

# Federal Hall Monitors on Patrol

*David Rittgers*

Legal policy analyst, Cato Institute

The Department of Education's Office of Inspector General served a warrant on Stockton, California resident Kenneth Wright at six in the morning on Tuesday. Though the initial story gave the impression that the raid was focused on unpaid student loans, the department's press secretary helpfully informed us this was not the case, and that the office conducts investigations of bribery, fraud, and embezzlement.

That's little comfort. A review of the warrant reveals that the investigators were searching for financial records connected with suspected financial aid fraud, conspiracy, theft of government funds, false statements to the government, and wire fraud. Wright wasn't the suspect -- his estranged wife was and she wasn't present for the raid -- but for this list of white collar crimes the agents breached the front door, dragged Wright and his three children from the home, and kept them in a police cruiser for hours (the children for two, Wright for over six).

Kenneth Wright's gut reaction, captured on video, largely mirrors mine. Ridiculous. Someone may have lied on student loan paperwork, so federal investigators converged to kick in a door and keep a family in the back of a cruiser for hours when they could have simply knocked and served the warrant.

Unless I'm misunderstanding how this works, a squad of federal investigators flew in town with bags of guns and armor (at government expense, of course) to serve a federal search warrant with minimal (one officer with a cruiser) participation by local police. It's a waste of resources for a quintessentially white collar crime that could be served with a lot less drama.

It's not a murder suspect manhunt, and the heavy-handed tactics here aren't justified. Was Wright prepared to destroy all of the financial records investigators might use? Did they expect him to have a thermite grenade rigged up to slag his computer tower and a can of gasoline handy to torch his file cabinets?

This raid was a tactical dog and pony show to justify the existence of the OIG's office, timely executed as Republicans are sharpening their fiscal knives. The same bureaucratic survival instinct motivated the ATF's raid on the Branch Davidian compound in Waco, Texas. The ATF needed a high-profile bust to justify its existence in the face of perennial budgetary scrutiny, scrutiny that is deserved now more than ever as ATF officials knowingly let guns get shipped across the Mexican border to support the cartels. Two

turned up at the scene of the shooting death of a Border Patrol agent and others shot a Mexican military helicopter and forced it to land.

This is one more example of law enforcement officers defaulting to aggressive tactics, even when they aren't warranted. Phoenix recently served a warrant on a man suspected of cockfighting with armored vehicles and a platoon of SWAT officers. This might have been warranted based on the suspect's history of violence, or it might have been motivated by the presence of martial arts movie star Steven Seagal and his law enforcement reality television show.

Police officers in general, and white collar investigators in particular, aren't Special Forces "operators" confronting international terrorists. When we allow them to plaster over the difference between a law enforcement officer serving a warrant and a commando in a war zone, we erode the rule of law. When we do it for suspected student loan fraud, we make a mockery of the criminal justice system.

Ronald Reagan came to Washington on a promise to abolish the Department of Education, a federal agency that employs no teachers and shows little to no return on the tens of billions it spends every year. It's time to follow through on that promise.

Unfortunately, things are moving in the other direction. The government took over student loans across the nation. Expect more of this, if only to show that the Department of Education is trying to police "fraud, waste, and abuse." We'd be better off with government out of the student loan business, and much better off with it not kicking in doors to investigate possible student loan fraud.

*David Rittgers, a legal policy analyst at the Cato Institute, served three tours in Afghanistan as a special forces officer.*