

The Paramilitary Police
Guest: Will Grigg
December 3

Will Grigg runs the Pro Libertate blog – freedominourtime.blogspot.com – and is the author of several books, including Liberty in Eclipse: The Rise of the Homeland Security State.

WOODS: I want to start off more generally, and then get into some specific cases of items you've been tracking. When I was growing up as a kid, I was suspicious of government, I didn't believe what they told me, and I didn't support their farm subsidies, and all that. But, when it came to the local police, I felt like if you don't give 100 percent, unconditional support to the local police, then you're some kind of commie. And I don't think I'm the only one who feels that way, who now feels like I've been burned, like I shouldn't have been so stupid and naive. Now, do you think that over the past twenty years or so as I've come of age, is it just that I've gotten wiser, or have things just noticeably gotten worse?

GRIGG: It really is something of a predicament to decide which of those two propositions is true. Are the police more abusive today? Or are the abuses simply more visible because of the advent of decentralized information-gathering and publicity through YouTube and social media?

I suspect that we're dealing with a little of each of those. And, like yourself, Tom, I'm somebody who, perhaps two or three decades ago, had a rather winsome perspective on the local police.

I was somebody who subscribed entirely to the concept of Officer Friendly, in large measure because as a young man I aspired to become a police detective. I spent a great deal of time in the company of law enforcement officers. I'm talking about municipal police or sheriff's deputies. I actually studied that for a while academically.

One of the things that I've come to conclude is that starting probably in the early 1970s and then accelerating dramatically in the early 1990s, you had a sort of forced-draft recomposition of the police culture, the law enforcement culture, where some of the things that were obvious even then, some of the trends that were unfortunate, were amplified dramatically. That would be, of course, the militarization of police tactics and hardware, and, more importantly, the militarization of their mindsets.

But, like yourself, Tom, I'm somebody who considers himself to be somewhat chastened at the memory of some of the attitudes I had about the police decades ago. And I should have been paying more attention. Somebody once said—and I can't remember who—that a conservative is a liberal who's been mugged by reality. And you could say that a civil libertarian is a conservative who's discovered that the police are not our friends.

WOODS: And, as I say, I'm kind of embarrassed now when I look on it, how silly I was in the past. That's not to say you can't find honorable people in every profession, blah, blah, blah, but

the fact is that a government employee is a government employee. You're not supposed to have an "I'm going to salute" type of attitude. You have to have a skeptical attitude.

What do you think has been driving it? Is there a factor that accounts for it? Is it that they've been, little by little, seeing what they can get away with? And they've grown to conclude they can get away with an awful lot, because no one responds? Is it the drug war that's the driving factor? What accounts for this, do you think?

GRIGG: The drug war, of course, I think is a very important breaking point between what had existed before about 1971 or '72, and what we have now.

This is something that was declared by the Nixon administration for reasons of cynical political opportunism. They wanted a wedge issue generationally. They thought that going after the stereotypical denizens of the drug culture would have multiple benefits, multiple impacts that would be beneficial when you're talking about their Southern Strategy in appealing to the so-called silent majority.

I think they used that as a way of rebranding their effort in law-enforcement-friendly terms, law-and-order terms that would appeal to blue-collar ethnic Democrats. As a result, you had the SWAT concept that had been pioneered back in 1968 in LAPD, using a concept that had actually been field tested in Vietnam.

That's an important aspect of the story, too, I think. The SWAT concept really took root and flourished—that would have been about 1971, '72, or '73 or so—and then a generation later, you had an escalation under Bill Clinton, who came from a rather different social cohort than Richard Nixon had in terms of his personal behavior and his personal acquaintance with drugs. But they militarized the war on drugs dramatically during the interim.

Yet George H.W. Bush, as the vice president, somebody who had been an employee of the CIA—which is the world's largest drug cartel, as far as I can tell—in the 1980s presiding over this effort to carve out exceptions to *posse comitatus* to allow direct military involvement in drug interdiction efforts.

