

Use A Landline To Talk About Criminal Activity? The Government Can Seize The House Around It

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Leaked ICE Guide Offers Unprecedented View of Agency' s Asset Forfeiture Tactics

<https://theintercept.com/2017/10/13/ice-hsi-asset-forfeiture-handbook/>

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Posted on October 19, 2017 by Joe from MassPrivateI

Tech Dirt - by Tim Cushing

The Intercept has obtained a leaked asset forfeiture guide for seizures performed by ICE. (It has, unfortunately, chosen not to share the original document. Then again, the last non-Snowden leak it published appears to have helped out the document' s source.)

For those familiar with the process of civil asset forfeiture, the contents of the guide are mostly unsurprising. Despite the document dating back to 2010, ICE did confirm the version seen by The Intercept is its most recent guidance. ICE is allowed to seize property without bringing charges or securing convictions — something still permitted by federal law (your state laws may vary) and greatly encouraged by the new head of the DOJ, Jeff Sessions.

What is surprising about the document is how much emphasis is placed on the seizure of real estate. As Ryan Devereaux and Spencer Woodman point out, ICE' s forfeiture teams are pretty much property flippers, albeit ones working with the undeniable advantage of making zero initial investment.

Much of the handbook is devoted to describing the process of seizing real estate — homes, farms, and businesses — and it is in these pages that the dual priorities of financial gain and law enforcement objectives become most apparent. While the handbook contains little discussion on

how to utilize asset forfeiture to maximize crime-fighting outcomes, there is extensive discussion of how agents should painstakingly determine whether a property is valuable enough to make seizure worthwhile

[...]

More than a dozen pages of the document describe an important — if perhaps surprising — role of AIRG agents: as real estate appraisers. Using the example of “houses used to store narcotics or harbor illegal aliens,” the manual walks agents through a comprehensive process of assessing homes and landed properties to determine the financial appeal to ICE of acquiring such real estate.

If ICE can obtain a warrant to search the property it plans to seize, it will usually send a private real estate appraiser along during the search. AIRG [Asset Identification and Removal Group] agents apparently ballpark property values using public databases — something that tells ICE whether or not it should move forward with the forfeiture.

As is the case in most civil forfeiture operations, the connecting tissue of criminal activity doesn't need to be much more than gossamer-thin.

The manual instructs agents seeking to seize a property to work with confidential informants, scour tax records, and even obtain an interception warrant to determine whether “a telephone located on the property was used to plan or discuss criminal activity” in order to justify seizing the property.

You would think the phone would be the “guilty” property — at least as far as you can follow forfeiture's twisted logic. Apparently not. According to ICE's guidance, the entire house around the landline is equally culpable.

The handbook also points out civil forfeiture is preferable to criminal forfeiture, thanks to its general disdain for due process. The key factor is the conviction itself — something you'd think a law enforcement agency would value over seized property. In criminal proceedings, seized property is generally returned if the charges don't stick. Not so with civil forfeiture. ICE's guidance says when in doubt, go civil. That way the agency may still keep something, even if the alleged perp goes free.

ICE is by far the biggest contributor to the DHS's total forfeiture take. This can be expected to grow with the new administration's intense focus on illegal immigration. As with any government program experiencing

sudden growth, one can expect an exponential leap in abuse.

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They Are Coming For Our Guns

By Chuck Baldwin

October 19, 2017

Predictably, in the aftermath of the Las Vegas shootings (which I am convinced was another government false flag involving multiple shooters) the U.S. Congress is taking aim at our guns. Specifically, at least 16 gun control bills have been filed in Congress since the Vegas shootings. Montana Shooting Sports Association (MSSA) President Gary Marbut recently sent out this summary of current gun control bills in the U.S. House and Senate.

