Final defendant sentenced in Bundy ranch standoff in Nevada

By Ken Ritter
The Associated Press

LAS VEGAS — Nevada rancher Cliven Bundy's bodyguard in confrontations with U.S land management agents became the last of 19 defendants from 11 states to be sentenced on Tuesday in an armed standoff nearly five years ago.

Cavalier

Brian "Booda" Cavalier, 47, of Mesa, Arizona, was told he won't serve any more time than the 20 months he spent in federal custody between his arrest in early 2016 and his guilty plea in October 2017 to two charges of conspiracy to impede and injure a federal officer.

"I'd just like to put this behind me," Cavalier told Chief U.S. District Judge Gloria Navarro.

Cliven Bundy, wife Carol Bundy, son Ryan Bundy, and close family friend Shawna Cox were among the few observers in the courtroom while the judge credited Cavalier with taking responsibility and pleading guilty months before Navarro found "flagrant" prosecutorial misconduct and dismissed the case against other defendants a year ago.

The brief court hearing involved the tense 2014 standoff in which armed ranchers and self-declared militia members forced heavily armed federal agents to retreat and release a herd of cattle in a dusty dry river bed.

The incident stoked passions among some who contrasted the peaceful outcome in Nevada with a 1993 federal siege and fire that destroyed a religious sect compound in Waco, Texas, killing more than 70 people.

Bundy family members and supporters maintain the federal government has no authority to collect fees or stop ranchers from letting cattle graze in vast arid rangelands.

They characterized their refusal to let the government confiscate cows grazing in what is now Gold Butte National Monument as an expression of free speech and weapon rights.

Prosecutors cast the confrontation as an insurrection against the U.S. government.

Most of the 19 defendants spent nearly two years in federal custody awaiting trial on charges that could have gotten them decades in prison, including conspiracy, threatening and assaulting federal officers, firearm offenses, obstruction and extortion.

Prosecutors failed to gain full convictions in 2017 in two jury trials against six defendants who carried assault-style weapons during the confrontation outside Bunkerville, 80 miles northeast of Las Vegas.

Two men from Idaho were memorably photographed on a highway overpass pointing rifles at heavily armed federal agents facing hundreds of flag-waving women, children and men on horseback.

In the end, five defendants pleaded guilty before trial, several were acquitted of all counts and some were convicted of lesser charges. Two are in prison, appealing their sentences. Most were let go for time already served.

Navarro also sentenced Cavalier to one year of federal supervision, ordered him to undergo substance abuse treatment and prohibited him from communicating with other people connected with the standoff.

Cavalier also pleaded guilty to a weapons charge in Oregon and was sentenced in 2016 to time already served in federal custody in Portland for his role in a 41-day armed occupation of a wildlife refuge with more than two dozen people including Bundy sons Ryan and Ammon Bundy in January 2016.

Cavalier and his attorney, Mace Yampolsky, declined to comment outside court.

New U.S. Forest Service pen may allow sale of horses for slaughter

By Scott Sonner
The Associated Press

RENO, Nev. — The U.S. Forest Service has built a new corral for wild horses in Northern California, which could allow it to bypass federal restrictions and sell the animals for slaughter.

The agency acknowledged in court filings in a potentially precedent-setting legal battle that it built the pen for mustangs gathered in the fall on national forest land along the California-Nevada border because of restrictions on such sales at other federal holding facilities.

The agency denies claims by horse advocates it has made up its mind to sell the more than 250 horses for slaughter. But it also says it may have no choice because of the high cost of housing the animals and continued ecological impacts it claims overpopulated herds are having on federal rangeland.

"While slaughtering wild horses does not present a pleasant picture, the reality of this dire situation is not pleasant," Justice Department lawyers representing the agency wrote in its most recent filing last month. "The Forest Service is taking a step to reduce what is universally recognized as a natural catastrophe."

Horse advocates have been suing the government for two decades over mustang roundups that private ranchers say are necessary to curb growing herds that reduce the forage on federal lands they lease for cattle and sheep grazing across the U.S. West. The region holds roughly 90,000 wild horses.

A sharp reduction in demand in recent years for a federal program that offers the horses for adoption to the public has left little room in existing corrals. Horse advocates argue the mustangs are federally protected and that taxpayers subsidize the livestock grazing on U.S. land.

A hearing is scheduled Jan. 31 in federal court in San Francisco on a motion filed by the Animal Legal Defense Fund and American Wild Horse Campaign seeking an injunction to block the sale of the horses captured in the Modoc National Forest in October and November for possible slaughter. The new pen is in the forest, about 170 miles northwest of Reno.

Forest Service Chief Vicki Christiansen announced late last year she would postpone any sales for slaughter until at least Feb. 18.

The protection groups say it would be the first time in nearly a half-century the government has sold mustangs "without limitation," or for any purpose, including slaughter.

Horse slaughterhouses are prohibited in the U.S. but legal in many other countries, including Canada, Mexico and parts of Europe where horse meat is considered a delicacy.

