

## Opinion of the Court

informant who would help federal agents identify and apprehend persons engaged in unlawful cross-border activity on or near his property. Boule claims that the Government has paid him upwards of \$60,000 for his services.

Ever the entrepreneur, Boule saw his relationship with Border Patrol as a business opportunity. Boule would host persons who unlawfully entered the United States as “guests” at the Inn and offer to drive them to Seattle or elsewhere. He also would pick up Canada-bound guests throughout the State and drive them north to his property along the border. Either way, Boule would charge \$100–\$150 per hour for his shuttle service and require guests to pay for a night of lodging even if they never intended to stay at the Inn. Meanwhile, Boule would inform federal law enforcement if he was scheduled to lodge or transport persons of interest. In short order, Border Patrol agents would arrive to arrest the guests, often within a few blocks of the Inn. Boule would decline to offer his erstwhile customers a refund. In his view, this practice was “nothing any different than [the] normal policies of any hotel/motel.” *Id.*, at 120.<sup>1</sup>

In light of Boule’s business model, local Border Patrol agents, including petitioner Erik Egbert, were well acquainted with Smuggler’s Inn and the criminal activity that attended it. On March 20, 2014, Boule informed Agent Egbert that a Turkish national, arriving in Seattle by way of New York, had scheduled transportation to Smuggler’s Inn later that day. Agent Egbert grew suspicious, as he could think of “no legitimate reason a person would travel from Turkey to stay at a rundown bed-and-breakfast on the border in Blaine.” *Id.*, at 104. The photograph below displays the amenities for which Boule’s Turkish guest would have

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<sup>1</sup>Notwithstanding his defense of the Inn’s policies, Boule was recently convicted in Canadian court for engaging in human trafficking. In December 2021, he pleaded guilty to trafficking 11 Afghanis and Syrians into Canada. He billed each foreign national between \$200 and \$700 for the trip. See *Regina v. Boule*, 2021 BCSC 2561, ¶¶7–11.

## Opinion of the Court

traveled more than 7,500 miles. See *id.*, at 102.



Later that afternoon, Agent Egbert observed one of Boule’s vehicles—a black SUV with the license plate “SMUGLER”—returning to the Inn. Agent Egbert suspected that Boule’s Turkish guest was a passenger and followed the SUV into the driveway so he could check the guest’s immigration status. On Boule’s account, the situation escalated from there. Boule instructed Agent Egbert to leave his property, but Agent Egbert declined. Instead, Boule claims, Agent Egbert lifted him off the ground and threw him against the SUV. After Boule collected himself, Agent Egbert allegedly threw him to the ground. Agent Egbert then checked the guest’s immigration paperwork, concluded that everything was in order, and left. Later that evening, Boule’s Turkish guest unlawfully entered Canada from Smuggler’s Inn.

Boule lodged a grievance with Agent Egbert’s supervisors, alleging that Agent Egbert had used excessive force and caused him physical injury. Boule also filed an administrative claim with Border Patrol pursuant to the Federal Tort Claims Act (FTCA). See 28 U. S. C. §2675(a). According to Boule, Agent Egbert retaliated against him while