

Ecoterrorism:

From Environmental Justice Advocate to Terrorist: Who are the people who take their passion for the environment too far?

Jane Pojawa

California State Polytechnic University, Pomona

The biggest security threat facing the United States is not international war but terrorism, including both radical Islamic attacks and violent domestic extremism. Until recently, a sub-type of special interest terrorism, ecoterrorism, dominated headlines but it has almost disappeared in the last decade. Expanded legislation, broad investigations and aggressive sentencing have all but eliminated ecoterrorism from public consciousness. But is it due for a resurgence? By examining the definitions, origins and methods employed by ecoterrorists, we may discover what motivates and how to diffuse this form of ecologically-motivated fanaticism.

Driving down a country road flanked with artichoke and strawberry fields in Watsonville, California, John Hanna became the victim of a chemical attack. A crop duster came up from behind and, flying only 15 feet above him, sprayed Parathion on his car and in through the open windows. Parathion is an organophosphate poison that was developed by Nazi scientist Gerhard Schrader in the 1940s as an insecticide. Schrader went on to invent Sarin, among other chemical weapons. Parathion has been banned in several countries and the Environmental Protection Agency considers it a Toxicity Category I pesticide – the most dangerous classification. (Tucker, 2006) Hanna, feeling like he was “jumping out of his skin” from the neurotoxin, reported the incident to the agricultural commissioner’s office. “Nothing ever came of it,” he said. “The incident served as a catalyst.

The ELF was born.” The “ELF” was the “Environmental Life Force,” now the “Earth (or Environmental) Liberation Front,” and the time of its birth was in the mid-1970s. (Interview, 2001) Hanna, a veteran with strong anti-war and pro-environmental leanings felt a calling to save the Earth and its people. The Environmental Life Force/Environmental Liberation Front is considered the oldest and most influential ecoterrorist organization in the country and its genesis can be traced to the radicalization of John Hanna. (Cecil-Cockwell, 2008)

Defining EcoTerrorism

Eco-terrorism is defined by the FBI as “the use or threatened use of violence of a criminal nature against people or property by an environmentally-oriented, subnational group for environmental-political

Created by Jane Pojawa, Department of Political Science, California State Polytechnic University, Pomona for her terrorism class final. Correspondence concerning this research paper should be addressed to Jane Pojawa, Department of Political Science, California State Polytechnic University, Pomona, (909) 263-6730. Email: jmpojawa@cpp.edu

Undergraduate Journal of Political Science, Vol. 2, No. 1, Spring 2017. Pp. 107–131.
©2017, Political Science Department, California State Polytechnic University, Pomona.



Founding ELF members Carla Susan Olander and John Hanna in Watsonville, California. Both Olander and Hanna suffered chemical poisoning before engaging in "direct action" to protest industrial destruction of the environment. Photo by Jennifer Teeter.

reasons, or aimed at an audience beyond the target, often of a symbolic nature." (Jarboe, 2002) Debating Terrorism and Counterterrorism and Terrorism in Perspective devote whole chapters to the issue of what precisely constitutes a terrorist act. Griset and Mahan note that "more than 100 definitions of terrorism exist." (Griset, 2) Most commonly it is assumed that (1) the perpetrator of the act is a subnational group or clandestine agent (2) the target is one or more non-combatants and (3) that the act itself is premeditated,

politically motivated violence. (Gottlieb, 2014) The critical difference between ecoterrorism and ordinary terrorism is, of course, the environmental motivation behind attacks. The secondary difference is that destruction of property is sufficient to constitute a "terrorist act." Indeed, very few acts of ecoterrorism result in human injury or death.

James F. Jarboe, Domestic Terrorism Section Chief, Counterterrorism Division, FBI before the House Resources Committee, Subcommittee on For-

ACKNOWLEDGEMENTS

As a recent graduate of Cal Poly Pomona, I would like to thank all of the teachers who helped and inspired me including Michael Moreau, who taught me journalism and editing; Jane Ballinger, my faculty advisor in journalism; and Marc Scarcelli, my political science advisor, and whose terrorism class inspired this paper. These exceptional instructors went far above and beyond to help me achieve my academic goals and in the process have become dear friends. Thank you.

