

Local

Hammonds Imprisoned

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Iler continued, “There was discussion about Ammon’s honesty and about the lack of disclosure of his real mission. A disturbing twist was that several members of these 3% cadre admitted that they made arrangements to have their children moved to safe locations, which makes me wonder if they are telling the truth about not knowing what was obviously planned.

“But the ‘leaders’ at this meeting were very defensive about their innocence in the Refuge-occupation scheme. Nobody knew what had really happened there, and it was said that the Feds had roadblocks up. There was a lot of concern in the room.

“Then a lady came in who had just been down at the Refuge headquarters. She had photos on her cell phone to verify that she had seen at least 20 occupiers there, and that the roads were not blocked. Apparently, the place was vacant over the weekend, and no federal people were even there. But nobody yet knew the underlying purpose for the occupation.

“Then someone got Cliven Bundy on the phone from Bunkerville, Nevada, and put him on the speaker. He mostly spoke about the plight of the Hammonds and the criminal conduct of the BLM, and I don’t remember much of what he might have said about his son Ammon’s involvement except that he supported his cause. I did not find out until the next day that Ammon’s two brothers were with him there.

“Also with him at the Refuge are two other ‘freedom fighters’ that do not have a sterling reputation, and are known to have created problems at the Sugar Pine Mine, and those that know these men are very reluctant to follow them.

“Someone got Ammon Bundy on their phone, and put him on the speaker. Ammon wanted to talk about his reasons for his acts, and his secrecy, etc, but others demanded that he come to where we were at the Fairgrounds and talk with us in person. He agreed to come, but I see now that it was impossible for him to have come.”

In the end, Iler focused back on the BLM and Hammond conflict.

“We must learn from this experience, and not allow similar abuses within our county,” he said.

Ken Taylor of Prineville also attended the community meeting, the rally, and has had conversations with most of the parties involved.

“In my conversations with the Hammonds, one thing always bothered me,” he said. “Every consideration the Hammonds had to make was laced with fear of the Federal agencies.”

Taylor added, “Many who were there for the rally were from the community. Many were ranchers. It was heartwarming to see so many when so much was done to cast fear into the community about it.

“When we stopped at the Hammonds’ house it was emotional to see them step out onto the little porch ... Finally, it was time to let them have their privacy

back and Dwight, holding both hands up, said, ‘It’s not about me it’s about our country.’ He was so right and yet so wrong. Dwight Hammond is the essence of our country and the treatment he received at the hands of an arrogant BLM and an over-aggressive Department of Justice is an abuse of every American and our country.”

Taylor added, “It seems this effort by Ammon Bundy and the others is having the effect of gaining national notice for a serious problem in our nation. But it’s also putting a stain on the professional efforts of citizen groups that have prepared to stand for the rights of citizens. There have been more than a few instances where a citizen has been subject to abuse of their rights by arrogant agencies and bureaucrats where their peaceful but strong intervention has provided the required legal process to go forward.

“If all things are considered if this situation is diffused and steps are put in place to remedy the problems frames, ranchers and miners have been experiencing with federal over-reach the occupation or trespass on the Malheur National Wildlife Refuge will have succeeded. I doubt those participants will ever receive acknowledgment for putting this on the national radar.

“When we ask people to enforce incredibly stupid and harmful regulations and laws we put them in a perilous place. Those that are subjected to the nonsense at some point have little or no patience for it. Rightfully so.

“I pray for the citizens of Harney County. It’s a great place with some fantastic people. I also pray for those who felt led to use what at the moment is little more than a warming hut in the remote and snowy region of the MWR to make a stand for their cause. And lastly, I pray for public officials with the authority to act on this and those that would have to enforce the direction of leadership.”

Kody Justus of Baker City said simply, “Many who had talked to Dwight over the last few weeks had begged him not to report to federal prison. Dwight explained he had given his word and would not go back on that. As I stood in front of his house watching him and his wife talk with protesters I was brought to tears.”

After the Rally.

Statements from law enforcement and other organizations began coming fast and furious after the rally, and mainstream media moved into the Burns area as news of the Refuge takeover spread.

The FBI sent this press release, “The FBI is working with the Harney County Sheriff’s Office, Oregon State Police and other local and state law enforcement agencies to bring a peaceful resolution to the situation at the Malheur National Wildlife Refuge. The FBI is the lead investigative agency for the situation at the refuge. Due to safety considerations for both those inside the refuge as well as the law enforcement officers involved, we will not be releasing any specifics with regards to the law enforcement response.”

Harney County Schools were closed for the week.

Federal employees were

asked not to report to work.

