

Federal Cops

Just about every government agency has its guys with guns.

By Rachel Dahl

THE DIFFERENCE BETWEEN THE THIN BLUE LINE—LOCAL POLICE WHO PROTECT AND SERVE AND ANSWER DIRECTLY TO THEIR OWN COMMUNITIES—AND THE 130 FEDERAL AGENCIES WHICH HIRE LAW ENFORCEMENT AGENTS OVER AND ABOVE THE JURISDICTION OF OUR LOCAL SHERIFFS IS KEEPING US IN THE RED. BESIDES COMPLETELY BLOWING THROUGH CONSTRUCTS OF THE CONSTITUTION, CREATING POWERFUL UNELECTED “SPECIAL AGENTS,” AND GROWING A POLICE FORCE THAT WOULD MAKE KING GEORGE SHUDDER, THE COSTS OF THIS EFFORT ADD TO OUR UNMANAGEABLE DEFICIT AND HAVE REACHED OUTRAGEOUS PROPORTIONS.

In April 2016 the BLM showed up in Bunkerville, Nev., with an arsenal to face down the elderly Cliven Bundy, his sons, and their wives and children. National news sources covered the standoff 24/7, showing the BLM as it deployed a military operation against the Bundy family, complete with armored vehicles, helicopters, battle gear, loudspeakers, checkpoints, attack dogs, convoys, surveillance aircraft, night goggles, snipers, and a small roped-off “First-Amendment Zone.” Soon the FBI was part of the action, triggering patriots from across the country to come to the Bundys’ defense.

Miraculously, no one was killed in Bunkerville, although the costs were high. By the time it was over, reports put the price of the BLM action there at about \$6 million. Four of the Bundy fathers each paid with two years in jail. A federal judge eventually released them due to malfeasance on behalf of the BLM, Department of Justice, and the government attorneys at the trial. One could argue it cost the Bundy grandchildren their youth, watching government cops attack members of their family with Tasers and dogs.

In what had been an ongoing

fight over grazing fees, the government agency saw fit to metaphorically bring a nuclear bomb to a fistfight. This action was a live demonstration of what the government agency responsible for managing public lands is capable of, the kind of firepower it possesses, and what it’s willing to do against its own citizens. (Check “Tyranny” at rangemagazine.com.)

The expansion of federal law enforcement has been evolutionary, with accelerated actions and growth beginning in the late 1970s. The BLM claims that the Federal Lands Public Management Act (FLPMA) passed in 1976 gave it authority “to stand up a law enforcement body to enforce federal laws and regulations with respect to public lands and its resources.”

Agency staff say the expansion is necessary for enforcement and depending on what part of the West and what “multiple use” is most prevalent, the mission for each law enforcement officer will vary. According to the BLM public safety website, Southwest desert agents face recreational vehicle users, while officers in southern border states deal with border crossings and drugs, and officers in the Northwest face marijuana cultivation issues.

Originally, citizens and communities relied on sheriffs for law enforcement. Over the years these locally elected sheriffs have found common ground working with the state highway patrol and the federal agencies that were specifically authorized for various duties under the Department of Justice. There are 17 of these agencies, from the Federal Bureau of Investigation to the Bureau of Prisons. The Department of Homeland Security houses seven agencies, from U.S. Customs & Border Protection to the Federal Emergency Management Agency.

With the evolution and growth of federal power, not only do the agencies in the DOJ and DHS have law enforcement authority,

but now that authority, including the ability to use firearms and make arrests, has been given to employees throughout all federal agencies, including the BLM, Park Service, Fish & Wildlife Service, and the Department of Agriculture. We now have and are funding 120,000 law enforcement officers at the federal level. The Forest Service alone currently employs 429 officers, 98 criminal investigators, and 86 support personnel. The BLM has 200 officers and 70 investigators.

