

Oregon occupation planned for months by Ammon Bundy and Montana militia leader



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It may have looked spontaneous, but the takeover of the **Malheur National Wildlife Refuge** a week ago was part of a plan **Ammon Bundy** and a trusted associate developed largely in secret over the past two months.

Bundy, the son of controversial Nevada rancher Cliven Bundy, and Ryan Payne, a militia leader from Montana, came to believe that an armed occupation was the only way to bring enough attention to a pair of local ranchers heading to prison and change the underlying problem: federal land ownership.

Even as a wider network of anti-government groups and community members rejected taking action stronger than holding a public rally, Bundy and Payne privately strategized an occupation they felt was necessary to spread their message.

The Oregonian/OregonLive conducted dozens of interviews with Bundy, Payne, their supporters and federal officials that show how the leaders worked parallel tracks. They encouraged local organizers to plan a peaceful rally to back the ranchers -- **Dwight Hammond Jr. and his son, Steven Hammond** -- while they scoped out potential sites for a takeover.

Bundy and Payne were calculating and charismatic. The Hammonds' plight hit at the heart of their belief system. As Payne cased several federal offices in Burns and visited the refuge on multiple occasions, Bundy spent his time interviewing the Hammonds and pulling court files associated with their case.

Their presence in Burns, and the growing support for the Hammonds online, rattled the U.S. Fish & Wildlife Service enough that it began making safety arrangements for its 17 employees at the refuge -- a horseshoe-shaped bird sanctuary that surrounds the Hammonds' ranch. A photo of Payne was posted in a refuge building for workers to be on the lookout.

But still no one appeared to know specifically about a planned occupation -- not the FBI, not Harney County Sheriff Dave Ward, not the Hammond rally organizers.

In keeping their plan shrouded, Bundy and Payne risked losing the support they had galvanized during the 2014 standoff with federal officials near the Bundy family ranch in Nevada.

In the hours after the Malheur refuge takeover, rally organizers claimed that they had been double-crossed.

But today, as the siege enters its 10th day, the operation has taken on the sheen of success. Some lawmakers are coming out in support of the occupiers' message, even if they believe their tactics were wrong. And the same Hammond supporters frustrated by the deception have tempered their anger and taken up posts at the refuge.

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The planning

Ammon Bundy and others in the loosely organized patriot movement had been searching for compelling stories of federal overreach ever since the standoff over grazing fees in Nevada had placed [Cliven Bundy in the national spotlight](#).

The Bundys were widely seen as victorious at what became known as the "Battle of Bunkerville." Ammon Bundy and his supporters were looking to use that platform to highlight other personal stories of injustice and bring their interpretation of the U.S. Constitution and the proper role of the federal government to a broader audience.

The Hammonds were just the ticket.

The Burns-area ranchers were found guilty of arson in 2012 after fires they said they set to reduce harm from wildfires and invasive plants damaged federal land. The trial followed years of friction with the U.S. Bureau of Land Management over water and grazing rights.

The convictions were punishable by a mandatory minimum sentence of five years in prison under the [Antiterrorism and Effective Death Penalty Act of 1996](#), which followed the Oklahoma City bombing and other deadly acts of domestic terrorism. But the judge vastly reduced the Hammond's sentence, saying he didn't believe the ranchers deserved to be lumped in with terrorists.

Oregon's U.S. attorney then successfully appealed the sentences. [In early October, another judge ordered the Hammonds](#) to serve their full five-year terms.

Bundy and Payne were outraged by the use of the terrorism statute, and they separately called the Hammond family to offer help.

[On Nov. 3, Bundy blogged](#) about the Hammonds' plight with a direct message for government officials.

"We warn federal agencies, federal judges and all government officials that follow federal oppressive examples that the people are in unrest because of these types of actions," Bundy wrote. "We further warn that the incarceration of the Hammond family will spawn serious civil unrest."

Dwight Hammond Jr., his wife, Susie, and his son, Steven, met with Bundy, Payne and a dozen or so members of sympathetic groups from Oregon and Idaho in mid-November. The emotional daylong meeting took place at the Hammonds' home in Burns, several attendees said.

The Hammonds told their story, and the group discussed proposals on how Bundy and the others could help.

The plan favored by many who attended the meeting was inspired by Bunkerville. They wanted to protect the Hammonds from being taken back into custody by forming a human circle around their home. But the Hammonds, attendees said, ultimately declined the help. At most, they preferred a more community-centered rally.