U. S. House

HR 3947 - Bans parts and accessories that increase the rate of fire of a semi-automatic firearm

HR 3962 - Bans online sales of ammunition

HR 3984 - Repeals the Lawful Protection in Commerce law that would allow lawsuits against FFL' s and manufacturers

HR 3986 - Would require the placement of tracking ID into 'all' firearms sold in America

HR 3987 - Would require a fee to purchase a firearm through NICS and use these monies to fund the CDC to conduct research on gun violence that was previously found to be biased by Congress

HR 3998 - Bans firearms for known or 'suspected' terrorists

HR 3999 - Bans parts that increase the rate of fire of a semi-automatic firearm

HR 4018 - Institutes a '3' day waiting period nationally for purchase of handgun

HR 4025 - Expands reporting of multiple firearms sales

HR 4052 - Would 'ban' possession and transfer of large capacity magazines (More than 10 rounds)

HR 4057 - Expansion of Prohibition for firearms ownership for being on a Terrorist Watch List

U. S. Senate

S. 1915 - Would require all firearms to be personalized for restricted access and use

S. 1916 - Bans parts and accessories that increase the rate of fire of a semi-automatic firearm

S. 1923 - Expands background checks of firearms

S. 1939 - Repeals the Lawful Protection in Commerce law that would allow lawsuits against FFL' s and manufacturers

S. 1945 - Would 'ban' possession and transfer of large capacity magazines (More than 10 rounds)

Each of these bills is an egregious assault against the Second Amendment, but the proposed bills that would "ban parts that increase the rate of fire for a semi-automatic firearm" are especially draconian.

Ostensibly, these bills are aimed at banning "bump stocks." Police in Las Vegas are telling us that "lone wolf" shooter Stephen Paddock had "bump stocks" on a couple of rifles that he used to kill 59 people from the 32nd floor of the Mandalay Bay Hotel—a feat that was virtually impossible. If out-of-shape (in other words, FAT), untrained, inexperienced 64-year-old-Paddock could use "bump stocks" as efficiently and expertly as authorities are telling us he did—and at a distance of some 400 yards at night—the Navy SEALs and Army Rangers are wasting a lot of precious time and money enlisting and training 20-year-old musclemen and equipping them with expensive machine guns. Instead, they should be actively recruiting a bunch of old fat guys—and giving them "bump stocks." What a joke!

The wording of these gun control bills is so vague that the ATF or a gun-grabbing judge could interpret the bills to mean just about anything. This is just a clever way of giving the government another opportunity to ban whatever it wants—including banning the semi-automatic rifle itself. This is the REAL OBJECTIVE of gun control zealots.

What many people do not realize is that folks who know what they are doing can use a rubber band or belt loop to make a semi-automatic rifle mimic a full-automatic rifle in much the same way as a "bump stock" does. I' m not kidding. Look it up for yourself. Would the bill then ban rubber bands and belt loops?

I' m telling you folks: they are coming for our guns.

Right about now I hear the Trump toadies shouting from their rocking chairs, "Donald Trump is pro-Second Amendment; he would never sign a gun control bill into law." Are you willing to bet your AR-15 or Ruger Mini-14 on it?

It was just a few years ago when Donald Trump said that he supported banning all assault rifles (in today' s political lexicon that means semi-automatic rifles). Yes, I realize that Trump campaigned in support of the Second Amendment, but has Trump done anything to prove that he is a man of his word? Hardly. Donald Trump promised a lot of things when he was campaigning that he has reneged on since being elected.

Trump promised to draw back America' s involvement in foreign wars, but instead he has escalated America' s involvement in foreign wars. Trump has dropped more bombs and missiles on Middle Eastern countries in a comparable period of time than any modern U. S. President. Presidents Bush,

Obama, and now Trump have dropped nearly 200,000 bombs and missiles on Iraq, Afghanistan, Syria, Libya, Pakistan, Yemen, and Somalia. Trump's rate of bombing eclipses both Bush and Obama; and Trump is on a pace to drop over 100,000 bombs and missiles on Middle Eastern countries during his first term of office—which would equal the number of bombs and missiles dropped by Obama during his entire eight-year presidency. He is threatening war with Venezuela and provoking nuclear war with North Korea. And he has sent over 4,000 fresh troops (meaning some 15,000 U.S. troops are now fighting in Afghanistan. Does anybody know why?) to America's longest war: Afghanistan. So much for that promise.