The Wild Free Roaming Horse and Burros Act President Nixon signed into law in 1971 prohibits the inhumane destruction of wild horses. Congress approved an appropriations amendment in 2004 that allows the Forest Service, under its parent Agriculture Department, to sell horses without limitations if they're over age 10 and have been offered for adoption three times unsuccessfully.

But in most years since then, Congress has specifically prohibited the Bureau of Land Management, under the Interior Department, from using any appropriations for such purposes. President Donald Trump proposed allowing such sales in his 2017 budget, but Congress refused to go along.

The Forest Service normally holds the horses it gathers at pens belonging to the BLM, which manages 385,000 square miles of public lands in the West.

With few exceptions, lawsuits have targeted the bureau because it captures the vast majority of the horses. BLM lands hold an estimated 83,000 wild horses, while national forests managed by the Forest Service hold about 8,000.

The Forest Service gathered 932 horses in the Modoc National Forest late last year and shipped about 260 to the new corral, while placing about 650 at a BLM facility in nearby Susanville, California.

Justice Department lawyers acknowledged in the December filings "BLM is not permitted to humanely destroy healthy, unadopted horses or conduct any sale that could ultimately result in their destruction, which includes any Forest Service horse in BLM custody."

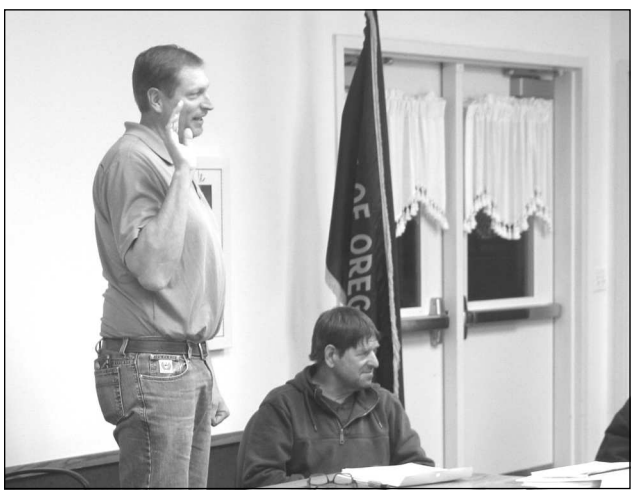
"What has changed is that the Modoc now has its own short-term holding facility ... which is not subject to congressional restrictions," they wrote about the corral, which currently can hold up to 300 horses but has room for expansion to accommodate as many as 1,500. They said local ranchers "generally support these sales" because of the horses' economic impact on leased grazing land.

The attorneys also said the opponents' assertion the horses will be slaughtered "is only speculative, not concrete and imminent."

Horse advocates say the government can't have it both ways.

"It cannot both argue it is harmed by plaintiffs' delay in bringing this action because of all the time and resources it has expended to allow the sale of horses without limitation, yet also insist to the court that it has not yet made any such decision," their lawyers wrote Jan. 8. "In short, the record and defendants' own statements make clear that the decision to sell horses without limitation is final and judicially reviewable."

Island City Council, mayor sworn in Monday


Max Denning /The Observer

Robb Rea is sworn in as the new mayor of Island City Monday night. Rea is succeeding Delmer Hanson, who did not run for reelection in November.

Max Denning /The Observer

Stan Terry, a retired Oregon State Police trooper, is sworn in Monday for his second term as a member of Island City's city council.

Max Denning /The Observer

Donald Longacre is sworn in Monday as a new member of Island City's city council.

Max Denning /The Observer

Don Starr, who won reelection in November, is sworn in for a new term on Island City's city council Monday.

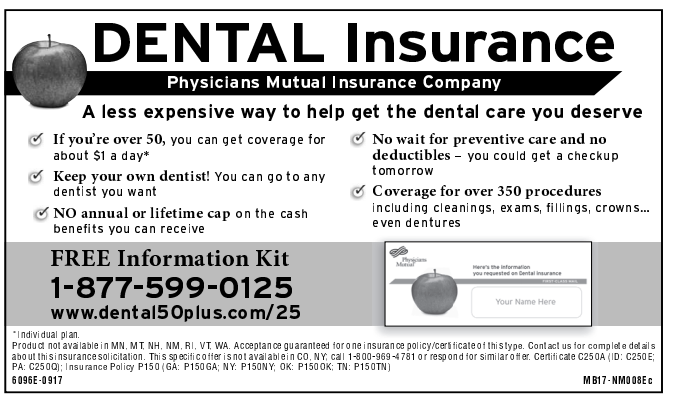
Oregon in Brief

From wire reports

Contagious kids with measles at Portland airport

County health officials in southwest Washington state are warning people who may have crossed paths recently with unvaccinated children contagious with measles at the Portland International Airport in Oregon.

KATU-TV reports that the Clark County Public Health department said the two children — one a young child and the other an adolescent — are known to have visited Concourse D and the Delta Sky Lounge at the Portland airport on January 7 and the Church of Truth in Vancouver on January 6.

Anyone who may have been exposed and is experiencing symptoms should contact health officials to contain the spread of the infection.

Symptoms include fever, cough, runny nose, red eyes and rash.