Among the proponents of a more decisive strategy was Payne, who earned the Bundy family's trust by coordinating the militia response during the standoff in Nevada. Back then, he was among the first to respond to the Bundys' call for help.

Payne also is the founder of a communication network of militias and sympathetic people called [Operation Mutual Defense](#). He and four others on the network's board held weekly conference calls, current and former members said. Payne regularly updated the group on his travels to Oregon to meet with the Hammonds and collect information about how best to assist.

After the Hammonds declined Bundy and Payne's help, the Operation Mutual Defense board voted 4-1 to do nothing more, said Gary Hunt, a board member from Northern California. The group took a series of straw polls on potential actions they could take without the family's support, Hunt said, but the majority opinion

The players

The Leaders

Ammon Bundy, an Arizona businessman and the 40-year-old son of Nevada rancher Cliven Bundy. The elder Bundy's long-running battle with the U.S. Bureau of Land Management became a lightning rod for various anti-government groups in 2014 when federal authorities tried to round up his cattle in a dispute over 20 years' worth of unpaid grazing fees. With militia support, the family thwarted the roundup, and a video of federal authorities using a Taser on Ammon Bundy went viral.

Ryan Payne, a 32-year-old Army veteran from Montana who earned the Bundy family's trust by coordinating the militia response during the 2014 standoff in Nevada. He also founded a network of militias and sympathizers called Operation Mutual Defense, whose board was involved in early talks on how to help a pair of Burns area ranchers.

Operation Mutual Defense

Gary Hunt, a board member based in Northern California who blogs at Outpost of Freedom. The board didn't support action in Burns without the Hammond family's invitation, but Hunt said he individually backs the occupation.

Tim Foley, the founder of Arizona Border Recon, a group that patrols the U.S.-Mexico border. He was on the board, but resigned shortly

was "if we're not invited, we have no business doing something."

Tim Foley, who represented an Arizona group on the Operation Mutual Defense board, said he resigned after the vote. He said he feared continuing to associate with Payne, who he believed was planning a more aggressive act.

"Ryan said, 'I'm going to do it on my own,'" said Foley, who thought it was wrong to take the decision out of the Hammond family's hands.

"You're creating another form of tyranny," Foley said he told Payne.

Payne told The Oregonian/OregonLive that his takeaway from the elder Hammonds after a series of conversations was that the family didn't want any action to be about them. "He wanted an effort to be made to free all people," Payne said. "He supported an expansion of public information."

Occupying a federal facility would allow Payne to both highlight the Hammonds' story and to address the "economic warfare" he believed the federal government's ownership of significant lands in Harney County inflicted on its citizens.

"You can't do that work from a rally," Payne said he realized in November. "It takes more time."

"Luckily, we the people have been provided the means to do that because the federal government has provided facilities through legal plunder," he said.

The only task, he said, was to settle on a place to occupy.

Law enforcement wary

In addition to talking daily to the Hammonds in November, Bundy, Payne and other supporters of the family spent hours talking with Sheriff Ward in person and over the phone, said B.J. Soper, an organizer from Redmond.

The sheriff heard Bundy and Payne's complaints about how the Hammond case had been handled and supported a peaceful protest, Soper said. But Ward, who estimated he discussed the Hammond case with them for eight hours over two months, said he never heard any information about an occupation of the Malheur refuge "or any other facility," according to a statement from his office.

Other Oregon organizers met for more than two hours with the assistant U.S. attorney who prosecuted the Hammonds to hear more about the case.

"Law enforcement -- local, state and federal -- knew that outsiders had moved into the Burns area in October," according to a statement issued Monday by a spokeswoman representing a combined law enforcement response team including the FBI, Oregon State Police and the sheriff's office.

"We knew there was the potential that their activity could cross the line into criminal behavior," the statement continued, "but there was no specific information that they were intending to occupy the Malheur National Wildlife Refuge or any other facility in Harney County."

Refuge employees reported to law enforcement that Payne and three other men were scoping out the refuge over the same period. They knew Payne's face because his picture hung on the wall at the refuge. Asked where the picture came from, U.S. Fish & Wildlife spokesman Jason Holm said he couldn't comment on "aspects of an ongoing law enforcement investigation."

Payne used a refuge bathroom one day and took time to look around, according to sources close to the investigation. The men parked outside and spent an "unusual" amount of time over a series of days watching who came and went from the refuge, Holm said.

"I know they watch me," Payne said recently of the FBI. "I watch them, too."

Payne declined to say when occupying the wildlife refuge became his and Bundy's top plan.

after the vote to further distance himself from Payne's plans.