Waco was another important milestone, if you will, because they used the drug nexus by imputing to the Branch Davidians the supposed involvement in methamphetamines. They were actually very much opposed to methamphetamines, and other narcotic drugs. But Governor Richards of Texas, taking advantage of one of the *posse comitatus* exceptions that had been pioneered by the Republican presidential administration in the 1980s, so that there was a drug nexus to the investigation of the Branch Davidians, which allowed her to get special forces involved directly in planning the ATF raid, which she authorized—the Federal ATF raid—and the subsequent FBI siege of the Branch Davidians.

And a couple of years later, you had Janet Reno, who distinguished herself by immolating the Branch Davidians in April 1993, creating the LESO program, the Law Enforcement Support

Organization program, which is used to send surplus war hardware from the Pentagon directly to local law enforcement bodies.

So, I think that's driving this to a large extent. Rather than defining the needs and finding the technology that might be suitable, because all this hardware is available from the Pentagon, you have police chiefs and county sheriffs saying, "Because the hardware's available, we'll reconfigure the mission to meet the availability of the hardware."

And so they get all kinds of military and war-grade munitions from the Pentagon. They have Special Forces operators training their SWAT teams, their tactical teams. And suddenly, rather than seeing themselves as peace officers, you have police officers and deputy sheriffs seeing themselves as combatants fighting a counterinsurgency war that's a 360-degree battle zone. And that started the development.

WOODS: You know, Will, I had Carla Gericke of the Free State Project on the program not too long ago. And, of course, you know that the authorities there in Concord, New Hampshire, wanted to get—and apparently did get—an armored vehicle because they needed to protect themselves against the terrible Free Staters, and all these other domestic threats.

Let's talk about the article you wrote about a place probably no one listening to this program has heard of, the 5000-person town of Preston, Idaho. You would think, given that Preston's a fairly tranquil place—there's no violent crime there—they wouldn't need a militarized police force. But I love the way you explain how the police chief says that this is precisely why we need to make sure that we have this sort of militarized force, that you might be deceived into thinking that there's no prospect of violence here, and that you'd be wrong.

Can you tell us about this? Because I think that is such a classic, illustrative example—what's going on in Preston—of what's going on in many neighborhoods.

GRIGG: I agree with you, of course. Some of your listeners might be acquainted with the film *Napoleon Dynamite*, which is a whimsical and eccentric film that came out about ten or eleven years ago. It depicted this little town in southeastern Idaho, which is where I grew up—not in Preston, but in southeastern Idaho; I grew up in a very similar town to Preston.

And, as you point out, Tom, there is no measurable violent crime in Preston, Idaho. It's culturally homogenous; it's rural. If any place in the western United States would meet this description—the nearest equivalent to the mythical Mayberry you are likely to find.

Sheriff Taylor, of course, did not have an MRAP, which is a mine-resistant, ambush-protected vehicle, and he gave one bullet to his deputy, and he was very, very leery about the disposition of that ordnance when he gave it to Deputy Sheriff Fife.

Chief Geddes really should not have a police department to begin with. They don't need a police department in this town of 5000 in southeastern Idaho. It's the county seat of Franklin

County, which means that the sheriff's office is right there. But Chief Geddes, like several other police chiefs here in the state of Idaho, found out through this 1033 program—that's part of the LESO program I referred to earlier—that these MRAPs were being made available.

There are about 2,700 of them that the Department of Homeland Security has now made available for domestic use, so we filed an application and got one for quote/unquote "free," as he put it to me. "It's free. Granted we don't have a whole lot of violent crime here, but you can never tell when we're going to have a Columbine erupt. Or perhaps we'll have some kind of a siege involving some restive splinter faction of the patriot movement, or some such nonsense might erupt here in Preston."

"Besides that," he said, rather prickly and defensive as I asked him these questions, "Why aren't the people in Preston this important? You are seeing MRAPs being delivered to police departments in Nampa, Idaho, which is about eighty thousand people, which is not a very big city, not a very high crime rate. And in Boise, they just acquired an MRAP. That's a town where the violent crime rate has gone down every year since 2000, and it was less than half the national average in violent crime terms to begin with. So why are these people more important than the people in Preston?"