I also thank my husband, Jeryd Pojawa, for being supportive of my educational pursuits, learning along with me, and providing encouragement when my enthusiasm was low. I would also like to thank the editor of the Undergraduate Journal of Political Science, Tara Kwan, for having the vision to start this publication. It has been a privilege to be your designer for the last two years.

ests and Forest Health. grouped ecoterrorism with domestic terrorism and defined it thusly “Domestic terrorism is the unlawful use, or threatened use, of violence by a group or individual based and operating entirely within the United States (or its territories) without foreign direction, committed against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.” (Jarboe, 2002)

In 2004, John E. Lewis, Deputy Assistant Director of the FBI, testified before the Senate Judiciary Committee on the topic of animal rights extremists and eco-terrorists. What he said puts ecoterrorism in the context of domestic terrorism that is neither left- nor right-wing, but constituting a type of “special interest” terrorism.

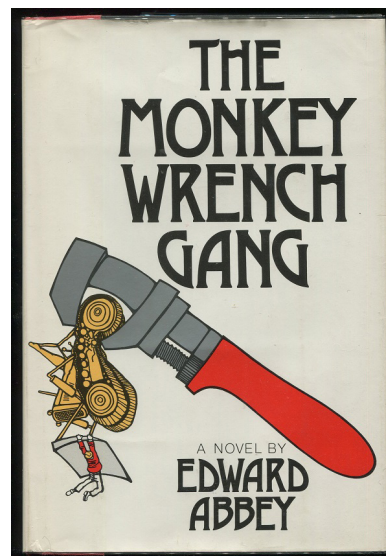
“During the past decade, we have witnessed dramatic changes in the nature of the domestic terrorist threat. In the 1990s, right-wing extremism overtook left-wing terrorism as the most dangerous domestic terrorist threat to the United States. During the past several years, however, special interest extremism, as characterized by the Animal Liberation Front (ALF), the Earth Liberation Front (ELF), and related extremists, have emerged as a serious domestic terrorist threat. Special interest terrorism differs from traditional right-wing and left-wing terrorism in that extremist special interest groups seek to resolve specific issues, rather than effect widespread political change. Such extremists conduct acts of politically motivated violence to force segments of society, including the general public, to change attitudes about issues considered important to the extremists’ causes. Generally, extremist groups engage in activities that are protected by constitutional guarantees of free speech and assembly. Law enforcement only becomes involved when the volatile talk of these groups transgresses into unlawful action. The FBI estimates that the ALF/ELF and related groups have committed more than 1,100 criminal acts in the United States since 1976, resulting in damages conservatively estimated at approximately \$110 million.” (Lewis, 2004)

Lewis’ testimony comes two years after that of Jarboe, who estimated that ALF (the Animal Liberation Front) and ELF had committed more than 600 criminal acts in the United States since 1996, costing upwards of \$43 million. (Jarboe, 2002) Michael Hough, Criminal Justice and Homeland Security Task Force director for the American Legislative Exchange Council, stated that since 2003 the FBI has credited ecoterrorists with more than \$200 million in property damages. (Baldwin, 2008). Such discrepancies between definitions of terrorism, the number of crimes

committed and valuation of property damage indicates that there are inconsistencies in the way that ecocrimes are tried and prosecuted.

Origins of Ecoterrorism

Ecological protest can be quite violent. After John Hanna’s poisoning, he formed Environmental Life Force in Santa Cruz with his girlfriend, Carla Susan Olander. Olander herself had suffered exposure to pesticides while working in a cannery. A series of protest actions followed including a peaceful protest against herbicide use in Rose Lodge, Oregon. “Publishers’ Paper owned land in Rose Lodge, Oregon,” said Hanna. “They cultivated fast growing trees to provide pulp for their paper mills. They routinely sprayed herbicides to kill off competing plant species. Eventually the chemicals found their way into streams. The spawning habitat for steelhead and salmon were at risk. In protest, some local folks had chained themselves to trees on Publishers’ land. They were ordered off the property and when they didn’t go, a helicopter sprayed them all with the herbicide Tordon.” (Interview, 2001) Twenty of 70 protestors were arrested. Tordon is a picolonic acid herbicide that is used to kill tree stumps after clear-cutting. It has been linked to low birth weights and other birth defects in the Triangle Lake region of Oregon. (Workman, 2015) Links to cancer and other



Environmental essayist Edward Abbey's 1975 book "The Monkey Wrench Gang" about a group of misfits attempting to destroy the Glen Canyon Dam resonated with early eco-warriors.

