



Society



Protesters continue to occupy federal building in Oregon, 1/5/16, 9:42 AM ET

Oregon standoff: Ammon Bundy makes radical pledge as FBI mulls next move

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By Tony Dokoupil and Jamie Novogrod

Malheur National Wildlife Refuge, Oregon – In the pivotal fourth day of armed occupation on federal land here, militants held tight to a cluster of small buildings behind a blockaded access road as the FBI mullied its next move.

The group's leader, Ammon Bundy, appeared Tuesday at a now-daily press conference despite a light snowstorm, carrying a copy of the Constitution in his front pocket, and – though speaking softly – pledged something radical: to match what he sees as federal intimidation with intimidation of his own.

“We understand what it means to be part of a community, and that there is no place for fear and intimidation in a community,” said Ammon Bundy, the group's leader. “It's the responsibility and duty of the people to remove that intimidation.”

He and his followers want this refuge and millions of federally owned acres in the West transferred back to “the people,” which seems to mean local or state authority. They also want two local ranchers – Dwight Hammond Jr., and his son Steven – released from federal prison, where they are serving a five year sentence for arson on federal land.

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With virtually no chance of those demands being met, the occupation could stretch for weeks or be curtailed swiftly by a federal siege. Its fate depends on the size of the force Pete Santilli and Ammon Bundy manage to convene here, and the patience of a federal government that has already backed down once in the face of a provocation by the Bundy family.

In 2014, Ammon's father Cliven Bundy stared down federal agents, sent by a court order to collect his cattle. The elder Bundy hasn't paid grazing fees and other fines since 1993, amassing a million dollar debt, according to the Bureau of Land Management.

The debt remains unpaid today and no one from that earlier armed standoff has been arrested or charged. That has to change this time, according to MSNBC analyst Jim Cavanaugh, a retired ATF hostage negotiator.

He expects the FBI and local authorities to cut power to the buildings, forcing the occupants to run generators, and eventually expose themselves in a search for food and fuel. That's when he thinks the government could move in for arrests – without causing a wider shoot out.

“The test is not to over react, but also not to under react,” Cavanaugh told MSNBC. “They want violence – they want a confrontation with the federal government.”

On Monday, Ammon Bundy told the “TODAY” show that he had no intention of committing violence unless the government intervenes. But this sounds like a public relations strategy not a real pledge to peaceful occupation, Cavanaugh said.

“They have a good public spin – ‘we’re not starting any violence,’” he told MSNBC. “Let’s talk about this like the federal government is you. They’re saying: ‘We took over your house, but we’re not starting any violence unless you come back.’”

Perhaps the best way to avoid an incident: be patient, and let the subzero weather work in the service of law enforcement, Cavanaugh said. At the same time, he suggested that the government – which has declined to discuss its strategy – draw up the necessary arrest warrants.

That could mean charges of burglary or conspiracy to commit a felony. It might even mean terrorism-related charges, depending on how the occupation unfolds.

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“All the violent anti-government groups we called ‘VAGS,’” Cavanaugh told MSNBC.

“We worked them under the classification of domestic terrorism. There is the umbrella federal crime of terrorism, and domestic terrorism is a classification we used against any homegrown group which intends to coerce or intimidate through threats or acts of violence.”

So far the size of that group appears to be modest – with no more than a couple dozen people spotted on the land.

At first light at least one demonstrator scoured the landscape from inside the bubble of a 5-story lookout tower. Another sat in a pick-up truck, stopping journalists from entering the snowy, wind-swept refuge.

The group’s own media truck of sorts – the SUV of an “embedded” shock jock named Pete Santilli – idled nearby, with sympathizers on hand to defend a pair of local ranchers sent to prison yesterday and push the group’s larger demands.

Santilli told MSNBC that he has put out a call for thousands more, as he did during the 2014 Bundy standoff in Nevada. But there’s no sign – like extra traffic – that the size of the occupation has grown.

Either way, the 2016 presidential candidates aren’t eager to get involved. None of the Democratic presidential front-runners responded to MSNBC’s request for comment. On the Republican side, Texas senator Ted Cruz, Florida senator Marco Rubio, and New Jersey governor Chris Christie have each denounced the occupation.

That's a sharp change from 2014 when Cliven Bundy became a folk hero to many on the right. Back then, real estate mogul Donald Trump, Kentucky Senator Rand Paul, and retired neurosurgeon Ben Carson spoke warmly of Bundy or sympathized with his cause.

Ted Cruz, meanwhile, pushed for legislation that would help meet the current protesters demands that federal land be transferred back to the states. The Republican party itself endorsed such a transfer, and still officially holds that position.

This time, however, the protesters may be on their own.

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