

HUMAN RIGHTS NETWORK NEWS

FREEMEN—NEWS & COMMENTS

A SIGH OF RELIEF

The longest armed standoff in the country—between the anti-government Freemen of Garfield County and the FBI—ended without bloodshed after 82 days. The remaining 16 Freemen left with the FBI in a convoy on June 13, headed toward Billings where 14 of them will face charges of conspiracy, theft, fraud, and intimidation.

The standoff began on March 25, 1996, when the FBI moved on the Freemen. They arrested Leroy Schweitzer and Dan Peterson, key leaders of the group, after they had been lured away from the ranch headquarters by an undercover agent. The FBI surrounded the remaining Freemen in an effort to force negotiations that would lead to the surrender of those wanted on various federal, state and local charges.

Since the arrests

Schweitzer and Peterson were arraigned on March 28th after a disruptive court appearance the day before during which they yelled common-law nonsense at the judge until he postponed the arraignment. Schweitzer was later transported to a medical facility in Missouri after refusing to eat. Both men remain in jail.

The FBI used more than 40 outside negotiators in an effort to end the standoff without violence. These mediators included family members, state legislators, and Freemen sympathizers.

Family members were successful in getting some Freemen to leave the compound. Agnes and Ebert Stanton, who left on day 18, were arrested and pled not guilty. Stewart Waterhouse left on day 34 and was arrested. Waterhouse had joined the Freemen on the ranch on day 2 when he crashed through an FBI road block. Four members of the Ward family, including two children ages 8 and 10, came out on day 74 following conversations with a relative. The State of Utah agreed to drop criminal charges against Gloria Ward for custody violations. Finally, just two days before the surrender, 16 year old Amanda Kendricks left the compound.

Four state legislators met with the Freemen early in

the standoff. One of the demands of the Freemen was to be able to present their case before the legislature. (See related article.) After the second meeting Rep. Joe Quilici (D—Butte) said he was not very optimistic about continued negotiations. Rep. Karl Ohs (R—Harrison) quietly continued to negotiate with Freemen leaders throughout the standoff. As they surrendered, Ohs was asked to safeguard a truckload of Freemen documents which the group says contains evidence to support their claim that the government is illegitimate.

Freemen supporters were given the opportunity to negotiate a settlement—and to grandstand before the press. Far-right activists including the likes of Kirk Lyons, a white supremacist and defender of the Ku Klux Klan; Charles Duke, a state senator from Colorado who has sworn an oath to the common law court; and Bo Gritz, who gave a Nazi salute to Randy Weaver's supporters.

Gritz, beginning April 27th and Duke, beginning May 16th followed what became a familiar pattern. Each went in with bold predictions of quick success and left amid high profile press attention, calling the Freemen crazy extremists. The Freemen responded each time by taking a more hardline position.

By distancing themselves from the Freemen, Gritz and Duke attempted to paint themselves as reasonable moderates. People seemed to forget that Gritz and Duke are leaders in the extreme anti-government Patriot movement which, up until a few months ago, praised the Freemen as shining examples of how their movement worked. By now dismissing the lawbreakers as the whacko fringe, they were able to nudge their movement toward the mainstream and solidify their positions as leaders. (See related article.)

Kirk Lyons came into the picture late in the game after the FBI had increased pressure by cutting power to the ranch and tightening the perimeter. Lyons' role in negotiations is unclear, although he is sure to take credit for bringing the standoff to an end, if he can.

Lyons may need to improve his image. He is a long

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time far-right activist and was even married at the Aryan Nations Church. He once spoke to skinheads there as part of an event celebrating Hitler. He leads a group called CAUSE, which stands for Canada, Australia, United States, South Africa and England, the countries where Lyons believes the white race is threatened. An attorney, Lyons has defended numerous notorious white supremacists such as former KKK grand dragon, Louis Beam; Douglas Sheets, an associate of the White Patriot Party; Tom Metzger, founder of White Aryan Resistance; and James Wickstrom, once a leader of the Posse Comitatus.

Freemen Legal Confrontation Began Long Ago

The Freemen standoff did not start on March 25 of the blue, as it may appear to much of the nation. It didn't come as a surprise to many Montanans, particularly MHRN supporters who have been hearing about these anti-government activists since October, 1993.

Schweitzer, in fact, has been on the Network's screen since the mid-80s when he moved to Bozeman and associated with other malcontents who refused to pay taxes or license their vehicles and disrupted local clerk and recorders with mounds of frivolous court filings. Freemen organizing provided a way for Schweitzer to package and franchise his ideas for mass distribution to the Patriot movement.

Almost exactly two years before the standoff began, the *Billings Gazette* ran an investigative report by Clair Johnson on anti-government activity in central Montana. Rodney Skurdal and Richard Clark had already set up their "common law" court in Jordan, issuing edicts, offering bounties for the lives of public officials and filing false liens on their property. The sheriff had already formed his citizen's posse.

Roy Schwasinger of the Colorado-based "We the People" had been through the state late in 1992 promising people they would share in a huge settlement against the federal government if they paid \$300 up front. Schwasinger has since been sentenced to over 10 years in federal prison for fraud.