I tried to point out to him, well, you're not dealing with technology here that would be terribly beneficial to the public at large, because this would shield the officers. It would conduce to officer safety, which is the highest priority, apparently, for every law enforcement department in the country.

And he's trying to say that, by making the officers safer, you're making the public safer, and, of course, there's a disconnect there. It's an undistributed-middle argument, if you will. It depends upon what the officers are doing, whether or not making them safer will make the public safer.

His rationale was, "It's free to the taxpayers." But that's not true, since they have to maintain the thing. It is a tremendous fuel hog; it gets less than five miles to the gallon. You have to train people in maintenance. And you have to invest some money in the upkeep of the vehicle itself. But, because it was free, he got one.

The same thing happened with Nampa. The Nampa police department got one. And the Boise police department recently got one. They're being given away to even smaller county sheriffs' offices in rural counties across the country, and so forth.

And this is, once again, a really good example of how the technology is driving the perceived need. These people were crying out for militarized hardware to deal with a violent crime problem. They are trying to define a problem in order to justify the acquisition.

WOODS: I'm not trying to be flippant here, but doesn't it seem that, according to his reasoning, there really would be no reason for any place in the country, any police department, not to have one of these? Right? I mean, if Preston gets one, why wouldn't any old backwater get

one? And I don't mean that to insult Preston, but, for heaven's sake, it's not exactly ground zero, so to speak, of danger in the country. Right?

GRIGG: Yeah, if it will play in Preston, it should play anyplace else. So they've really set a marker here that's, I think, alarming, or should be considered alarming. If you have a town of 5000 with no measurable violent crime rate, then militarize the police department there, then I suppose the question is, "If it's like that in the greenwood, what's it like in the dry?"

WOODS: All right, Will. Let's shift gears here. Tell us what happened in Deming, New Mexico not too long ago, with a guy named David Eckert. What happened to this guy? And was he asking for it?

GRIGG: I'm persuaded that David Eckert was singled out for retaliation because he had committed contempt of cop in September of last year. He has become famous in one of the most unimaginable ways. He was subjected to object rape at the orders of the police last January.

He was stopped after supposedly rolling through a stop sign as he pulled out of a Walmart parking lot. The police officer, who allegedly witnessed this violation, did not stop him, but radioed ahead to another police officer who appears to have been lying in wait for Mr. Eckert. He appears to have been under surveillance. And within a few minutes after he had refused a citation for this moving violation, he was told he was free to go, and they pulled the infamous Detective Columbo routine—"Oh, just one more question I'd like to ask you."

And then it happened in September of last year, just a few blocks away from his house. He lives in another town just outside of Deming, in a different county. He was stopped just short of his house, and the police officer said, "You've got a cracked windshield. I'm going to write you a warning citation, and you're free to go." And as he turned to go, Eckert was given that Columbo routine once again. Oh, just one more question.

Eckert said, "You said I was free to go. I have no intention of answering your questions. Goodbye."

And the police officer professed to be offended and said, "That was rude, so now we're going to search your car. We're going to search your person for narcotics." So he called in a canine dog, and they seized his car and kept it for a day. They searched his car. They searched his person. Found no weapon, no narcotics. That happened last September.

In January this year, the same kind of thing happened, but this time, they brought in about a dozen or more police officers from three separate jurisdictions, including two who were part of a federalized, multi-jurisdictional narcotics enforcement task force, which is headquartered there in Deming, New Mexico.

Now this is a town of about 20,000 people, I think, and it's afflicted with an outpost of the Homeland Security Department that's involved in the border narcotics enforcement team run by Homeland Security. So you have a couple of people who are cross-deputized to this federal task force, one of whom is a canine operator with a canine that isn't certified to conduct drug tests in New Mexico, as it turns out.

