

FBI agent in court on charge of lying

By Steve Dubois
Associated Press

PORTLAND, Ore. (AP) — An FBI agent was set to appear in court Wednesday on charges that he lied about shooting at a key figure in last year's armed occupation of a national wildlife refuge just before the man was killed by Oregon police.

The inspector general of the U.S. Justice Department in March 2016 began investigating possible FBI misconduct and whether there was a cover-up. That investigation led to the indictment against the agent, W. Joseph Astarita.

Robert "LaVoy" Finicum, a spokesman for the group that took over the remote bird sanctuary to oppose federal control of land in the Western U.S., was fatally shot Jan. 26, 2016. Oregon State Police opened fire after he got out of a vehicle at a police roadblock, held up his hands and then reached toward a handgun that he kept in an inner jacket pocket.

Investigators determined the troopers were justified in shooting Finicum but also found members of an FBI hostage rescue team at the scene failed to disclose that they fired two rounds that missed the Arizona rancher.

Finicum's widow, Jeanette Finicum, has said she plans to sue Oregon State Police and the FBI, alleging the use of excessive force in her husband's death. Nobody answered a call to her number Wednesday, and her lawyer, Brian Claypool, did not return a message seeking comment.

Dozens of people, including leader Ammon Bundy, occupied the remote Malheur National Wildlife Refuge about 290 miles southeast of Portland, from Jan. 2 to Feb. 11, 2016. They were allowed to come and go for several weeks as authorities tried to avoid bloodshed seen in past standoffs at Waco, Texas, and Ruby Ridge, Idaho.

But authorities moved in Jan. 26 when key standoff leaders left the refuge to attend a community meeting, pulling over two vehicles and arresting the occupiers inside.

Finicum, 54, was driving one of the vehicles. Video taken by one of his passengers showed the occupants panicking after authorities stopped the truck.

With his window rolled down, Finicum shouted at officers: "Shoot me, just shoot me! Put the bullet through me."

Finicum then sped off. He was driving more than 70

mph when the truck came to a roadblock and plowed into a snowbank.

Authorities say the FBI agent fired two errant shots as Finicum left the truck. As Finicum stood in the snow, authorities told him to lie on the ground. Instead, he reached toward his jacket, leading state troopers to fire three rounds, all of which hit him.

Most occupiers left the refuge after Finicum's death, though four holdouts stayed an additional 16 days.

Federal prosecutors tried to convict occupation leaders Ammon and Ryan Bundy and five others in a trial last fall but jurors acquitted them of charges of conspiring to impede federal workers from their jobs.

Jurors convicted four men in a second trial. An additional 14 people pleaded guilty without going to trial.

The Bundys and others are now facing trial in Nevada on conspiracy charges in a 2014 armed standoff with federal agents.

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Standoff defendant: home detention

By Steven Dubois
Associated Press

PORTLAND, Ore. (AP) A military veteran who performed guard duty during the armed occupation of a national wildlife refuge in Oregon was sentenced Monday to six months of home detention.

Geoff Stanek, 27, of Lafayette, Oregon, pleaded guilty to conspiracy in June 2016, three months before the high-profile trial in which occupation leader Ammon Bundy and six others were found not guilty. Stanek's early acceptance of responsibility was one reason federal prosecutor Craig Gabriel recommended a sentence that did not include prison time.

Stanek was among the more than two dozen men and women who answered Bundy's January 2016 call to

occupy the Malheur National Wildlife Refuge in a protest against federal control of Western lands and the imprisonment of two ranchers convicted of setting fires.

"You're free to think what you choose, but your conduct crossed the line," U.S. District Judge Anna Brown said Monday.

Another occupier, Eric Lee Flores, was scheduled to be sentenced Monday, but got mixed up on the date and never arrived from his home in Tulalip, Washington. Brown said the hearing will be rescheduled.

Stanek arrived at the refuge Jan. 7 after learning about the occupation through Facebook. He stayed until Jan. 26, the day Bundy and other occupation leaders were arrested in a traffic stop that included the fatal shooting by police of protest spokesman Robert "LaVoy"

Finicum.

Though Gabriel described Stanek as one of the least culpable defendants, the judge noted that he arrived at the bird sanctuary with an AR-15, body armor and medic supplies.

"You were prepared for a bloodbath," she said.

Stanek declined to make a statement when given a chance. In response to questions from the judge, Stanek vowed to provide for his young daughter and not violate any conditions during a two-year term of probation. One requirement prohibits him going on federal land without permission from his probation officer.

A total of 14 people pleaded guilty to occupation-related charges and another four were convicted by a jury. Judge Brown plans a fall hearing to decide how to divvy up restitution.



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