There were numerous warrants, several arrests, and a few convictions as Freemen activity continued throughout 1994. Toward the end of the year, the Montana Bankers Association issued a warning to financial institutions about attempts to pass worthless checks bearing the names of Schweitzer, Skurdal and Peterson. Three months later, Mayor Tom Klock de-

clared Cascade to be a Freemen town and deposited a \$20 million bogus money order in the local bank. Klock was later removed from office and faces several charges.

In March of 1995, John Trochmann, head of the Militia of Montana was arrested in Roundup along with several Freemen. Authorities believed the Freemen planned to kidnap a local judge. Police confiscated plastic restraining devices, sophisticated radio equipment, numerous weapons and \$80,000 in cash, gold and silver. Charges against them were later dropped for lack of evidence.

Meanwhile, Rodney Skurdal and LeRoy Schweitzer were "hiding out" in a cabin near Roundup, both wanted on felony warrants for advocating terrorism. Sheriff Paul Smith, citing limited resources, said that arresting them was "impractical."

On September 28th, at 2:00 am, Freemen from the cabin traveled in a convoy to Garfield County where they joined the Freemen at the Clark ranch and formed Justus Township. Neither local law enforcement nor the FBI moved to intervene. Soon after their arrival the group fired shots over the head of a Polish journalist who tried to talk to them. They held up an ABC News crew and stole \$66,000 worth of camera equipment at gunpoint.

With consolidated forces, the Freemen proceeded to develop their fraudulent money schemes and sell their ideas to the Patriot movement. In the next four months, they trained over 800 people in the fine art of ripping off the government and its citizens. Up to 30-40 people, paying \$300 each, came through the 4-day training program at the ranch nearly every weekend.

Just 10 days before his arrest, Schweitzer attempted to purchase \$1.4 million of weapons and military-style equipment, including armor piercing incendiary shells. According to the gun dealer, Schweitzer was trying to outfit an army of 200. The weapons were never delivered because the bogus money order, with which he tried to pay for them, bounced.

The people of Jordan had been more and more frustrated with the lack of FBI intervention since the Freemen moved their headquarters to the Clark ranch. Community members began circulating a petition which clearly demonstrated that the citizens of Garfield County would take action to get the Freemen off of the property so the rightful owners could begin farming. This rather extraordinary move is what prompted the FBI intervention.

LESSONS TO BE LEARNED

The standoff in Jordan is over. There will likely be months of discussion about the lessons learned from the event. There are several which should come through loud and clear.

Lesson No. 1 Swift Law Enforcement Response

Garfield County Sheriff, Charles Phipps has said that the standoff might have been avoided had he dealt more aggressively with the Clark family when they first broke the law. Sheriff Phipps is being too hard on himself. Garfield County has dealt with the Freeman in a very prompt manner. What ever happened in Garfield County early on would not have prevented a standoff. It would have only changed the location. Leroy Schweitzer and Rodney Skurdal were holed up for months in Musselshell County before moving to Jordan.

But Sheriff Phipps is right about one thing. The criminal activities of groups like the Freeman should be dealt with when they occur, just like any other crime.

Lesson No. 2 Inter-agency Cooperation

In March of 1995, six months before the Freeman moved from Roundup to Jordan and almost a year before the standoff with the FBI began, the Network issued an advisory to law enforcement officials detailing the connections between anti-government groups and calling for a coordinated law enforcement response. That cooperation has never developed. The day before the Freeman surrendered, Dean Clark, one of the owners of the ranch, arrived at the ranch with the local sheriff and a court order issued by a state court allowing Clark on to the ranch to plant his crops. The FBI was named as the defendant along with the Freeman. One Montana law enforcement official defined interagency cooperation as,

"The Feds decide what to do and you are expected to cooperate."

Lesson No. 3 Therapy for Political Paralysis

Seeking to avoid another Waco or Ruby Ridge, the FBI seemed incapable of deciding what course of action to take. While Leroy Schweitzer and Rodney Skurdal were holed up in Roundup, with federal indictments outstanding, they were allowed to conduct training sessions showing people from all over the country how to perpetrate their fraudulent check schemes. These training sessions continued after the Freeman moved to Jordan. There are now "common law courts" modeled on the Montana example in 30 states. Direct ties to the Montana Freeman have been identified in 18 states. The Freeman successfully franchised their fraudulent schemes right under the nose of the FBI.

Despite repeated pleas from law enforcement officials in Musselshell and Garfield Counties, the FBI only became engaged when it became apparent that the locals in Jordan were going to take matters into their own hands. Even then, it took more than two months before the FBI took the very modest step of cutting the power to the ranch. (Three days later the children came out and two weeks later the whole group surrendered.)

By almost all accounts this operation was being run by the highest officials in the justice department, in particular FBI Director Louis Freeh and Attorney General Janet Reno. The situation in Jordan was being managed as a political problem much to the chagrin of line officers in federal, state and local law enforcement agencies.

