



# DID YOU KNOW?

## DEPLOYING THE NATIONAL GUARD

The National Guard is filled with people who live within your community, people who sign on to help their neighbors. They are not typically used in law enforcement and generally are not trained in law enforcement.

We've seen the President deploy the National Guard in cities like Los Angeles and Washington, D.C. supposedly to fight crime and police protests. Title 32 of the U.S. Code allows a president to urge the governor of one state to deploy its National Guard to another state — even against the objections of that state's governor.

It is important to understand the role and function of the National Guard as we continue to experience this unprecedented show of force in American cities. Information and knowledge can help people know their rights, act appropriately, and above all – STAY SAFE.

### **Does the President Have the Right to Deploy the U.S. Military Against Civilians?**

Generally, no, but there is an exception. The Posse Comitatus Statute prohibits the use of the military against civilians with certain exceptions that fall under the Insurrection Act.

The Insurrection Act was originally enacted in 1807. It allows the President to deploy the U.S. military and National Guard domestically to suppress civil unrest, violence, and enforce state and federal law when state and local authorities are unable or unwilling to do so.

### **What Is the Role of the National Guard?**

The National Guard operates under both state and the federal government as the reserve units of the U.S. Army and the U.S. Air Force. The National Guard responds to domestic emergencies such as natural disasters and civil disturbances. Soldiers are available to deploy overseas for combat, peacekeeping, and defending the United States if called into service by the president.

### **Are Members of the National Guard Armed?**

In Washington, D.C., National Guard units began carrying their service weapons, such as M4 rifles and M17 handguns, to provide a law enforcement presence. Not all members of the National Guard carry weapons, for example administrative officers. They have the authority to make arrests, but their role has been supporting local law enforcement.

### **How Long Can the President Control the Metropolitan Police and the National Guard?**

The President can control local police for 30 days. After that period, Congress must pass a joint resolution agreeing to a longer deployment. There are no limitations on how long a president can deploy the National Guard.