But they once again seized his car and seized his person. They said that he was not under arrest, but he was handcuffed and put in a police vehicle and not allowed to call anybody. Which means you're under arrest. They obtained a warrant from Deputy District Attorney Dougherty there, and they requested permission in the search warrant not only to search the car, but to search the person of Mr. Eckert.

Why was the search of his person warranted? Because one of the people with this task force said that Mr. Eckert was known in the county where he's from to be somebody who smuggles narcotics in his rectum. Now, this was either a rumor, or it was a lie, but in neither case does it constitute probable cause. But it was taken as if it constituted probable cause. So he was taken in Deming to an emergency treatment facility—an emergency room, basically—and the attending physician said, "I'm not going to be any part of this. I'm not going to take part in this because what you're doing, it's illegal, it's unethical, it's unconstitutional, it's immoral, and it's wrong, and I'm not going to cooperate."

So the police officers called the attorney, and he suggested that they go to another town outside the county, where, apparently, they have a standing relationship with people in the emergency room to do this kind of invasive search of a person's body, because they've done this on at least one other occasion.

So, Mr. Eckert was taken out of the county, meaning the search warrant was invalidated. The search warrant was issued for the hours of six o'clock in the morning until ten o'clock of the evening of the day of his arrest. It wasn't described as an arrest, but by the time he got there, it was almost nine o'clock, and he underwent an abdominal X-ray that cleared him. There was nothing to be found, not for lack of looking, of course, I specify.

Not being satisfied with this, the police demanded, and the medical practitioners carried out, several invasive digital probes of his body cavity, and then several forced enemas, and ultimately a colonoscopy, which is an invasive surgical procedure. This all took place after ten o'clock in the evening. Once again, outside the county.

Assuming that the search warrant was valid—and it wasn't; it was based on rumor—the search warrant was invalidated by the place where they had taken him, and the fact they had transgressed the limit—the time limit. They kept him for 14 hours and forced him to undergo all these involuntary probes of his intimate anatomy, which means this is rape. Anytime somebody probes involuntarily, and without any kind of legal justification, the intimate anatomy of another person, it's a form of object rape.

And the crowning indignity was that after he was released from the hospital, and he had to endure the mocking and derisive comments of his captors, Mr. Eckert went home, and he started to receive bills from the hospital—\$6000 they expect him to pay, for the privilege of being subjected to this procedure, which once again, is tantamount to sexual violation.

Now, Deming, New Mexico is an interesting little town in that, as I pointed out, you've got this node of the Homeland Security state and this border enforcement and narcotics enforcement task force, which, about five or six years ago, came under scrutiny by the Department of Homeland Security because the people running the local outpost on the war on drugs were embezzling taxpayer funds, and then allowing so-called controlled buys of heroin that were in no sense controlled. They were double dipping or triple dipping into various accounts in order to pay off a protected drug dealer as a supposed confidential informant, but would use that informant to build up the statistically impressive number of arrests and so-called controlled operations, but is allowed to bring the heroin across the border from Mexico and then simply sell it.

This was simply the price of doing business there in order to help their careers prosper. And the whistleblower who reported what was going on, of course, was fired by ICE, the Immigration and Customs Enforcement Department in the Homeland Security Department. And there was no punishment meted out to the official miscreants who were conducting this little scam there in the town of Deming. But that's the task force that employed at least two of the so-called local police officers who were involved in this horrible episode of grotesque sexual abuse of an innocent man.

It's the sort of thing—the sort of abuse—that is begotten plentifully by the so-called war on drugs. It's actually a fairly common thing, Tom, to see people who are pulled over for routine traffic violations find themselves on the receiving end of this type of treatment by police.

There have been several episodes in Texas involving roadside body cavity searches of women after routine traffic stops, and there are several cases I've reported out of the state of Utah in which people have been forced to undergo involuntary catheterization to inspect their blood alcohol content, or inspect their bloodstream, for evidence of the ingestion of government-proscribed substances.

