

## Curious case of the trader, park service

*Albuquerque Journal*

June 29, 2011

*By David Steinberg*

ALBUQUERQUE, N.M. — Paul Berkowitz, a criminal investigator for the National Park Service, took over a case after another investigator spent 18 months and hundreds of thousands of dollars, but found no evidence to file charges against Billy Malone, the longtime and respected trader-manager of the famed Hubbell Trading Post in Ganado, Ariz.

Berkowitz said he was told to find something to charge Malone with, but don't use too many resources.

“At that point, I assumed there must be some validity to the allegations (of embezzlement or theft) because when a case was going on this long and given the magnitude of the allegations, there must be something there,” he said in a phone interview from his home in southwestern Colorado.

Two weeks into his probe, Berkowitz saw flaws in the allegations; the more he probed the stronger he believed the Park Service and the Western National Parks Association, which operated the trading post for the NPS, committed improprieties.

Berkowitz's investigation is the basis for the new book “The Case of the Indian Trader.”

“When I finished my report I didn't turn it in to my supervisors but to the U.S. Attorney's Office in Phoenix and simultaneously to the office of the Inspector General in Washington, D.C.,” Berkowitz said.

The U.S. Attorney's Office didn't file charges against Malone, which in effect supported Berkowitz's probe, and the IG's office's internal investigation confirmed procedural improprieties and other misconduct. Berkowitz quickly retired from the NPS: “I was persona non grata. I didn't want to stick around for the reprisal.”

At the start of the first NPS investigation in June 2004, he said, the association fired Malone and the Park Service raided his home, kicked him out and seized most of his property and life savings. Malone, he said, suffered greatly. The trader has filed a lawsuit against the Park Service and the association claiming violations of his civil rights.

Berkowitz said the book's foreword sets the stage for the book's contents. “I used the Hubbell investigation to address the broader, more systemic problem of how the National Park Service conducts law enforcement. I cited other cases going back decades. I found that this happened before, the credibility, accountability issues (with the NPS and the association) that were never addressed,” Berkowitz said.