Jon Ritzheimer, an Arizona man who has been most famous for planning a series of anti-Islam rallies in Phoenix last year. He voted against action in Burns without an invitation from the Hammonds, but later changed his mind. He is among the core group of occupiers.

Oregon rally organizers

B.J. Soper, a Redmond resident and founder of the Central Oregon Constitutional Guard. That group also is involved with the Pacific Patriot Network, which includes about 4,000 members from various groups in the Northwest.

Jeff Roberts, a Grants Pass-area resident and vice president of Oregon III%, which derives its name from the small share of the colonial population they believed to have taken up arms against the British. The group is also part of the Pacific Patriot Network.

Bundy posted a letter online to Sheriff Ward on Nov. 13, urging him to protect the Hammonds from federal action. To outsiders, the communication may have seemed a publicity stunt. But to patriot and anti-government groups that share Bundy's interpretation of the Constitution, the letter launched an official process.

The groups disavow federal authority, placing the power in local law enforcement. The letter to Ward was a key part of a series of procedures that Bundy and his supporters follow.

Bundy continued to post more letters online. Experts say those messages likely raised red flags for law enforcement that the groups' discussions were intensifying.

Bundy and Payne tried to get to know a growing number of community members. Bundy visited Burns several times and held at least two town hall-style meetings at the county fairgrounds where he shared his views on the federal government and how the Hammonds had been treated.

"We tried to lay out other prudent methods but we could see after discussions over and over with the community that this had to be done," Bundy said.

He kept the circles of people he told about the emerging plan small. "I worried about sharing it with the wrong people," he said.

Payne was in charge of operations and Bundy was the communicator. They were in sync, Bundy said.

"We understand history. We are unified," Bundy said. "We don't have to question each other or try to educate each other."

By late November, the Hammonds pulled back from Bundy and Payne.

Both Bundy and Payne said the communication stopped because the family felt threatened by federal authorities. The ranchers feared their home would be raided and they would be sent back to prison early, **Bundy wrote in a Nov. 21 blog post.** Bundy announced the development in a video. He choked up recalling how Dwight Hammond's wife, Susie, had grown so close to him that she'd once ended a phone call saying she loved him.

"You can't do that work from a rally. It takes more time." - Ryan Payne, a top occupation planner

Larry Matasar, one of the Hammonds' three attorneys, wouldn't confirm the FBI called his clients. Bundy told The Oregonian/OregonLive that he learned FBI agents also discouraged two county commissioners from continuing to talk to him.

"The FBI was intimidating people," Bundy said. "We had been working with the sheriff and the commissioners, and that stopped. The FBI told them not to respond."

Payne said he moved to Oregon in early December in part to try to prevent federal authorities from taking the Hammonds into custody early. He said he was primarily trying to gauge local views on the federal government. But he was also conducting surveillance, with the idea of an occupation in mind.

On Dec. 11, **Bundy posted an online petition of sorts** -- called a "notice of redress of grievance" -- and tens of thousands of people from across the country signed it, tossing their support behind the Hammonds.

But the sheriff failed to acknowledge the call to action, said Bundy and other organizers. Under their belief system, they said, that meant the responsibility to protect the Hammonds and other county residents fell to them.

Still, with the Hammonds out, other militants began to get cold feet. Rally organizers -- mostly from Oregon, Idaho and Washington -- continued to solidify plans for the protest, which they felt best honored the Hammonds' wishes.

Bundy also received a cool reception to the idea of an occupation from the **Harney County Committee of Safety.** The group of Burns community leaders had formed earlier under the direction of rally organizers.

Bundy told the group several days before the rally that he could call up militia for an occupation if necessary, said Tim Smith, a committee member.

"Ammon explained how they had the ability to back us up," Smith said. "But we had decided that was not the way we wanted to go."

As the Hammonds' Jan. 4 deadline to return to prison loomed, rally organizers intent was to show the father and son and their families that they weren't alone.

"America really needed to hear their story regardless of the court process," said Jeff Roberts, an organizer from the Grants Pass area. "They're not terrorists, they're ranching families in rural Oregon."

Organizers planned a half-mile march from the Safeway store in Burns, past the sheriff's office and courthouse, to Dwight Hammond's home in town and back to the store.

Soper, the organizer from Redmond, said he spoke regularly with the Safeway manager, who agreed to stock extra flowers for supporters to buy and give to the Hammonds.

On Dec. 30 -- three days before **the Jan. 2 rally** -- federal employees were nearing the end of their work day at the wildlife refuge when management told them to go home early.