On Monday, the Harney County Sheriff issued the following: “My name is David Ward, and I am the Sheriff of Harney County. The Hammonds have turned themselves in today at 1:37 p.m., in accordance with the law, and are currently in custody at Federal Correctional Institution in California. Harney County is a community of approximately 7,000 people; almost 5,000 of us live here in the community of Burns and Hines. This event has had a significant impact on that community. Our goal is to work together to restore calm and regular services for the people we serve.

“This incident originally started when people from outside the state arrived in an attempt to prevent the Hammonds from returning to prison. This began as a peaceful protest. It took an unfortunate turn when some of those people broke off and began an armed occupation of the Malheur National Wildlife Refuge.

“The Harney County Commissioners and I have requested law enforcement assistance from Oregon State Sheriff’s Association and Oregon State Police. Sheriff’s Offices from around the state have also sent resources to assist us. We requested this additional support to make sure the citizens of Harney County are safe. This is our top priority.

“I want to directly address the people at the wildlife refuge: You said you were here to help the citizens of Harney County. That help ended when a peaceful protest became an armed and unlawful protest. The Hammonds have turned themselves in. It is time for you to leave our community. Go home, be with your own families and end this peacefully.”

Also on Monday, the Oregon Cattlemen’s Association came out in support of the Hammonds: “Oregon ranchers Dwight and Steve Hammond have left their homes to report to a federal prison. Both ranchers are faithful, long-term Oregon Cattlemen’s Association members. Many have asked where the association stands on the Hammond’s predicament...”

“...While the Oregon Cattlemen’s Association does not agree with the current legal action being taken against the Hammonds, OCA will continue to assist and represent the Hammonds solely through avenues that are in accordance with the law.”

The OCA encouraged members and the public to sign a White House petition to commute the Hammonds’ sentence. That link is: <https://petitions.whitehouse.gov/petition/commute-sentences-dwight-lincoln-hammond-jr-and-steven-dwight-hammond-both-harney-county-oregon>

The Oregon State Sheriff’s Association said, “This statement is on behalf of all 36 Sheriffs in the State of Oregon. The Sheriffs of Oregon are united in the support of Harney County and its residents. We are supplying logistical and operational support to the community while the FBI works for a peaceful resolution with the militants at the Malheur National Wildlife Refuge.”

Baker County supplied one deputy toward this effort.

Elected Official Responses.

By Wednesday, several elected officials weighed in on the Hammond family situation.

Congressman Greg Walden issued a more than 20-minute statement to Congress. Said an impassioned Walden, “...I know the Hammonds. I have known them for probably close to 20 years. They are longtime, responsible ranchers in Harney County. They have been sentenced to prison not once, but now twice...”

“I have had the great honor and privilege to represent Harney County for a number of years ... over 10,000 square miles. There are 7,000 souls inhabiting it ... It is the public’s land. That is true. But what people don’t understand is the culture, the lifestyle, of the great American West and how much these ranchers care about the environment, about the future, about their children, about America, and how much they believe in the Constitution. Now we see the extent they will go in order to defend what they view as their constitutional rights.”

Walden continued, “Now, I am not defending armed takeovers. I do not think that is appropriate. I think the time has come for those to consider that they have made their case in the public about what is happening in the West, and perhaps it is time for them to realize they have made their case and to go home.

“But I want to talk about what happened with the Hammonds. I want to put in perspective what happens almost every year in my district. That is these enormous wildfires.

“The Miller Homestead Wildfire in 2012 burned 160,000 acres, mostly in this county, if not all; 250 square miles, a quarter of the size of the State of Rhode Island. That was just in 2012. The Barry Point Fire that year, in Lake County, next door, burned 93,000 acres. Last summer alone, we burned 799,974 acres across Oregon; that is both forest and high desert. In 2012, 3.4 million acres burned in Oregon ...

“The Hammonds are in prison tonight for setting a backfire that they admit to, that burned 139 acres, and they will sit in prison, time served and time going forward, five years, under a law that I would argue was never intended to mete out that kind of punishment...”

“I have told you I worked with the Hammonds and many ranchers in Harney County. In the last years of the Clinton administration, despite their own agency’s reviews and analysis, Bill Clinton threatened to create a giant monument on Steens Mountain.

“When Secretary Babbitt, the Interior Secretary at the time, came before the House Resources Committee, of which I was a member, I said: Mr. Secretary, your own resource advisory committees in the area just reported that there was no need for additional protection on Steens Mountain, and yet, you and the President are threatening to create this national monument. Why do you waste the time of the citizens to go through a process to determine if additional protections are needed and then ignore what they came up with?”