PATRIOTS—FAIR WEATHER FRIENDS TO FREEMEN

"Ironic" is the word monitoring groups used to describe the Christian Patriot reaction to the Freeman standoff in Montana. Not only did leaders in the Patriot movement try to distance themselves from the increasingly unpopular Freeman, they also called on the FBI to get tough to end the standoff.

Leaders of the far right have long been on the record supporting the Freeman. At a press conference in April tax protestor, Red Beckman, said that he identifies with the Freeman while questioning the validity of the indictments against them. In February the Militia of Montana endorsed the Freeman philosophy in its newsletter. Senator Charles Duke of Colorado characterized them as slaves of the government in an article last year. Bo Gritz agrees with their interpretations of the Second Amendment and Title 10 of the U.S. Codes which, they say, provide for private armies (they call them militias).

This sense of common purpose (plus a healthy dose of ego)

is what led Bo Gritz, Randy Weaver, Charles Duke, Kirk Lyons and other patriot types to think they could successfully negotiate with the Freeman. Clearly the FBI agreed, allowing a host of far right activists unprecedented access to fugitives in a standoff situation.

But it seems that even patriot leadership underestimated the resolve of the Jordan Freeman. Gritz and Duke both left the unsuccessful negotiations calling on the FBI to get tough. Both Gritz and Duke used their role in negotiations to get in front of the cameras and explain how the Freeman are not representative of the Patriot movement: explanations which rang hollow to anyone who has been tracking the far right.

The Patriot movement will likely continue to be plagued with this dilemma. They seek the support of people who are in the political "mainstream" but the actions which flow from their philosophy will invariably alienate the public. It is a Catch-22 which can only be managed with snake oil and fast talk.

THE LEGISLATURE & THE FREEMEN

For a group that rejects the authority of the government, the Freemen are surprisingly concerned about getting a hearing before government officials. One of their first demands was the opportunity to air their grievances before the Montana legislature.

About a month into the standoff, Freemen supporter Bo Gritz was declaring victory, saying the fugitives would surrender if Montana lawmakers could prove Freemen legal theories were wrong. They were demanding free passage to Helena to present their views. Gritz (who once teamed up, for a short period of time, with former Klansman David Duke to run for vice president) was let into the compound to attempt to resolve the standoff. The "deal," if there ever was one, fell through.

The day after Gritz' comments, Speaker of the House John Mercer (R—Polson), said he would consider the Freemen's request. "If we're requested to do so by the FBI and the state department of justice and the Freemen, then obviously, we'll consider holding a hearing," Mercer told the *Billings Gazette*.

House Minority Leader Ray Peck (D—Havre) disagreed. "If we start this, where does it end?" he asked. "Why shouldn't you deal that way with some guy the highway department stops for drunk driving?"

Governor Marc Racicot declined to comment.

The Freemen have reason to believe they have friends in the legislature. First, there's Colorado Senator Charles Duke who also was allowed in to talk to the Freemen. Duke has worked closely with Montana legislators in moving his 10th Amendment Resolution through the Montana legislature. Sponsored by Sen. Steve Benedict (R—Hamilton), the resolution asserts state sovereignty and demands an end to federal mandates that purportedly usurp states' rights. According to the *Colorado Spokesman*, Duke was in touch often with Montana Rep. Aubyn Curtiss (R—Fortine) and Sen. Casey Emerson (R—Bozeman) in April and May, exploring potential legislation that would create a neutral tribunal for the Freemen.

Gritz thought Duke would be a good mediator because "he understands the Patriot movement."

Duke agreed that he had a unique insight that might make him the perfect negotiator. The Network has a video of Duke swearing an oath to the Colorado Common Law Court. In his speech, he declares the 13th amendment (which freed the slaves) a fraud. Following the Oklahoma City bombing, Duke suggested, like many in the patriot/militia movement, that the U.S. government was responsible.

The Freemen have a second reason to believe they have friends in the legislature. Last session several bills supporting themes which appeal to the Freemen were introduced. In addition to Duke's 10th Amendment Resolution which passed with overwhelming support, Benedict also successfully sponsored a states' rights bill which allowed the governor to reject any federal mandate that does not "conform to Montana customs and culture." Then there was Aubyn Curtiss' bill to restrict the authority of federal agents. It passed and was vetoed by the governor. Neither Rep. Matt Brainard's (R—Missoula) resolution to support citizen's armed militias, nor Sen. Larry Baer's (R—Bigfork) constitutional amendment to reject federal mandates not specifically mentioned in the U.S. Constitution, passed.

A key indication of support was a petition which circulated among legislators in 1995, asking the governor to give groups like the Freemen an official forum to complain about the government without fear of prosecution. (See related article.) It was signed by 42 Republican legislators.

The existence of the petition was not made public until it was presented to a reporter by Militia of Montana members in an effort to show their movement had mainstream support. The mainstream, which has been solidly against the Freemen, has to start wondering who they elected to represent them.

The governor said the document never reached his desk and doubted its validity. He said he didn't have the authority to set up such a forum, and if he did, "I would not provide amnesty and immunity for people who have committed acts [which] violate the law." But would he give them the legitimacy of an official hearing?