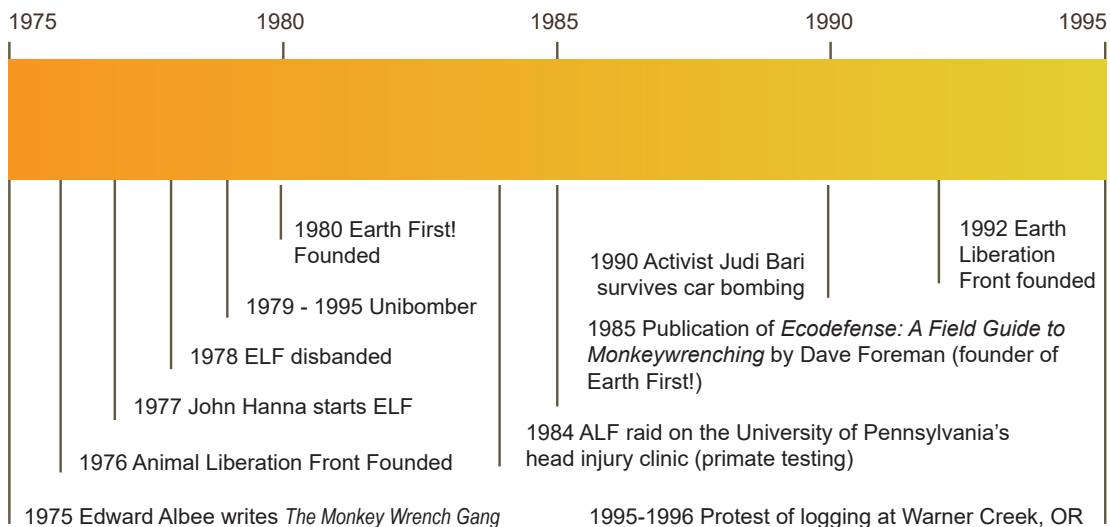
herbicide related illness have been deemed inconclusive. (Oregon Health Authority, 2014)

ELF demanded that Publisher's Paper provide life-long health care and medical monitoring for the spray victims, then in retaliation, they launched a series of attacks against the paper mill. A low-impact pipe bomb blew out a window at Publishers' Paper corporate offices. Hanna was arrested several months later and charged with that in addition to placing handmade napalm bombs on seven crop dusters. Publisher's Paper, then a subsidiary of the Los Angeles Times News Agency later dropped the charges, possibly to avoid further bad publicity. Other actions included shooting the windows out of Senator Dianne Feinstein's (then a San Francisco county supervisor) vacation home in Watsonville in response to the negligent death of a young black inmate, Larry Williams, who died in custody. Williams was a diabetic who was denied an insulin shot. ELF demanded that medical screening should be provided for all new prisoners.

John Hanna was arrested on November 22, 1977 and plead guilty to all charges, insisting that he acted alone. Because the damage caused was more potential than actual, the great lengths he went to to ensure that no one was injured, public sentiment, a lack of context for ecoterrorism and a number of other reasons, Hanna's sentence was relatively light; five years which was later changed to time served and probation. That amounted to about three months in Lompoc federal prison. Hanna disavowed violent protest and the original ELF disbanded however, the method of using guerilla tactics (they use the term "ecom-

mando") on behalf of the environment became part of environmental protest culture. Hanna is adamant that the use of violence discredited the positive actions of the organization, and that time spent in jail would be better spent in direct but not destructive action. In a 2008 interview he stated, "For me, the lesson is clear: Stand up for your beliefs and tell the court that you're a proud eco-warrior. It's the only way to go. If a person truly believes in their cause and the tactics they've chosen, then a plea of "not guilty" is a total cop out. It serves only to invalidate your actions and diminishes your character." (Cecil-Cockwell, 2008)

