

Ex. (b)(6) & PA

"Jensen, Jay"  
<Jay.Jensen@osec.usda.gov  
>

06/19/2009 08:23 AM

To Jeff@ [REDACTED]  
cc cnewman02@fs.fed.us, econnelly@fs.fed.us  
bcc

Subject RE: Report of harrassment by USFS law enforcement at the  
New Mexico Rainbow Gathering

Jeff-

I'm sorry to hear this. I am committing to you to look further into it. You will receive follow up...might not be directly from me, but you will. Thanks for alerting.

JJJ

**From:** Jeff@ [REDACTED] [mailto:Jeff@ [REDACTED]]  
**Sent:** Friday, June 19, 2009 8:21 AM  
**To:** Jensen, Jay  
**Cc:** cnewman02@fs.fed.us; econnelly@fs.fed.us  
**Subject:** Report of harrassment by USFS law enforcement at the New Mexico Rainbow Gathering

Jay,

Last night I received the email below from Garrick Beck who conducted in-person interviews with attendees at the Rainbow Family Gathering taking place in the Santa Fe National Forest. This year the event was properly planned in advance by the attendees with USFS Resource and Recreation staff and the attendees have a valid non-commercial use permit. The Regional Forester, the Forest Supervisor and ALL the USFS Resource and Recreation staff have been very helpful.

**However, it appears that a group of US Forest Service Law Enforcement Officers are deliberating intimidating, profiling and harassing visitors and attendees in a manner that seems calculated to demean attendees, diminish attendance or provoke a confrontation.**

There is a long history of conflict between the Law Enforcement section of the USFS and Rainbow Family participants. The Rainbow participants complain that even when they cooperated they were still harassed by the USFS LEOs. This year the Rainbow Family has cooperated with all USFS rules and regulations in the hope and expectation that this animosity will cease. Will the LEOs reciprocate?

At the moment, there is no permanent USFS Director of Law Enforcement. **Accordingly, the question remains- who holds the individual USFS Law Enforcement Officers accountable for their behavior?**

1. If USFS LEOs act in a manner that "profiles" or harasses counter-culture participants, who will reprimand them?
2. IF USFS LEOs set up check points and randomly or deliberately stop vehicles and search them without SUBSTANTIAL CAUSE, rather than welcoming visitors to the National Forest, who supervises or corrects their behavior?
3. Who will reprimand them if their behavior appears to be contrary to the intentions of the Forest Supervisor?
4. If they continue to behave in a manner contrary to the instructions they receive from the Forest Supervisor or Regional Forester in the Forests where they are working, who

will place notice in their personnel files?

5. Who will effectively communicate these concerns to the officers in the field ?

**From:** Garrick Beck [mailto:████████████████████]  
**Sent:** Friday, June 19, 2009 3:50 AM  
**Subject:** Interviews with Participants at Rainbow Family Gathering

Here are accounts which I received from eyewitnesses, each of whom I spoke to myself.

Individuals 1 and 2 described the movement of a group of ten to twelve Forest Service Leo's thru the encampment in the dark. The officers followed a footpath to several different campfires where people were sitting and shone bright flashlights into all the peoples faces and eyes. When asked why this was being done sometimes the answer was "Shut up!" and once one of they officers said they were looking for someone. When they were asked "Who?" an officer replied, "It's none of your business." When someone came over to them to ask what was going on that person had weapons (pepper guns) aimed at them and was commanded to back off. People were terrified but everyone just put up with it. These were the same type pepper guns used at Kid Village last July 3rd.

Individual 3 described a group of about 10 FS Leo's moving thru the drop off area where there were many vehicles and people, loading and unloading gear. As they came by one large white bus which was parked there, one of the officers said he smelled marijuana. He and other FS Leo's went into the bus. No one was on the bus, the bus owners weren't there. They searched the whole bus. They found no contraband. They left the bus.

Individual 4 described watching two FS Leo vehicles speed (est 45mph) down the crowded section of FS 70 near the drop off with their lights twirling. They stopped along the road below a small camp. They got out of their vehicles and moved quickly up the hill to the camp. Family came to see what was happening. The officers were telling the people there that their camp was 'dirty' and to clean it up right away. The people there were frightened and began rolling and folding some material (bedding? tarp? clothes?) and the officers left. No one still knows what that was about, except that the exact same thing happened at welcome home/front gate, in Wyoming 2008.