Taxpayers bear the costs for law enforcement in their local communities as well as funding their state law enforcement agencies—a structure that has not been without controversy but has come to be widely accepted as normal. But since the late 1970s we have been spending inordinate amounts of money for federal police. Often these jurisdictions overlap and instead of coordinating activities, each exercises its own authority, forcing taxpayers to fund the sheriff, the highway patrol, and a BLM ranger to cite us for a traffic ticket—if not



COURTESY NATIONAL PARK SERVICE, NPS HISTORY COLLECTION, GLACIHPF #9688



© SHANNON BUSHMAN, PEEK PROMOTION

ABOVE: Federal law enforcement officers from various agencies in their riot gear at the standoff in Bunkerville, Nev., in 2016. They were there to help confiscate cows and baby calves from the desert near Las Vegas. OPPOSITE: This is 1911. The man on the right is wearing the first National Park Service uniform authorized by the department for rangers in the national parks. There was no need for weapons. Park ranger gear has evolved.

something worse—all in the same physical location.

For example, last June in Riverside County, Calif., a BLM ranger shot a nurse who was riding in a side-by-side vehicle. The preliminary review of the action alleged “an illegal off-roading failure to yield to investigation.” Her male companion was detained while she was taken for medical care. At the time the shooting occurred, BLM rangers involved said they were trying to stop the vehicle and apparently had not attempted to ascertain the intent of the couple, whether they were lost, or what they were doing in that location.

Besides the personal and social costs of this heavy-handed, duplicative law enforcement, we are also paying exorbitant fees for these services. In 2018, the BLM budgeted \$25.4 million just for law enforcement activities, U.S. Fish & Wildlife Service budgeted \$38 million, and the National Park Service added \$363 million. Each of these agencies falls under the Department of Interior, which houses a total of nine bureaus, all of which have some law enforcement component and budget.

The Department of Justice houses the agencies we normally associate with law enforcement: the Secret Service, U.S. Mar-

shals, the FBI, and 35 others, including the Bureau of Alcohol, Tobacco, Firearms & Explosives, as well as the Drug Enforcement Administration—for a total of 38 separate bureaus. In fiscal year 2018, the total budget for DOJ was \$28.1 billion, with \$403 million

We now have and are funding 120,000 law enforcement officers at the federal level.

specifically reserved for law enforcement activities.

There are several different “job titles” that fall into the law enforcement pot within the federal payroll system. From police officer to criminal investigator, and special agent to ranger, the number of employees and the costs are staggering. There are 6,658 police officers working for the federal government and according to federalpay.org their average salary is \$63,028. Fifteen agencies use police officers (costing \$419 million in salaries), including

the Veteran’s Health Administration, National Park Service and the Bureau of Reclamation. Seventy-one agencies hire 40,991 “criminal investigators” at an average wage of \$105,320 and a total payroll of \$4.32 billion, and there are 6,407 “intelligence personnel” over 45 agencies, costing another \$661 million per year. Park rangers in five agencies—5,349 employees with an average salary of \$58,152—cost \$311 million more per year.

With federal agencies spending this kind of money to create a whole new layer of law enforcement, there continue to be jurisdictional conflicts. However, every statement made about federal law enforcement, whether it comes from a website, BLM documents, interviews, or face-to-face conversations, continually repeats the message: the requirement of FLPMA is to cooperate and consult with local sheriffs’ offices. In fact, the language in that law specifically directs “cooperation with regulatory and law enforcement officials of any state or political subdivision in enforcement of laws or ordinances in connection with the administration and regulation of the use and occupancy of the public lands.”

Several local sheriffs across the West operate with this understanding, working under official agreements (MOU or Memorandum

of Understanding) to coordinate federal activities within their jurisdictions. This includes contracts for service and an exchange of financial resources. Some sheriffs have good relationships with federal agents in their counties and operate with informal agreements based on mutual respect.

