly less likely to report a history of psychiatric hospitalization or substance use. Compared with the nonsovereign citizens, they were less likely to receive a diagnosis of psychotic or mood disorders during the competency evaluation and were more likely to be deemed competent. Included are suggestions to assist forensic examiners conducting evaluations of these difficult cases.

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Defendants who claim to be sovereign citizens, or those who espouse sovereign citizen beliefs, present unique challenges for the criminal justice system. Their insistence that the criminal justice system has no jurisdiction over them challenges the legitimacy of the federal or state government. They often refuse to cooperate with legal proceedings or work collaboratively with their attorneys. When arrested, these individuals often express unusual beliefs that, on the surface, may appear to be delusional. Their eccentric views and sometimes disruptive behaviors can lead judges to order competency-to-stand-trial (CST) evaluations. In the present study, we gathered data on the psychiatric, psychological, and psychosocial characteristics of 36 New York City defendants who raised questions of sovereign citizenship during their CST evaluations. Our objectives were to add to the

understanding of this understudied population and to compare these urban, primarily African-American sovereign citizens with those described in the literature and other psychiatric studies.<sup>1,2</sup> This article provides suggestions to assist forensic examiners, defense attorneys, prosecutors, and judges in understanding and managing these difficult cases.

The current legal standard for CST, adopted by almost every jurisdiction in the United States, is based on the case of *Dusky v. United States*, 362 U.S. 402 (1960).<sup>3</sup> The Supreme Court held:

It is not enough for the district judge to find that “the defendant is oriented to time and place and has some recollection of events”, but that the test must be whether he has sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding—and whether he has a rational as well as factual understanding of the proceedings against him [Ref. 3, p 402].

We found two studies of sovereign citizens undergoing CST evaluations. Parker<sup>1</sup> described a group of nine sovereign citizens that he evaluated between 2001 and 2012 in Marion County, IN. The defendants included eight men and one woman, with a mean age of 39. Sixty-seven percent were African American. All came from an urban county and had either graduated from high school or completed a GED. With regard to their mental status, one had recurrent depression, one had a delusional disorder,

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and three had substance use disorders; one had no psychiatric diagnosis. Three of the nine refused to be interviewed. All either pleaded guilty or were found guilty of one or more of the charges they faced.

In a separate publication, Pytyck and Chaimowitz<sup>2</sup> described two competency evaluations of sovereign citizens, but gave no information about ethnic background. Neither defendant had a history of inpatient psychiatric treatment. One defendant was a 47-year-old man who was admitted to a forensic psychiatry unit and prescribed risperidone with little effect on his odd and paranoid beliefs. After a period of treatment, he was found competent. The second case involved a 50-year-old woman who also expressed odd ideas but was found competent to proceed.

Although the term “sovereign citizen” refers to a wide variety of groups and individuals, there is a core set of beliefs that most share. They believe antigovernment conspiracy theories that promote the proposition that U.S., state, and sometimes local governments are not legitimate. Many make this claim based on curious and implausible interpretations of legitimate legal documents and actions such as the U.S. Constitution, the 14th Amendment, the repeal of the gold standard, and the creation of the Federal Reserve Bank and a paper currency. Although sovereign citizens often claim that the only law they recognize is the Common Law that is based on judicial decisions and precedents, they ironically refuse to accept the authority of the courts where those laws have been developed. Sovereign citizens defend their adherence to these seemingly contradictory beliefs by claiming that the illegitimate government now controls the courts and the practice of law. Hence, sovereign citizens often do not recognize any lawyer who has passed the bar, because, in their view, that implies a connection and loyalty to the government.<sup>4–9</sup>

Sovereign citizens often assert that secret U.S. Treasury or “strawman” accounts were created for all citizens when the U.S. currency was taken off the gold standard. Many claim that names written in all capital letters do not refer to the “flesh and blood” or “natural” person but to this strawman “corporation” which was formed for them, at birth, by the creation of a birth certificate (a governmental requirement). They often believe that the strawman corporation is endowed with a large sum of money (some say \$600,000, others say over \$3 million) that is used as collateral for foreign investors or to pay foreign debt.