Trump promised to terminate DACA, but instead he collaborated with Democrats Nancy Pelosi and Chuck Schumer to keep many of the benefits granted under DACA and is urging Congress to pass legislation making those benefits permanent. So much for that promise. He promised to get along with Russia, but he is antagonizing Russia in ways not seen since the Cold War. So much for that promise. He promised to draw down NATO, but instead he has strengthened NATO and expanded its aggressive actions up to the very borders of Russia. So much for that promise. He promised to “drain the swamp” in Washington, D.C., but instead he has literally filled his administration with establishment swamp creatures. He even personally campaigned for establishment swamp creature Luther Strange in Alabama in an attempt to defeat staunch constitutionalist Roy Moore. So much for that promise. He promised to get rid of Obamacare, but instead he has repeatedly supported GOP health care proposals that were actually WORSE than Obamacare. So much for that promise. He promised to bring fiscal responsibility back to the federal government but instead reached across the aisle to again cut a deal with Democrats to suspend the debt ceiling, thereby allowing the federal government to borrow without a debt ceiling of any kind until December 8 when a new one is scheduled to be set. Of course, Trump has also said he wants to remove the federal debt ceiling permanently. So much for that promise. The list of Trump's broken promises is endless.

Anyone who really thinks that they can depend on Donald Trump to keep his word about protecting the Second Amendment is gambling their liberties on the word of a disingenuous, unsavory, and untrustworthy conniver. Cutting deals is what Trump brags that he does better than anybody. He wrote the book on it. Cutting a deal to sign another gun control bill for some favor down the road is extremely likely with Trump.

Plus, the ever compromising National Rifle Association (NRA) is providing Trump all of the cover he needs to affix his signature to another gun control bill by coming out in support of legislation banning “bump stocks.” Check the record, folks, and you will discover that virtually every gun control bill on the books—going back to the 1920's—was put there with the approbation of the NRA. Like almost every national special

interest group, the NRA exists more for the benefit of the special interest group than it does for the benefit of the cause it claims to represent. If Barack Obama or Hillary Clinton were in the White House right now, gun owners would be on high alert. But with the professing “pro-gun” Donald Trump in the White House, a host of gun owners are sound asleep, because they believe Trump is “their” guy. If Clinton or Obama were President right now, AR-15 rifles and 5.56 NATO ammunition would be flying off the shelves. But it’s not happening. Why not? Because people are trusting Trump. BIG MISTAKE.

Instead of talking about MORE gun control—as Trump is doing—he should be starting the process of expunging existing gun control laws. The answer to gun violence is for government (federal, State, and municipal) to get rid of their life-endangering gun control bills and let the American people lawfully arm themselves. In other words, the “pro-gun” GOP White House and Congress (as well as State and local governments) should immediately eliminate America’s gun-free zones.

An armed American citizenry comprises the militia of the several states and is constitutionally authorized to provide lawful defense against any violent threat to life and liberty. It is NOT the job of police to protect us—and they never will. Police in Las Vegas did not save one single life. But what government has been doing over the past half century is denying the American people the right to defend themselves, which has cost hundreds of thousands of Americans their lives. And that’s what ANY gun control law does: it further restricts law-abiding people from being able to protect themselves.

Plus, to enact ANY gun control law is to give in to the erroneous notion that an inanimate object is the source of evil and that we must allow government to exercise dominion over our liberties in the name of protecting us from that inanimate object—whatever it is. The entire presupposition is fatally flawed. How anyone who claims to believe in liberty and the fundamental right of self-defense can swallow this illogic defies common sense.

And the above brings me to this salient point: the semi-automatic rifle is the ONLY defense tool that is capable of defending liberty.

I often hear well-intentioned people say things like, “Well, if we have to surrender our semi-automatic rifles, it doesn’t violate the Second Amendment. We still have other guns.” People who say such things prove they know nothing about the Second Amendment.

The Second Amendment was not designed so we could go target shooting, duck hunting, or deer hunting. The Second Amendment was designed to ensure that the American people always maintain their role as a citizen militia in order to defend the citizenry against armed aggressors—whether those aggressors are domestic criminals, foreign governments, or our very own government.