Since the passing of the Environmental Life Force, other organizations have formed in much the same vein including Earth First, which began by spiking trees in the Pacific Northwest; the Earth Liberation Front, considered more radical than Earth First! and which also has a provisional branch; the North American Earth Liberation Front Press Office [NAELF-PO]; and the Animal Liberation Front [ALF], which grew from hunt saboteurs in England but is now more often associated with animal testing. Hanna disavows the actions of the Earth Liberation Front, insisting that they only share an acronym, but the influence of the previous ELF is certainly apparent. People for the Ethical Treatment of Animals [PETA] is occasionally considered an ecoterrorist organization, but more often grouped with advocacy. At various times and in various places, advocacy groups such as Sea Shepherd, Greenpeace and the Humane Society of the United States [HSUS] have been accused of everything from harboring extremists to actual terrorism. It's a slippery slope.



Ecoterrorist Tactics

Chemical weapons are forbidden by the Geneva Protocol, but that technically only applies to international war and specifically named chemical agents. Parathion might be considered “Sarin-lite” and corporations expose civilian populations to these sorts of poisons with impunity. The lived experience of John Hanna and the Rose Lodge protestors might suggest that they are fighting back in an asymmetric conflict.

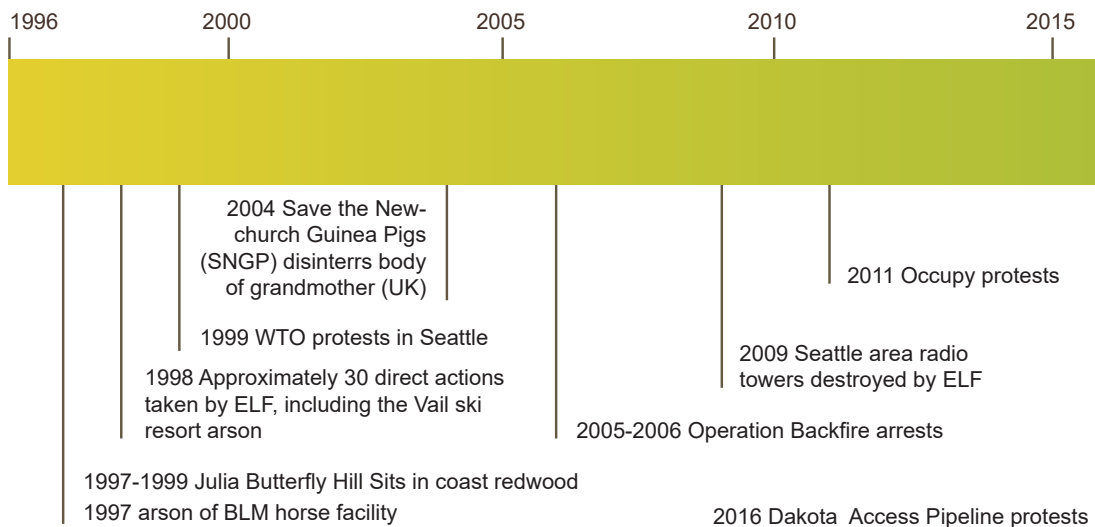
The strategies of ecoterrorists are not dissimilar to other terrorist organizations except that the “terrorists” generally target only property and not people and they also expect to be captured alive to face a trial if they are captured during or following a protest event. The “rules” are basically the same as the ones Hanna adhered to while acting on behalf of the Environmental Life Force. “(1) act alone (2) don’t conspire with others (3) focus on one problem and put your heart and soul into that one thing. (4) don’t rat out your comrades (5) do no harm to all living beings; that includes Mother Earth. (6) If you do choose to practice civil disobedience, be prepared to go to jail if you’re busted. But keep in mind, you won’t be an effective “ecommando” or activist behind bars. (7) Think for yourself! Don’t follow leaders.” (Earth Liberation Front)

The mandate to not follow leaders is taken very seriously among ecoterrorists and for good reason. As with Daish (ISIS), any individual can commit an action and then give credit to the “organization.” Who is in the organization? Who knows? Maybe 10

people, maybe 1,000. This amorphous form gives the illusion of a massive organization with many cells. Infiltration is slightly more difficult and it protects the leadership, which is at best, decentralized. If one cell or action is compromised, it is unlikely to do significant damage to the cause. As an organization, they’re nimble “ELF has no official presidents, spokesmen, physical headquarters or membership fees. Potential members, in autonomous cells, engage in direct action and follow ELF’s philosophies. Then they send media coverage of their actions to the site.” (Baldwin, 2008) This also means that it is easy for agent provocateurs to create false flags and difficult to establish policy, control membership, or for leadership to negotiate terms.