Individual 5 described being stopped at a checkpoint along FS 69 three times. Once in the middle of the afternoon, he was told he was driving *without* his lights on. The next time he was told he was speeding and the next time he was told he had run a stop sign – where there wasn't one. He never received any tickets, nor written warning. He said he was undeterred and had just taken to driving the road with his license, registration and insurance card in his lap.

Individual 6 described being stopped at the same checkpoint and seeing several other vehicles also stopped there. One vehicle was stopped for failing to use their turn signal. That car was being searched. One car was stopped - they were told - because they had a 'dirty license plate.' The officers ran dogs around the cars and said they had positive hits for drugs. They searched the vehicles. In one of the four vehicles there they found a small amount of marijuana and issued a ticket for that.

I witnessed two people stopped at the checkpoint whose vehicle had been searched. It appeared that the couple was not being issued a ticket.

These are just a few of a much larger number incidences that have already occurred. I heard about many more, but I report here only those where I spoke with an eyewitness participant.

People are frightened that some fool will do something foolish and we end up with terrible results. Most people onsite think these Leo's are just anxious for that to happen so a calamity can be precipitated to spoil the event.

The Sandoval County Sheriffs drive by, walkabout and so do the State Patrol. But with them it's "Hey how are you doing?" "How's your Gathering?" "Keeping dry?" A wave and a smile and they are talking with people who are parking volunteers, radio volunteers, C.A.L.M (medical) volunteers, etc. getting to know these people so that if there is some real emergency or security issue we can work together. The FS Leo's have made no working connections with the emergency Rainbow crews.

Garrick Beck

Ex. (b)(6) & PA

Erin Connelly/R3/USDAFS  
06/24/2009 11:53 AM

To "Garrick Beck" <[REDACTED]>  
cc  
bcc  
Subject Re: two more instances [ ]

Garrick: Just checking in....

I was hoping to meet you at the gathering site yesterday. I was out midday and had the opportunity to spend a few hours walking through, meeting and greeting folks. I called your cell this morning but could leave no message as the inbox is full. I did leave a call back number. I'm planning (although it is still tentative) to head out there again tomorrow (Thursday), again, just to be present and observing.

Give me a call when you have an opportunity.

PLEASE NOTE NEW OFFICE NUMBER BELOW.

Erin Connelly  
Deputy Forest Supervisor  
Santa Fe National Forest  
(505) 438-5311 office (NEW!)  
(505) 452-7578 (voice only-cell)  
(505) 438-7834 (fax)  
Executive Assistant: Barb Fuller (505) 438-5312 (NEW!)

"Garrick Beck" <[REDACTED]>

"Garrick Beck"  
<[REDACTED]>  
06/20/2009 07:51 AM

To "Erin Connelly" <econnelly@fs.fed.us>  
cc  
Subject two more instances

Erin,

I posted to the net all the instances I described to you. But here are two others you and Corbin should know about.

Good luck with all you are doing to help this. Reining in rogue police forces is a difficult job. So far I haven't heard much from onsite, either about changes or continued offensive activity.

Garrick

Here are the two additional instances I posted:

Also:

There was a change made by IC put in the Operating Plan one day without consult w/ any rainbows saying that dogs had to be onleash. This fellow gets ticketed for dog-off-leash that day. The next day, after discussion, the leash paragraph gets changed then it gets changed again and by now it's something I

think everyone can live with (dogs ok off leash if under voice control; but dogs onleash on the roads [rio arriba county ord.]). But this poor guy will have to appear in court in albq on monday. He was ticketed the *only* day there was a dogs-on-leash clause – put in by the Leo IC before any discussion and they went into the site, found some fellow who had no idea the op plan had been changed and they ticket him! How on earth....?

One more much talked about instance:

FS Leo's came upon a large group of people camped along the "J" Road - FS 70J. This was an area okayed for parking and camping by FS Resource people. The officers ordered everyone to pack up and leave their campsites because supposedly there was a rare Goshawk nesting along there. The truth is that the Goshawk nest that the resource people found was in a potential (as yet unused) parking area about two miles away. This was a ruse by the officers to intimidate a group of people to take down their camps and move for no real reason. There were a lot of witnesses. I listened to two of them describe the bullying way in which the order to move was given.

Garrick