

Has Government Earned Our Trust

Tenth in a series

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Revisiting the past with our government that we may better determine our trust and confidence in the present.

### **Ruby Ridge:**

Randy Weaver was a former factory worker in Iowa, and former *Green Beret* who served America (us) honorably before moving his family to Idaho in the 1980's in order to escape what he, and his wife Vicki, saw as a corrupted world. They bought about 20 acres of land on Ruby Ridge in 1983 and built a simple cabin.

In 1984 a land dispute with neighbor Terry Kinnison emerged. Kinnison lost the lawsuit and was ordered by the court to pay Randy an additional \$2,100 court costs and damages. Following this, Kinnison wrote letters to the FBI, Secret Service and county sheriff, alleging that Randy had threatened to kill the Pope, the President and the governor of Idaho. The Secret Service and FBI began an investigation in January of 1985.

In February 1985, Randy and wife Vicki met with agents of the FBI, Secret Service and investigators from the Boundary County Sheriff's office. No charges were filed.

On February 28th, Randy and Vicki Weaver filed an affidavit with the county courthouse alleging that personal enemies were plotting to provoke an FBI attacking on the Weaver family. On May 6<sup>th</sup>, Randy and Vicki Weaver mailed a letter to President of the United States, Ronald Reagan, in which they expressed concern that enemies of the Weavers may have sent the President a threatening letter with a forged signature. No evidence of a threatening letter surfaced, but at a later time this apology letter was cited by the government prosecutor as an *Overt Act* of conspiracy against the federal government.

In July 1986, Randy was introduced to a BATF undercover informant, although the *informant status* of the individual was not known to Randy. Three years later, the informant would claim that Randy had sold him two shotguns which had been sawed off below the legal limit. Randy denied this claim, saying that he sold the informant two shotguns that were legal and that the informant had sawed them off after the purchase.

In June of 1990, agents of the BATF used this concocted weapons issue in an attempt to force Randy into becoming an undercover informant for investigations into the Aryan Nation. Randy refused. The result of refusal was an indictment against Weaver.

Pretending to be *broken down motorists*, BATF agents arrested both Randy and Vicki when they stopped to assist what they thought to be someone in need of help [obviously a sign of hardened criminals]. Randy was released on bail, and told that his trial would begin on February 19, 1991.

Probation Officer Richins sent Randy a letter on February 7 and erroneously indicated that Weaver's trial date had been moved to March 20<sup>th</sup>, when it was actually moved to February 20<sup>th</sup>.

When Randy failed to show up on February 20<sup>th</sup>, the judge issued a bench warrant for *failure to appear*. On February 26<sup>th</sup>, a reporter phoned the Probation Office and asked if Randy's failure to appear was due to the incorrect date in the letter. The honorable Chief Probation Officer, Terrence Hummel, informed the judge's clerk of the incorrect date in the letter sent by Richins. The U. S. Marshals Service and Weaver's attorney were also informed. However, the judge refused to withdraw the bench warrant.

The operation included use of jet reconnaissance overflights with aerial photographic analysis by the Defense Mapping Agency. Also included in this operation was the placement of high-resolution video equipment recording Weaver family activity from 1.5 miles away--160 hours of recording.

On August 21, 1992, six U. S. Marshals were sent to find a suitable place to ambush Weaver and arrest him. In my research I have not come across any reason why they didn't just knock on the door like the FBI, Secret Service and County Sheriff did previously.

One mobile Marshall threw rocks toward the cabin and alerted the Weaver's dog Striker, who began barking. Friend Kevin Harris and 14 year old Sammy Weaver exited the cabin hoping that there was some game they could bag since the cabin was out of meat. The dog Striker was cut loose with Sammy and Harris behind him. Randy exited the cabin and took a different path.

Striker found a couple U. S. Marshals and began his playful dance. One agent shot and killed the dog in front of Sammy. Evidently Sammy fired his rifle without hitting anyone, probably to get the unknown party to stop. An agent shot Sammy through his elbow, nearly taking the arm off the boy. Sammy turned to run back home and was shot in the back and killed. Kevin Harris fired and killed one of the Marshals.

After the fire-fight, Sammy's body was put in the guest cabin beside the main cabin. The next day Randy, Harris and sister Sara went to the guest cabin to pray over Sammy and deal with their grief. FBI sniper Lon Horiuchi shot Randy in the back. Vicki Weaver was in the doorway of her cabin, holding her 10-month-old infant. Agent Horiuchi fired a second round which tore off the lower jaw of Vicki Weaver, severing her carotid artery. She fell to the floor of her cabin holding her infant. Reports relate that her screams lasted about 15 seconds before she was dead. The bullet that passed through Vicki also wounded Kevin Harris in the chest.

The DOJ Office of Professional Responsibility report found that the second shot did not satisfy constitutional standards for legal use of deadly force. The same report finds that the lack of *request to surrender* was "inexcusable" since both Weaver and Harris were running for cover without returning fire and were not an imminent threat.

In the aftermath, Weaver was acquitted of all charges except missing his original court date and violating bail conditions. He was sentenced to 18 months with credit for time served. He spent

another 4 months in prison. Kevin Harris was acquitted on all charges.

A *wrongful death suit* was filed by the remaining Weaver family members brought Randy Weaver \$100,000 and to his three daughters, one-million-dollars each. In a civil law suit filed by Kevin Harris he would receive a \$380,000 settlement from the government.

Lon Horiuchi was later promoted.