It really is a fairly routine thing now, for the police under the rubric of the war on drugs to begin conducting what amounts to government licensed sexual molestation of innocent people.

WOODS: Now, let me play devil's advocate here, Will. Not to the extent of defending anal cavity searches or anything like that, but, I'm just trying to imagine what the average person hearing the details of this case would say.

And I think the average person would say, "Well, I agree this is despicable, this is disgusting, and there may have been ulterior reasons behind it that were something other than protecting the public, and all that, but still we are talking about a relative handful of cases. And when

somebody like Will Grigg focuses our attention so single-mindedly on these abuse cases, it causes the public to have a general contempt for the police, which is not good for law and order.”

So how would you answer that sort of Archie Bunker response?

GRIGG: Well, I would plead, I suppose, no contest to the charge that I’m trying to cultivate contempt for the police, because I think that the behavior of the police, in most circumstances, is contemptible, and furthermore, contemptuous of the public they supposedly serve.

These are anecdotal examples, but they do accumulate to the point where, if you’ve got half a dozen or more instances of this sort spread across the broad geography of the country, you’re not talking necessarily about something that would simply be the skimmings off the stagnant pond of corruption in a place like Deming, New Mexico. You have Deming. You have Texas. You have Utah. You have California.

And when you see this sort of thing proliferate across the countryside, of course, you should ask somebody who offers that criticism how many high-profile episodes of this type of abuse are we going to countenance before it becomes obvious that it is a policy?

Granted, when you have this sort of thing publicized, then you’re told there might be specific applications of this that were wrong, that these officers are never held accountable in the sense of facing criminal charges for this type of aggressive abuse of another human being. They are never held accountable in that sense. They might suffer some kind of administrative sanction, which usually involves a paid vacation, or perhaps a letter of reprimand.

But the question I always ask is, under what circumstances is it right for any human being to do this to another human being, irrespective of the way the perpetrator is attired or whatever title he might claim? It’s not a question of how you’re dressed. It’s not a question of your occupational title. It’s a question of what you’re doing to another person. And in what circumstance is it proper for anybody to pull over another human being by the side of the road and subject them to that type of misbehavior?

Too many people, as you probably understand, Tom, can become inured to the notion there is some special status enjoyed by people in government-issued costumes called uniforms that elevates them above the common run of the rest of the population. And I’m trying to help people confront that assumption here.

The promise made by Robert Peale, when he created the Metropolitan Police in London back in the early 1800s, was that the police would be just like the citizens. He said the police are the public, and the public are the police, and the reason why we’re going to have a constabulary here is so that certain people by way of vocation will do what all citizens should do in terms of protecting the rights and property of the innocent.

But, unfortunately, baked into the cake of that proposition was this paramilitary order that is eventually now being revealed as the whole purpose of the exercise. All of the promises that were made in terms of keeping this system under check and making it subordinate to law—all of those promises have been dispelled, and what remains now is this paramilitary institution of privileged aggressors. And I am trying to help people understand that that simply is unsuitable for a civilized and free society.

WOODS: Will, tell people how they can follow your writing and your work.

GRIGG: My chief outlet is my blog, *Pro Libertate*, which is found at freedominourtime.blogspot.com.

I do a weekly radio program at the libertyroundtable.com website for the Liberty News Radio network. And the radio program is called Freedom Zealot Radio. It comes on every Saturday evening at eight o'clock mountain time. And the website for that is libertyroundtable.com. And there is a Listen Live Now button in the upper left-hand quadrant of that page. And, like yourself, Tom, a lot of what I write is republished at LewRockwell.com, which is, I think, an indispensable outlet for people who are interested in individual liberty.

WOODS: Well, Will, I'll definitely have to have you back, and we'll make and put links to those sources in the show notes for this episode, but, Will Grigg, you are generous with your time, and you're a heroic reporter in the way people used to be before the age of propaganda descended upon us as it has. So thanks so much for your work and your time.

GRIGG: Tom, thank you so much. God bless.