



## The office of the Governor for The United States of America

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# PARDON

### *By the office of the Governor for The United States of America a Proclamation*

Dwight Lincoln Hammond Jr. and Steven Dwight Hammond, members of an eastern Oregon family were charged under the Antiterrorism and Effective Death Penalty Act of 1996 for starting two range fires that ended up on interstate commerce.

One of the fires, set in 2001, was a prescribed burn on Hammond's private property; a routine range improvement practice. The other fire, set on Hammond's private property in 2006, was a back-burn intended to protect the ranch's winter pasture from a lightning fire on adjacent interstate commerce jurisdiction. Combined, the two fires burned about 140 acres of land under interstate commerce.

Dwight Lincoln Hammond Jr. and Steven Dwight Hammond have completed the jail sentence imposed under a interstate commerce clause and/or agreement.

History:

The Hammonds hold grazing rights on Bureau of Land Management (BLM) land and own private grazing acres intermingled with BLM land in the Steen's Mountains. For 45 years, the Hammonds have used their BLM grazing rights and private property to run a successful trade in cattle. But now, their trade within



intra-state commerce is being threatened not only by criminal and civil charges brought by interstate commerce, but with the loss of their grazing permits, as well. The Bureau of Land Management has refused to renew their grazing permits for two years running.

The Hammond family serves on the local school board, volunteers in community clubs and counsels, and donates time, money and meat each year to local youth organizations and senior groups. District Court Judge Michael Hogan, the federal judge who first saw their case, went on record calling the Hammonds “the salt of their community.”

#### Original jail sentence

Dwight and Steven Hammond (father and son operators of the family ranch) admitted to having started the above fires. In determining the Hammonds’ sentences, Judge Hogan had decided that applying the “mandatory minimum” of five years cited in the Antiterrorism and Effective Death Penalty Act would “shock the conscience...” He referenced the Eighth Amendment of its Constitution, which states, “Excessive bail shall not be required...nor cruel and unusual punishments inflicted.”

To call for five years’ imprisonment, he said, “would result in a sentence which is grossly disproportionate to the severity of the offenses here...” He said that Hammonds’ actions “could not have been conduct intended under [the Antiterrorism and Effective Death Penalty Act]...” Judge Hogan used his discretion under the Eighth Amendment to sentence Dwight (now 74) to three months in prison, followed by three years’ “supervised release.” Dwight’s son Steven (45), father of three, was sentenced to one year and one day in prison—also to be followed by three years’ “supervised release.” The men served their sentences starting in 2013.

Their firearms were taken, as was Dwight’s pilot’s license.

Pursuant to resolutions of the United States, in Congress assembled, the Committee on the Judiciary conducted an inquiry and investigation into the conflict and confusion by and between interstate and intrastate commerce.

As a result of certain acts or omissions occurring by and between the two jurisdictions, interstate commerce has become liable to possible indictment and trial for offenses against the United States. Whether or not interstate commerce shall be so prosecuted depends on findings of the appropriate grand jury and on the discretion of the authorized prosecutor. Should an indictment ensue, the accused shall then be entitled to a fair trial by an impartial jury which is interstate commerce doing business as the Bureau of Land Management.

It is believed that a trial of Interstate commerce, if it became necessary, could not fairly begin until a year or more has elapsed because of the ever encroachment of interstate commerce over intra state commerce. In the meantime, the tranquility to which the country has been accustomed to enjoying could be irreparably lost by the prospects of bringing to trial against interstate commerce by all 50 states. The prospects of such trial will cause prolonged and divisive debate over the propriety of exposing to further punishment and degradation to both jurisdictions. Meanwhile, two men are suffering the injustice of double jeopardy and the dividing of a family of which could be considered a war crime on the part of interstate commerce.



Now, THEREFORE, I, JOHN HAROLD FULKS, being duly elected to the office of the Governor for the Government of The United States of America and The United States of America under interstate commerce jurisdiction, pursuant to the pardon power conferred upon me by THE PARDON AND EXONERATION ACT OF 2013, have granted and by these presents do grant a full, free, and absolute pardon unto Dwight Lincoln Hammond Jr. and Steven Dwight Hammond for all offenses against Interstate Commerce which they, Dwight Lincoln Hammond Jr. and Steven Dwight Hammond has committed or may have committed or taken part in during the period from 1999 through 2013.

**IN WITNESS WHEREOF**, I have hereunto set my hand this **fifteenth** day of **January**, in the year of **two thousand and sixteen** and of the Independence of the Government of The United States of America,

office of the Governor for the Government of The United States of America,  
John Harold Fulks,





The Government of The United States of America  
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## office of the registrar

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## ACKNOWLEDGEMENT

I, **Alice Cenicerros**, certify **under penalty of bearing false witness** under the laws of The United States of America **that the foregoing paragraph is true and correct** according to the best of my current information, knowledge, and belief.

The office of the registrar accepts and acknowledges the document:

### **PARDON**

and is recorded on:

**300<sup>th</sup> day**, in the year of **Yahweh, 6017**  
Document Date

**4:28 UTC -6**  
Time

**RH-201601155B6B-4GVP-NTEW-BC73A4103C35**  
Record File Number

*File Name:* **20160115-GOV-PARDON HAMMOND**

### **CERTIFIED COPY OF RECORDED DOCUMENT**

*This is a true and exact reproduction of the document officially recorded  
and placed on file in the office of the registrar for The United States of America.*

Date Issued: **300<sup>th</sup> day**, in the year of **Yahweh, 6017**

*This copy is not valid unless displaying the Record File Number, Seal, and signature of the registrar for  
The United States of America.*