The collateral is based on the expected earnings, through taxes, over the lifetime of the “natural” person. Any bills the sovereign citizen is expected to pay can be drawn against this account by simply writing the words “accepted for value” (meaning they acknowledge the legitimacy of the bill) on the bill and sending it back to the company who sent it.<sup>4–9</sup>

Sovereign citizens often claim they are unburdened by the responsibilities of citizenship such as paying taxes or having a driver’s license. Many insist that they have an inalienable or “God given” right to travel and so do not believe they break any law when they use counterfeit license plates or fabricated drivers’ licenses. They also use other forms of counterfeit documentation, such as insurance cards, passports or identification cards. Some have gone so far as to print their own money.

Many individuals learn about sovereign citizenship through websites and community meetings, whereas others first become aware when detained in jail or incarcerated in prison. Some sovereign citizens are lone adopters, but others belong to loosely organized groups. Some join cohesive antigovernment “militia” or “patriot” movement groups (e.g., Montana Freemen). The Southern Poverty Law Center (SPLC), a civil rights organization that monitors extremist and hate groups, describes the growth of the movement as explosive and estimates the involvement of about 300,000 Americans in these groups in 2016.<sup>8,9</sup> The FBI has named them the number one domestic threat to the United States.<sup>10</sup>

The sovereign citizen movement is an outgrowth of a group called the Posse Comitatus, a far right, white supremacist group begun in the late 1960s that espouses anti-Semitic and racist beliefs. Its members view themselves as the true Israelites and believe that God gave the United States to the white man. Their anti-Semitic views include conspiracy theories that, for instance, Jews control the banks and the government. The sovereign citizen movement is also associated with other fringe groups such as the Patriot, Tax Protest, and Christian Identity movements.<sup>4–9</sup>

When arrested, sovereign citizens typically claim that they are not subject to the laws of the United States government and may insist instead that their cases should be adjudicated under Admiralty or Commercial Law (regulatory laws dealing with commerce). During court proceedings, sovereign citizens base their assertions on varied interpretations of legislative acts, such as the Uniform Commercial Code,

the 1933 Emergency Banking Act, the Federal Reserve Act, and the 1934 Gold Reserve Act, which suspended the gold standard. Furthermore, some also cite specious interpretations of the United States Constitution, employ the use of archaic legal terms or refer to themselves as “constitutionalists,” “freemen,” or “patriots.”<sup>4,5</sup> If they believe names written in all capital letters do not refer to the “flesh and blood” person, they may insist that, because their “proper” name was not used on court documents, the charges are invalid.<sup>4–9</sup>

Sovereign citizens come into contact with the criminal justice system for various reasons. They may refuse to pay taxes, file false liens on properties, or attempt to withdraw money from “strawman” accounts. Some are discovered to be carrying a fake driver’s license during routine traffic stops. Although many sovereign citizen beliefs are seemingly harmless (e.g., insisting his or her name has been copyrighted), others behave in illegal ways that are injurious to others (e.g., filing legal albeit bogus liens). They may conduct “paper terrorism” by filing frivolous lawsuits or massive numbers of court documents that specifically target government officials. Some defendants have even taken out liens on property owned by court personnel. Each state has its own laws concerning liens and notarized documents. Notaries, who are often not required to ensure the legitimacy of what is asserted in a document, can thus seemingly legitimize bogus liens and claims. In these situations, court personnel have expended a great deal of time and effort to get these liens dismissed.<sup>4–9</sup> The legalities of these types of cases are described in greater depth by Slater<sup>11</sup> and Weir.<sup>12</sup> Slater examined 548 sovereign citizen cases which took place between April 2006 and April 2016. He found that 93 percent lost, 2 percent were transferred to other courts, 4 percent achieved partial success, and 1 percent were successful. Two individuals were given sanctions or fines. Weir described the sovereign citizen movement through an in-depth commentary about a tax fraud case in Oregon.