I' ll say it straight out: the semi-automatic rifle is EXACTLY what the Second Amendment was talking about. The semi-automatic rifle is the preeminent defense tool in the modern world. Even fully automatic rifles do not compare to it.

Sadder still, I constantly hear pastors say, "Well, if government demands that we give up our semi-automatic rifles, as Christians we should submit and surrender those arms." Hogwash! Christians are given no such instructions—except by these sorry, squeamish, sissified, sheepish slaves-of-the-state preachers.

When Jesus told His disciples, "He that hath no sword, let him sell his garment, and buy one" (Luke 22:36 KJV), He was instructing them to obtain the preeminent defense tool of its day: the Roman sword. The Greek word translated "sword" in English in Luke 22:36 & 38 that speaks of the sword carried by the individual is the same word that speaks of the sword carried by government in Romans 13:4.

Nineteenth century Bible scholar Albert Barnes (1798 - 1870) wrote this regarding Luke 22:36:

But it should be remembered that these directions about the purse, the scrip, and the sword were not made with reference to his "being taken" in the garden, but with reference "to their future life." The time of the trial in Gethsemane was just at hand; nor was there "time" then, if no other reason existed, to go and make the purchase. It altogether refers to their future life. They were going into the midst of dangers. The country was infested with robbers and wild beasts. It was customary to go armed. He tells them of those dangers - of the necessity of being prepared in the usual way to meet them. This, then, is not to be considered as a specific, positive "command" to procure a sword, but an intimation that great dangers were before them; that their manner of life would be changed, and that they would need the provisions "appropriate to that kind of life." The "common" preparation for that manner of life consisted in money, provisions, and arms; and he foretells them of that manner of life by giving them directions commonly understood to be appropriate to it. It amounts, then, to a "prediction" that they would soon leave the places which they had been accustomed to, and go into scenes of poverty, want, and danger, where they would feel the necessity of money, provisions, and the means of defense. All, therefore, that the passage justifies is:

1. That it is proper for people to provide beforehand for their wants, and for ministers and missionaries as well as any others.
2. That self-defense is lawful.

Men encompassed with danger may lawfully "defend" their lives. It does not prove that it is lawful to make "offensive" war on a nation or an individual.

(Barnes, Albert (1884) [1832]. Frew, Robert, ed. "Notes on the New

Testament: Explanatory and Practical. Vol. II - Luke and John." London: Blackie and Son.)

The ubiquitous and egregious misinterpretation of Romans 13—especially as it relates to gun control—is why my constitutional attorney son and I wrote these two books:

“Romans 13: The True Meaning Of Submission.”

Find it here:

Romans 13: The True Meaning Of Submission

And “To Keep Or Not To Keep: Why Christians Should Not Give Up Their Guns.”

Find it here:

To Keep Or Not To Keep: Why Christians Should Not Give Up Their Guns
I’ m telling you, folks, they are coming for our guns. And if we sit back and trust Donald Trump to stop it, we are committing national suicide. We should be just as passionate and fervent and alert and vigilant to defend our gun rights when a Republican is in the White House as we are when a Democrat is in the White House. Anything less is a dereliction of duty on our part.

In the meantime, if you do not possess a semi-automatic rifle, I strongly urge you to get one. RIGHT AWAY. If you already own one, go buy another one. RIGHT AWAY. Every capable adult who cares about the lives and safety of their loved ones and who cares about the preservation of liberty should own a semi-automatic rifle (along with plenty of ammunition for it), know how to use it, and be prepared to use it when needed.

There is no reason for ONE additional act of gun control. Each mass shooting that takes place in this country is proof that gun control laws do not work and that gun-free zones do not work. Instead of talking about additional gun control, the American people should be demanding that Congress and the White House (along with their State and local governments) expunge existing gun control laws—and gun-free zones—and recognize their God-given right to defend themselves. And the shootings in Las Vegas in particular highlights the specific need of the American people to have their own semi-automatic rifles at hand with which to defend themselves.