John Hanna sometimes refers to himself as “The Old ELF” and the Elves, as they call themselves, have a romanticized self-identity of a mischievous woodland creature protecting the environment by any means necessary. Ecommandos believe that they are acting in self-defense. The FBI tends to view them more as sociopaths who use the environment as a justification for criminal anarchy. “Every time a fire breaks out and somebody takes a spray can and writes ‘ELF’ or ‘ALF’ on there, then everybody gets all excited that ‘Oh this movement has started back up,’” said Bob Holland, a retired arson investigator. “The movement never really left.” (“FBI,” 2008)

Ecommandos use guerilla tactics such as surprise raids and sabotage. Vandalism and trespassing are commonplace, but while those are criminal activities they in no way constitute terrorism as it is generally defined. The 1990s iteration of the Earth Liberation



Front was particularly drawn to using arson as a form of industrial sabotage and caused millions of dollars in damages. The Animal Liberation Front has been known for extreme action, although more moderate animal rights activists such as Greenpeace and Sea Shepherd have been labeled ecoterrorists for destroying fishing nets and disrupting whaling activities.

Peter Manus, a professor of environmental law, disagrees with equating extreme environmental protest action with terrorism. “The term is abused when it’s used to describe folks who commit just any kind of illegal act as a political statement, even when those acts are crimes and do serious economic damage to, say, a ski resort, a whaling expedition, or a construction project... Terrorism is the attempted control or coercion of others through fear — that’s why it’s got the word ‘terror’ in it — and my view is that the term should be reserved for the horrific types of acts that we have all witnessed over the past several years in the international arena where death and torture are used to focus attention on one or another cause.” (Baldwin, 2008)

Ecoterrorists tend to be educated college-aged young men in their late teens and early twenties, but it is not uncommon for the activists to break the “disenfranchised/radicalized young man” model that is a given for religious or nationalist terrorists. Some ecowarriors are middle aged or even elderly and although there are fewer women among the ranks, they are a significant presence. Like other domestic terrorists, ecoterrorists are overwhelmingly white. It is a movement that attracts anarchists and it does not have a clear agenda or party platform.

Actions

Over the last 40 years, the radical environmental movement has launched a diverse collection of ac-



The late Gladys Hammond

tions. Jarboe listed a 1997 arson attack on a BLM facility where captured wild horses were held. They were supposed to be offered to the public at auction, but instead BLM employees were selling them to meat processing plants in Mexico and making a substantial profit. The arsonists also released 400 mustangs back into the wild. Tree spiking to disrupt logging operations is an ongoing form of protest initiated by Earth First. In Vail, Colorado five buildings and four chair lifts were set on fire in protest of the ski resorts’ incursions into lynx habitat. Newly constructed luxury homes are a frequent mark. Sometimes SUV owners find that their gas-guzzling, pollution-spewing vehicles are the targets of vandalism. College offices have been burned in protest of genetic engineering research or the heavy-handed promotion of genetically modified seed to indigenous farmers. Among ecoextremists, there is the belief that these actions are not only necessary but that they are a form of self-defense. The Government-Corporate Complex will exploit nature until the earth becomes uninhabitable and that time is of the essence to pre-



Members of the “Save the Newchurch Guinea Pigs Campaign” who were ultimately charged with desecration of a grave and theft of human remains. Left to right: Kerry Whitburn, 36, Josephine Mayo, 38, John Smith, 39, Jon Ablewhite, 36. In 2006, for their respective roles in the crime, the men were sentenced to 12 years imprisonment each and served five. Mayo, who was Whitburn’s girlfriend, was sentenced to four and served two. This incident of ecoterrorism has become a case study of what not to do to attract sympathy for your cause.

serve nature. These actions are designed to be highly visible, have measurable results and cost business sufficient money and bad publicity that they cannot continue profitably. They should raise public awareness and not endanger any lives (often extended to animal and plant).