In more extreme cases sovereign citizens may form armed militias.<sup>8,9,13</sup> Terry Nichols, one of the bombers of the Oklahoma City Federal Building, identified himself as a sovereign citizen.<sup>13</sup> Most of what has been written about sovereign citizens describes high-profile, and often violent, white individuals and militia groups in the Southwest, Northwest, and Midwest.<sup>4–9,13</sup> Most of the individuals in these

groups claim to be white Christians. Nonwhite sovereign citizens (African-American, Hispanic, Native American, and Asian) have received some attention in newspapers and magazine articles and in nonpsychiatric publications,<sup>14–16</sup> but there is little in the psychiatric literature about these populations.

## Methods

This was a retrospective review of CST reports. The CST evaluations were conducted over a nine-year period (2007 to 2016) at the Kings County Hospital Forensic Psychiatry Service of Brooklyn, New York. To identify sovereign citizen cases, we conducted an electronic search of approximately two thousand archived computer files and identified 36 sovereign citizen defendants. The search was conducted using the following words: sovereign, sovereignty, admiralty, treasury, free mason, Uniform Commercial Code (UCC), and commerce. Because some of the evaluating clinicians did not save their reports in electronic form, it is probable that some sovereign citizen cases evaluated at the clinic were not identified for this study.

We hypothesized that, among the defendants evaluated at the Kings County Hospital Forensic Psychiatry Service, the sovereign citizens diagnosed with psychotic disorders would be more likely deemed not competent compared with those not diagnosed with a psychotic disorder. We further hypothesized that, compared with the nonsovereign citizens, the sovereign citizens would be less likely to report a history of psychiatric hospitalization or to receive a diagnosis of a psychotic disorder. They would be more likely to be deemed competent to proceed.

The clinicians evaluated pretrial defendants referred from the Criminal and Supreme Courts of Brooklyn, New York. New York State requires that two examiners evaluate a defendant. If the two examiners disagree about CST, a third examiner evaluates the defendant. Examiners submit independent reports to court. The reports on one case omitted the finding on competency. In most cases, both examiners’ reports were available for review; however, in six cases, 1 of the reports was not available at the time of data collection, so 66 reports were reviewed. The examiners came to the same decision regarding competency to proceed in the 35 cases.

The examiners used semistructured clinical interviews to gather psychosocial information, assess psychiatric symptoms, complete a mental status exami-

**Table 1** Comparison of Competent and Not Competent Sovereign Citizens

	Competent ( <i>n</i> = 24) (%)	Not Competent ( <i>n</i> = 11) (%)	$\chi^2$	<i>p</i>
History of psychiatric hospitalization	3/24 (13)	5/11 (45)	4.646	.031*
Primary diagnosis				
Psychotic disorder	2/24 (8)	8/11 (73)	15.326	.000**
Mood disorder	4/24 (17)	2/11 (18)	.012	.912
Substance use history	8/24 (33)	3/11 (27)	.129	.720
No psychiatric diagnosis	12/24 (50)	1/11 (9)	5.407	.020*
Legal charges				
Felony offense	14/24 (58)	7/11 (64)	.088	.766

*N* = 35. Includes information on 35 of the 36 sovereign citizen defendants because the reports on one case omitted the finding on competency. Percentages do not equal 100. Each percentage is the ratio of the group under consideration to the total number of competent or not competent sovereign citizens.

\* *p* ≤ .05.

\*\* *p* ≤ .01.

nation, and determine whether defendants met legal criteria for CST.<sup>3,17</sup> Most defendants were not administered any formal diagnostic or psychological tests. Psychiatric diagnoses were based on clinical interview and a review of all available hospital and legal records.