And for their safety, their boss said, they weren't to return to the refuge until instructed.

"That was based on the culmination of our intel," said Fish & Wildlife spokesman Holm, "and the start of the holiday weekend."

Holm wouldn't elaborate on details of the "intel."

Payne said he felt driven by his military oath to defend the Constitution by making a bold move despite the Hammonds' decision to distance the family.

"There had been serious constitutional violations here," Payne said. "They feared for their lives. You have to still defend the people from tyranny."

He took to the online airwaves Dec. 31 to explain how he thought the federal government would react.

"When they take the actual folks who have turned their lives into public service and declare them as terrorists, we now know how they plan to deal with us, which is they are not going to negotiate with us," **Payne said on camera**. "They are going to use force."

Payne made the comments to **Pete Santilli**, a self-styled journalist and promoter of the occupier's agenda who met Payne in 2014 at the Bundy ranch and regularly posted YouTube video updates of the organizers' work.

The interview was titled "Operation Hammond Ranch @ Burns, Oregon Will Be Historic."

The rally

As Payne and **Bundy's rhetoric grew more intense online**, some Harney County residents were getting nervous that the Saturday rally would turn violent. Organizers said they held **a final meeting on New Year's Day to ease their concerns**.

About 60 community members and organizers, including Payne, attended the meeting at the fairgrounds.

But Bundy wasn't there.

Bundy later told The Oregonian/OregonLive that instead he had met up elsewhere with local ranchers, loggers and miners, hoping to recruit them. Afterward, local residents described a meeting where Bundy introduced his idea to occupy the refuge.

Some attendees told friends and family later that they thought Bundy's proposal was meant as a joke. They declined to join up.

After the two meetings had ended that Friday night, Bundy, Payne and other key organizers met several more times. Increasingly, rally organizers said it became clear Bundy and Payne supported an occupation and that they identified the target: the wildlife refuge.

The 187,000-acre reserve sits 30 miles outside of town with numerous buildings, vehicles and equipment. Several roads lead in and out.

Soper, the organizer from Redmond, said despite talk of an occupation, he remained convinced the rally was the plan. He went to shovel snow from the sidewalk around Safeway.

The next day, Soper was surprised by the turnout. The Safeway manager called him at 10:30 a.m. on Saturday -- two hours before the rally -- to say hundreds of people were already in the parking lot.

By noon, about 300 people from across the West had turned out to back the Hammonds. The parade was peaceful, and the crowd cheered during a rally in the parking lot against federal agencies that owned, operated and issued permits for land in the county.

Then, when the crowd was supposed to head toward a final phase at the fairgrounds, Roberts and Soper saw Bundy on a snowbank, calling on attendees to **join him in taking a harder stand.**

They were headed to the refuge, he told attendees. Soper and other local organizers were furious. Soper wrote later on Facebook that the move hijacked the rally's intentions.

He wasn't alone.

"Everybody was like, 'You've got to be kidding me, I came up here for a rally,' " said Melvin Lee, an Arizona resident who had driven up and eventually visited the refuge twice during the takeover.

"A lot of people were angry because they didn't get that intel," Lee said. "If they would have told us that, we wouldn't have shown up for that. We wouldn't have driven 3,000 miles."

Sheriff Ward immediately told the occupiers to "Go home" -- a message underscored by hundreds of county residents who showed up for a community meeting last Wednesday, two days after the Hammonds had reported to a federal prison in California.

But Bundy refused to decamp, saying occupiers wouldn't leave until the federal refuge lands are in local control and the Hammonds are released.

Now, many who criticized Bundy and Payne's takeover have begun to voice support, even admiration, for the amount of attention the occupation has brought to the underlying grievances. Occupiers have received increasing local support and supplies and gained international headlines. U.S. Rep. Greg Walden, R-Ore., delivered an emotional shout-out on the House floor.

Hunt, one of Payne's board members, was among those who voted against taking action in Burns without an invitation from the Hammonds, county officials or the governor.

"I think they've done a beautiful job in what they've chosen to do. It was very well planned and well executed," he said.

"This is history here. It shows the government that we made the government and if they don't get smart very soon, we might dissolve that government."

That was part of Bundy's plan all along.

"We wanted to show the community that we were committed, that we were putting ourselves on the line and would stand hard," he said. "We knew we had to gain the confidence of the community and we knew it would take several days, a week or so, for the community to work through it."

"It happened quicker than we anticipated."

Les Zaitz and Luke Hammill of The Oregonian/OregonLive contributed to this report.

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