And then sometimes the forms of protest get very strange and very personal. In England, the ALF targeted David Hall and Partners, a family business that bred guinea pigs for animal testing. After years spent harassing the family, their employees, and associates, and including an incident that freed 600 of the rodents, the Save the Newchurch Guinea Pigs Campaign had achieved approximately 450 separate, prosecutable criminal acts. A video, "Save the Newchurch Guinea Pigs Campaign Film" shows conditions inside the facility and the "rescue" mission. Then a cell of four activists, all in their late 30s, dug up the corpse of family grandmother Gladys Hammond. They subsequently hid the corpse in the woods. Hammond died of natural causes at the age of 82 in 1997 and was disinterred by the cell, who called themselves the Animal Rights Militia, in October 2004. David Hall and Partners closed the operation of their farm after this incident, hoping the body would be returned. In May 2006, after the ALM members were arrested, they gave up the location of the remains, which have since been re-interred. (Reuters, 2006) The three male ecoterrorists, who had more agency in the cell, were sentenced to 12 years for their part, the female cell member, who functioned in more of a support role, was sentenced to four. Detective Chief Inspector Nick Baker of the Staffordshire Police in an interview with the BBC said, "While lawful protestors have nothing to fear, single issue extremists will be caught and strongly punished for their offences... Today's lengthy sentences send a strong message to people who might be considering doing anything similar." (BBC, 2006) Although this operation was a "success" in the sense that the facility was shut down and no one was physically injured, this action has been soundly and uniformly denounced by other animal rights organizations.

Ted Kaczynski, the Unabomber

Ted Kaczynski, more popularly known by the FBI's designation of him as the University and Airline Bomber, is an outlier among environmental terrorists. Between 1978 and 1995 Kaczynski mailed crude improvised explosive devices from his shack in the Montana wilderness targeting people he identified as members of the Technical-Industrial Complex. These included computer store owners, a public rela-



Ted Kaczynski, shown in this 1994 Montana drivers license photo. Kaczynski, also known as the Unabomber, mailed 16 bombs which killed three people and injured 23 others before his capture in 1995. He will spend the rest of his life in a supermax prison in Florence, Colorado.

tions professional who had Exxon as a client, a timber industry lobbyist, a computer science professor at Yale, and others that would not seem like obvious political targets. In 1978, Kaczynski was targeting airline officials and in 1979 one of his early bombs was placed in the cargo hold of an American Airlines passenger plane flying from Chicago to Washington DC. A faulty timing mechanism kept the bomb from exploding, although the plane was forced to make an emergency landing. Eventually Kaczynski mailed 16 bombs which killed three people and injured 23 others.

On April 24, 1995, Kaczynski mailed a letter to several publishers promising to stop the bombings if his manifesto "Industrial Society and Its Future" was published by a major newspaper. He had some leverage – at that point, he was carrying out a bombing per year with increasing sophistication and loss of life. Eventually, the New York Times and Washington Post published his pamphlet at the behest of the FBI and Department of Justice, hoping it might lead to his arrest. It worked. His brother David recognized his syntax and philosophy and turned him in, in hopes that it would stop the killings, and possibly protect him. Kaczynski is serving eight life sentences (served concurrently) without possibility of parole at a super-

max prison in Fremont, Colorado. Despite much evidence to the contrary, he insists that he is not insane.

Kaczynski claims that his moment of radicalization came when his favorite hiking spot was paved to become a road, but the environment or animal rights is not his chief concern. He is more interested in how “the industrial system has robbed contemporary humans of their autonomy, diminished their rapport with nature, and forced them to behave in ways that are increasingly remote from the natural pattern of human behavior.” (Kaczynski, 1995)

Among ecoterrorists, Ted Kaczynski is an outlier, more in line with the definitions of a domestic terrorist than an environmental extremist. He acted alone and did not affiliate with any radical environmental groups, even by the loose standards by which they are organized. His “organization” was the Freedom Club, which is a darkly funny moniker since he was basically a hermit, he targeted civilians with disregard to loss of life and his goal was not a concrete

action like blocking a development, but to dismantle humanity’s relationship to advanced technology.