For defendants diagnosed with multiple psychiatric conditions, primary diagnoses were coded in order of severity: first psychotic disorders, then mood disorders, then other DSM-IV-TR<sup>18</sup> or DSM-V<sup>19</sup> disorders. Cases were also coded into two categories: those diagnosed with a psychotic disorder or not and those diagnosed with a mood disorder or not. A defendant was categorized as having a psychotic disorder or a mood disorder if either of the two examiners diagnosed the disorders. The category of psychotic disorder included those with a diagnosis of schizophrenia, delusional disorder, or psychosis not otherwise specified. The category of a mood disorder included those with bipolar disorder and mood disorder not otherwise specified. In all cases where the defendant had a diagnosis of psychotic disorder, both examiners agreed on the diagnosis. In 50 percent of the cases where the defendant's diagnosis was a mood disorder, both examiners agreed about the diagnosis. Thirteen defendants were not diagnosed as having major mental illness by either examiner.

The data from the 36 sovereign citizen defendants were compared with published data on 200 defendants evaluated for CST at the same forensic clinic.<sup>20</sup> In that study, the authors examined an archival sample of CST reports of 200 consecutive pretrial defendants evaluated during 2012. None espoused sovereign citizen beliefs. For the purpose of the present study, those 200 defendants will be referred to as nonsovereign citizens.

Approval to conduct this study was granted by the Institutional Review Board of the State University of New York, Downstate Medical Center, and Kings County Hospital Center, Brooklyn, New York.

### Statistical Analyses

Statistical analyses were conducted on the available data. Some of the CST reports did not include all of the biographical and legal information for the defendants. Chi-square tests were used to determine the significance of group differences. SPSS Version 23 was used to conduct all statistical analyses.

### Results

The mean age of the sovereign citizens was 38.7 years with a range of 21 to 54 (SD 8.32). Information about education was available for 28 of the 36 defendants and yielded the following: below high school, 5; high school graduate or GED, 22; and college graduate or higher, 1. The majority of defendants were born in the United States but six (17%) were immigrants, five from Caribbean countries and one from Africa.

In a comparison of sovereign citizens deemed not competent with those deemed competent, those deemed not competent were significantly more likely to have a history of psychiatric hospitalization and to be diagnosed during the CST evaluations with a psychotic disorder. Results are included in Table 1.

The sovereign citizens were more likely than the nonsovereigns to be male, African American, and high school graduates, and significantly less likely to have a history of psychiatric hospitalization or substance use. Results are included in Table 2.



## Competency to Stand Trial of Sovereign Citizens in an Urban Setting

**Table 2** Comparison of Sovereign Citizen Group and Nonsovereign Citizen Group

	Sovereign Citizens (n = 36) (%)	Non Sovereign Citizens (n = 200) (%)	Chi-square ( $\chi^2$ )	P
Demographics				
Male	36/36 (100)	172/200 (86)	5.72	.017*
African-American	33/35 (94)	134/200 (67)	10.79	.001 <sup>†</sup>
High school graduate or GED	23/28 (82)	70/177 (40)	17.70	.000 <sup>†</sup>
History of psychiatric hospitalization	9/36 (25)	144/200 (72)	29.56	.000 <sup>†</sup>
Primary diagnosis				
Psychotic disorder	11/36 (31)	114/200 (57)	8.56	.003 <sup>†</sup>
Mood disorder	6/36 (17)	93/200 (47)	11.15	.001*
Substance use history	11/36 (31)	135/200 (68)	17.65	.000 <sup>†</sup>
No psychiatric diagnosis	13/36 (36)	1/200 (0.5)	69.33	.000 <sup>†</sup>
Legal variables				
Felony offense	21/36 (58)	106/200 (53)	0.35	.555
CST	24/35 (69)	96/200 (48)	5.04	.025*

Reports on 23 nonsovereign citizen cases omitted information on education. Percentages do not equal 100. Each percentage is the ratio of the group under consideration to the total number of sovereign citizens or nonsovereign citizens.