One western sheriff says the BLM canceled his contract during one of the sequestration years and it was never renewed but he works well with the district law enforcement official from the BLM, who is “a good guy.” His county is made up of a massive amount of federally managed lands, including BLM, U.S. Fish & Wildlife Service, Department of Defense, Bureau of Reclamation, and the Bureau of Indian Affairs. He won’t go on the record because the FBI investigated him when a political opponent reported that he was a member of the Constitutional Sheriffs & Peace Officers Association; however, he talked about how it should work when a federal agency has a complaint against a citizen in his county. “If they have a warrant, they should bring the warrant to me and we’ll serve it.”

Try telling that to Ramona Hage Morrison, whose family ranch was raided by the U.S. Forest Service in 1991. After the grazing permits were canceled, armed agents seized 104 head of cattle at gunpoint without due process, hauling off the Hage family livelihood in cattle trucks and without consulting the Nye County sheriff.

Or the Gibson Guitar Company that was raided twice—once in 2009 for allegedly having imported prohibited wood products from Madagascar and in 2011 for possessing, again allegedly, wood products from India that are protected under the Lacey Act of 1900. Agents of what some call a “paramilitary” unit of the U.S. Fish & Wildlife Service descended on the Tennessee factory, evacuated employees, seized materials, and shut down operations. All with a sealed warrant that Gibson executives to this day have not seen.

Christopher Kortlander owns the Custer Battlefield Museum in Montana and was raided by the BLM twice—once in 2005 and again in 2008—with M-16 rifles and batter-

ing rams. BLM agents accompanied by the FBI raided his museum with a search warrant looking for evidence of mail fraud. They never charged him with a crime, but did tie him up in legal battles that lasted until 2014. Ultimately, after nine years of litigation, he was successful in regaining the 22 artifacts government agents had confiscated. He has written a book, “Arrow to the Heart—The Last Battle at the Little Big Horn,” driven by his horror at similar BLM raids in southern

Utah and Wyoming that he claims led to the suicides of four people. Service agents had repeatedly harassed Weaver, a popular and knowledgeable Cody, Wyo., rock hound who eventually began keeping a record of government agents who contacted him. Suffering PTSD after the death of his wife, Weaver finally succumbed to the pressure, committing suicide on Dec. 31, 2016, a month after he was interrogated in his home for more than eight hours by BLM agents who then raided his private rock collection.

With the growth of federal law enforcement power come these abuses. In 2017, after many of these “mistakes” had come to light, Jason Chaffetz, a congressman from Utah, introduced a bill along with seven

FISCAL YEAR 2018

Agency	Total Budget	Law Enforcement
BLM	\$ 1.1 Billion	\$ 26 million
USFWS	\$ 2.8 Billion	\$ 36 million
Park Service	\$ 2.6 Billion	\$ 363 million
DOJ	\$ 28.1 Billion	\$ 403 million

FEDERAL PAY. ORG.

	Police Officer	Criminal Investigator	Intelligence Personnel
Average Salary	\$ 63,028	\$ 105,320	\$ 103,189
# of Employees	6,656	40,991	6,407
Total Salaries	\$ 419 million	\$ 4.3 Billion	\$ 661 million

RACHEL DAHL

Seventy-one federal agencies hire 40,991 “criminal investigators” at an average wage of \$105,320 and a total payroll of \$4.3 billion.

of his western colleagues that would strip law enforcement from the BLM and Forest Service. Chaffetz was the chairman of the House Committee on Oversight & Government Reform, but he has since left Congress and his H.R. 622 withered under pressure from environmentalists and for

the lack of a champion. In May 2018, Sen. Mike Lee (Utah) held hearings in the Subcommittee on Public Lands to examine whether federal law enforcement on public lands is warranted and to actively question federal agencies about their activities.

The general consensus, however, is that with more and more activity on public lands and with many competing “multiple uses,” the need for armed federal agents is a given. Serving that need comes with a price that we may not be willing to pay. Unfortunately, we may not have a choice. ■

Rachel Dahl writes from rural Nevada where she saw Dan Love make a report to the Churchill County Commission. The BLM agent in charge was wearing so many guns and so much ammo inside the Commission chambers that he got wedged in his chair during his presentation.