“...We went to work on

legislation. It took a full year. I worked with the Hammonds. I worked with Stacy Davies, I worked with all kinds of folks, put a staffer on it full-time, multiple staffs, and we worked with the environmental community and others. And we created the Steens Mountain Cooperative Management and Protection Act, model legislation, never been done before, because I said: We don’t have to live by past laws, we write laws.

“So we wrote a new law to create a cooperative spirit of management in Harney County. The Hammonds were part of that discussion. We saved a running camp, Harlan Priority Runs. We protected inholder. We tried to do all the right things and create the kind of partnership and cooperation that the Federal Government and the citizens should have.

“Fast forward on that particular law. Not long after that became law, and it was heralded as this monumental law of great significance and new era in cooperation and spirit of cooperation, some of those involved on the other side and some of the agencies decided to reinterpret it. The first thing they tried to do is shut down this kids’ running camp because they said: Well, too many, maybe more than 20, run down this canyon and back up, as they had for many, many years. They wanted to shut it down. So we had to fight them back and said: No, the law says historical standards.

“Then the bureaucrats, because we said: You should have your historical access to your private property, if you are up on Steens Mountain, you should maintain that access like you have always had it. Do you know what the bureaucrats said? They began to solicit from the inholders in this area: How many times did you go up there last year? You see, they wanted to put a noose around the neck of those who were inside. That was a total violation of what we intended, and we had to back them off.

“See, the bureaucracy wants to interpret the laws we write in ways they want, and in this case they were wrong.

“Then, a couple of years ago, I learned that, despite the fact we created the first cow-free wilderness in the United States under this law, and said clearly in this law that it would be the responsibility of the government to put up fencing to keep the cows out, as part of the agreement, the Bureau of Land Management said: No, we are not going to follow that law. And they told the ranchers they had to build the fence.

“I networked with my Democrat colleague from Oregon, Mr. DeFazio, who was part of writing this law. I said: Peter, you remember that, right? He said: ‘Yeah, I didn’t like it, but that was the case.’ BLM still wouldn’t listen. So we continued to push it and they argued back.

“Well, it turns out there had been a second rancher who brought this to my attention who they were telling had to do the same thing, build a fence, when the government was supposed to under the law I wrote. The arrogance of the agency was such that they said: We don’t agree with you ... I know what the intent of the law was ...

because I wrote the law, I knew the intent.

“... The arrogance of these agency people was such that we had to go to the archives and drag out the boxes from 2000, 1999-2000, when we wrote this law, from the hearings that had all the records for the hearings and the floor discussions to talk about the intent ... Do you understand how frustrated I am at this? Can you imagine how the people on the ground feel?”

“You ridicule them. *The Oregonian* is running a thing, what do you send? Meals for militia. Let’s have fun with this. This is not a laughing matter for any consequence. Nobody is going to win out of this.

“This is a government that has gone too far for too long. Now, I am not condoning this takeover in any way ... But I understand and hear their anger.”

Walden added, “The other thing that has to change, the law under which the Hammonds were sentenced. Now, they probably did some things that weren’t legal. I have given you the size of the acreages that burned naturally. I haven’t gotten into the discussion about how these fires are often fought and how the Federal Government frequently will go on private land and set a fire without permission to backburn. That happens all the time.

“In fact, in the Barry Point Fire down in Lake County, they set fire on private timberland as a backburn while the owners of the property were putting out spot fires down in the canyon. I drove down there afterwards. They are darn lucky to have come out alive. There was nobody sentenced under the terrorism act there. Oh, heck no. It is the government. They weren’t sentenced. Nobody was charged. Oh, it just happened ... I can tell you, a few years back in Harney County, because I went and held a meeting out there right as the fire was being put out, that the fire crews came in, went on private ground, lit a backfire on private ground, behind a fence line, that then burned out the farmer’s fence, the rancher’s fence, and burned all the way over and down into a canyon where there was a wetland, which would have been the natural break to stop the fire from the other side. You see, they never needed to burn that land.

“These things happen in the course of fighting fire. It doesn’t mean they are right. But rare is it that somebody ends up five years in prison.

“Let me tell you what the senior judge said when he sentenced the Hammonds the first time, Judge Michael Hogan, senior Federal judge, highly respected in Oregon. He sentenced Dwight Hammond to three months and Steve to a year. There were different offenses here.

“He said: ‘I’m not going to apply the mandatory minimum because to me, to do so, under the 8th Amendment, would result in a sentence grossly disproportionate to the severity of the offenses.’

“The Judge went on to say: ‘And with regard to the Antiterrorism and Effective Death Penalty Act of 1996, this sort of conduct would not have been conduct intended under the statute.’

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