\*  $p \leq .05$ .

<sup>†</sup>  $p \leq .01$ .

### Discussion

The present study examined reports of 36 defendants who espoused sovereign citizen beliefs during CST evaluations. This forensic population is an understudied one, and our study appears to be the largest sample of urban, mostly African-American sovereign citizen competency evaluatees described in the research literature. The group shared many characteristics with the nine sovereign citizens described by Parker<sup>1</sup> and the two reported by Pytyck and Chaimowitz.<sup>2</sup> In line with their results, most of the sovereign citizens in their study were not psychotic and were deemed competent.

The competency rate was significantly higher for the sovereign citizens than the nonsovereign citizens. This rate of competency for the sovereign citizens was comparable with rates reported in previous studies of defendants undergoing CST evaluations.<sup>20–25</sup> Parker<sup>1</sup> also reported high rates of competency for the sovereign citizens in his study.

In the present study, those sovereign citizens diagnosed with psychotic disorders and those with histories of psychiatric hospitalization were significantly more likely to be deemed not competent to proceed. This supports our hypotheses and is aligned with results of previous studies.<sup>20–25</sup> In a meta-analysis of 68 studies, Pirelli *et al.*<sup>25</sup> found that defendants diagnosed with a psychotic disorder were eight times more likely to be deemed incompetent than those not diagnosed with a psychotic disorder. Research has found that the strongest predictors of incompetence to proceed include the presence of a psychotic

disorder, active psychotic symptoms, and a prior psychiatric history.<sup>20–25</sup>

In the present study, all the sovereign citizens were male and, for those where race/ethnicity data were available, the majority were African American and not of Hispanic descent. These rates were significantly higher than in the sample of the nonsovereign citizens, and higher than those of previous studies of competency evaluatees.<sup>20–25</sup> It is interesting to note that Parker<sup>1</sup> also found that most sovereign citizens he evaluated were men.

Although no female defendants declaring themselves to be sovereign citizens were identified in this study, women espousing this philosophy and using these tactics have vexed the criminal justice system. For example, Gloria Tatum-Wade, a 62-year-old North Carolina public school teacher, identified as a sovereign citizen and was convicted by a jury of state income tax evasion.<sup>26</sup> There is little in the psychiatric literature about female sovereign citizens although one female sovereign citizen case was included in each of the studies by Parker<sup>1</sup> and Pytyck and Chaimowitz.<sup>2</sup>

We did not reach any firm conclusions about why the sovereign citizens in the present study were all men. Perhaps, since women comprise a smaller percentage of the jail population, this study's sample size was too small. It is also possible that, when female sovereign citizens are arrested, they are less motivated to raise their beliefs in court or to use some of the sovereign citizen strategies. Perhaps, as primary caretakers of children, they have concerns that they would be exposed to additional legal sanctions if they do.

The demographic make-up and reported histories of the sovereign citizens in the present study indicate that, at least in Brooklyn, New York, defendants espousing sovereign citizen beliefs are primarily African-American men without severe psychiatric illnesses or substance use disorders. Previous research has shown that African Americans are only a small fraction of the total number of sovereign citizens in the United States, although their numbers are on the rise.<sup>14-16</sup> These individuals typically identify as “Moors” or “Muurs” and may be members of the Moorish Church, the Moorish Science Temple of America, or one or several organized groups, including the Moors Order of the Round Table and the Great Seal Moors. Some identify as Hebrew Israelites and espouse a combination of Jewish and Christian beliefs. Adherents are mostly in the Midwest and on the East Coast. They seem to be largely unaware of the racist, white supremacist beliefs held by many in the larger sovereign citizen movement, but they may espouse racial supremacist beliefs. They may use tactics similar to those of their white sovereign citizen counterparts, although it appears that white individuals who espouse sovereign citizen beliefs are more likely to be violent than their African-American counterparts.

Some African-American sovereign citizens have adopted various beliefs of the Moorish Science Temple of America (MSTA). Present-day leaders of the MSTA, however, have made clear statements that the MSTA is not affiliated with sovereign citizen beliefs or actions.<sup>14</sup> The MSTA was founded by Timothy Drew in 1913. He changed his name to Noble Drew Ali and other members adopted El, Bey, and el-Bey as last names. Six of the sovereign citizen defendants in the present study had changed their names or added an Arabic-sounding suffix to their names (e.g., el-Bey).

Although only one sovereign citizen in this study identified as Hispanic, we are aware that sovereign citizen philosophies have been promoted to Hispanic Americans. For example, a company called The Old Quest Foundation, founded by two men from Latin America, offered seminars to primarily Hispanic homeowners in Southern California. Hundreds facing mortgage foreclosure paid for purported debt-relief services based on sovereign citizen tactics. In 2013 the two founders were convicted of tax fraud after collecting \$1.9 million from homeowners and fraudulently filing for approximately \$200 million in IRS tax refunds.<sup>27</sup>

We believe defendants adopt or use sovereign citizen philosophies and tactics for several reasons. Although some have mental illness, others want to evade prosecution or to achieve a better outcome in their legal cases. Forensic examiners, attorneys, and judges may have difficulty understanding sovereign citizen beliefs and may find these defendants difficult to assess or work with in court. We offer the following suggestions to assist forensic examiners faced with assessing the competency of these challenging defendants.

When conducting a CST evaluation with a defendant who espouses sovereign citizen beliefs, the forensic examiner should recognize him as such. Becoming familiar with his particular use of language is beneficial not only in identification but also in completing the evaluation. For example, with a defendant who objects to any question that begins with, “Do you understand . . .,” simply changing the question to, “Do you comprehend . . .” may yield a relevant answer.

The first concerns for the evaluator to address are whether the defendant has mental illness and whether his sovereign citizen beliefs are delusional or related to his psychiatric illness in some other way. About one-quarter of the defendants in the present study reported histories of psychiatric hospitalizations. Several had abnormal mental status examinations, some expressed grandiose and paranoid delusions, and others had disorganized thinking. In these cases, it appeared to us that the examiners found reaching a determination about competency to be more straightforward. The examiners diagnosed defendants with psychotic disorders and judged them not competent to stand trial. Although some of these defendants held sovereign citizen beliefs that were part of a delusional psychotic disorder, others merely repeated ideas that they had heard in jail or while in the community.

A more difficult question to resolve is whether the defendants’ reported sovereign citizen ideas are part of a long-held and cohesive belief system or merely a strategy to help their legal situation. The answer is not necessarily binary (feigned versus genuine). Instead, it is likely that the strength of conviction for many defendants’ sovereign citizen beliefs lies on a continuum. To answer this question, the examiner may investigate the evolution of the competency evaluatees’ sovereign citizen beliefs and assess the strength of their convictions. It is important to learn

how long defendants have espoused these beliefs and whether they share them with family or community members. Another factor to consider is whether they are members of an organized or semiorganized sovereign citizen group or a purported “temple or church.” Since it is known that defendants often learn sovereign citizen ideas from other jail detainees or fellow inmates, it is helpful to learn about defendants’ experiences in jail or prison.

When conducting these challenging competency evaluations, it is important to adhere to best practice guidelines.<sup>28</sup> Vital information can be obtained by interviewing collateral sources (e.g., family members) and conferring with the prosecutor and defense counsel on the instant or current case. Reviewing defendants’ arrest records and obtaining detailed information about past offenses can be valuable, particularly if the defendants used sovereign citizen tactics in previous cases. Some defendants have a long history of espousing sovereign citizen beliefs, but others do not. It may be concluded that a defendant is disingenuous if, for example, it is discovered that he first expressed sovereign citizen beliefs after his arrest on the instant offense. In these cases, the examiner is likely to conclude that the defendant is competent. The examiner is also likely to judge a defendant competent if his commitment to these beliefs is not strongly held or durable.

Examiners often need to assess a defendant’s current functioning in court, so as not to reach conclusions based solely on the CST interview. In addition to interviewing several sources (e.g., family members, prosecutor, and defense counsel), examiners can review arrest records, previous court transcripts, and court transcripts from the current legal case. They can observe the defendant in person during a court appearance. In the most complex cases, examiners may listen to or review transcripts of the defendants’ jail phone calls. Conducting this thorough investigation will provide crucial information about whether the defendant has flexibility in how he plans to use his sovereign citizen beliefs to resolve his case. Many of those with strong convictions are still flexible, and, if confronted with evidence against them, or advised by counsel to take a certain course of legal action, will choose to do so. In these cases, the examiner is likely to conclude that the defendant is competent to proceed.

The most difficult cases are those in which the examiner concludes that the defendant genuinely and strongly believes the sovereign citizen tenets he espouses and that these closely held beliefs have been present for some time before the arrest. In these instances, the examiner needs to understand how the defendant’s sovereign citizen beliefs relate to his legal case. There are two questions to address: first, whether the legal charge stems directly from sovereign citizen beliefs, and second, whether the defendant believes his sovereign citizenship can be used as a legal tactic to avoid prosecution or to achieve a better legal outcome. In some cases, these defendants are arrested for offenses that do not relate to their sovereign citizen beliefs. For example, they may be charged with drug sale or assault. For other defendants however, their beliefs are directly linked to their legal charges. For example, they may be charged with driving with a forged driver’s license that was downloaded from a sovereign citizen website.

Those defendants who hold strong convictions and whose charges stem from their sovereign citizen beliefs are the most likely to have difficulty working with their attorneys and participating appropriately during court proceedings. In some cases, the defendants are motivated to annoy, exhaust, intimidate, or harass court personnel in the hope of having their case thrown out or of receiving a better plea deal. Others are aware that it will not help them, but insist on following their beliefs. Their sovereign citizen ideas can be viewed as a strongly held political belief or philosophy, rather than a delusion, and can be understood as equivalent to those held by members of some other cultural groups or political movements. These sovereign citizen defendants may choose to go to trial and insist on using their espoused beliefs as a defense at trial. They may not expect to be found not guilty, but want to demonstrate their conviction of their sovereign citizen beliefs. They may not cooperate with court proceedings and may become obstreperous. Some insist on proceeding *pro se* (representing themselves). In these cases, as long as the defendant understands the risk of being convicted, the examiner is likely to conclude that he is competent to proceed. It is often helpful to the court for the examiner to include information about sovereign citizen beliefs in the competency report. This information will assist court personnel in understanding how the defendant may behave during the trial and why. It will help the judge to be



aware of and prepare for possible disruptions to orderly court procedures.

### Limitations and Future Directions

This study shares several limitations with other studies that are based on retrospective reviews of records. We relied solely on CST reports and could not verify the accuracy of the psychosocial data, most of which were based on defendants' self reports. The CST reports typically did not include detailed psychosocial information that could have helped us understand how the examiners distinguished between truly psychotic symptoms and culturally or politically held beliefs. Another limitation is that we relied on the examiners' psychiatric diagnoses and thus could not independently judge whether the examiners mistook defendants' sovereign citizen beliefs as delusional and erroneously diagnosed them with psychotic disorders.

In summary, the present study found that all the defendants espousing sovereign citizen beliefs were men and a large majority were African American. These were interesting findings that raise many questions about the sociocultural and political influences that affect this population. It would be valuable for future researchers to explore this problem and compare rural versus urban competency evaluatees who espouse sovereign citizen beliefs.

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