The Battle in Seattle

The World Trade Organization Ministerial Conference was held in 1999 in Seattle at the Washington State Convention and Trade Center with the purpose of launching a new millennial round of trade negotiations. Although that sounds rather benign, there was fierce opposition to these negotiations by numerous anti-globalist organizations ranging from trade unions, who correctly predicted that American jobs would flow overseas, to environmentalists who were concerned that the kind of pollution and environmental degradation experienced in the industrial world would soon be exported to developing countries through the mechanism of neocolonialism. This belief was also vindicated as vast open-pit mines proliferate in Latin America. (Misoczky and Böhm, 2013). In all, about 40,000 protestors, including some from other countries, went to Seattle to express their dissent to the multi-national corporations and governmental agencies negotiating trade agreements. Some of these protestors were politically aligned as anarchists and they came primarily to protest capitalism. This was initially termed the N30 Protests (for November 30) and later The Battle in Seattle.

In Europe starting in the 1980s, in response to police crackdowns on activists, protestors began to adopt paramilitary tactics. One of these is the “black bloc formation” in which protestors anticipate a violent police response and dress accordingly. They all wear black to make identification of specific individuals more difficult, may wear goggles to protect eyes from smoke and tear gas, and helmets to protect against police batons. This anticipation of violence might seem like these protestors plan to incite violence rather than simple self-defense preparation, but the reality is more nuanced, and even among extremists, definitions of violence and appropriate response are hotly debated. A code of ethics for black bloc protestors are the “St. Paul Principals” which were developed by militant protestors at the Republican National Convention held in St. Paul, Minnesota in 2008, building on the work of the A16 Revolutionary Anti-Capitalist Bloc in 2000. These were not in place for the Battle in Seattle, of course, but demonstrate that there has been discourse about the ethics of protest and civic responsibility since then.

Militant environmentalists view themselves as victims of violence, and not without justification. As with John Hanna and the protestors at Rose Lodge,

The St. Paul Principles

1. Our solidarity will be based on respect for a diversity of tactics and the plans of other groups.
2. The actions and tactics used will be organized to maintain a separation of time or space.
3. Any debates or criticisms will stay internal to the movement, avoiding any public or media denunciations of fellow activists and events.
4. We oppose any state repression of dissent, including surveillance, infiltration, disruption and violence. We agree not to assist law enforcement actions against activists and others. (D’Arcy, 2014)

The St. Paul principles were developed by militant protestors at the Republican National Convention held in St. Paul, Minnesota in 2008, building on the work of the A16 Revolutionary Anti-Capitalist Bloc in 2000.



Sometimes insurgency is described as “asymmetric warfare.” Typically this involves a professional fully-equipped standing army opposed by civilians with limited access to weapons. Ecoterrorists view themselves as “ecommandos” engaged in an asymmetric struggle against anti-democratic, pro-business entities bent on destroying the environment. These two sides were thrown into high visibility during the WTO protests of 1999 when black blocs vandalized corporate businesses and police sprayed unarmed protesters with chemical weapons.

corporate interests and government often work together to suppress dissent. It is undeniable that clear-cutting forests, butchering wild horses and animal experimentation are all violent acts. Whereas the Rose Lodge protestors were sprayed with dangerous herbicides, the Seattle protestors were beaten, teargassed, restrained while being pepper sprayed in violation of their fourth amendment rights. In some instances, residents and bystanders were also the victims of police brutality. The protestors, in turn, caused about \$20 million in damages to police vehicles and private property, mainly to storefronts owned by multinational corporations like Starbucks, Nike, Old Navy and the Gap, which were specifically targeted for their role in environmental degradation and human rights abuses. The protests were far more brutal than peaceful. Among the protest factions, for it was an unwieldy and large loosely-formed coalition, debate raged about whether property crimes should be considered violence, and if so, is it justifiable? (Marx and Gilham, 2000)

Although, short of self-disclosure, it isn't known which of the environmental extremists later caught up by the FBI were part of the Black Bloc Formation of N30 (Daniel McGowan said that he was among them in the 2011 documentary “If a Tree Falls: Story of the Earth Liberation Front”) (Curry, 2011) but many of the environmentalists who were based in the Pacific Northwest were present at the protests and many of them may have developed their incendiary skills or become more aware of the possibility of ecoterrorism as an effective tactic. Many of the Earth First core members met while protesting proposed logging venture in forest in Oregon's Warner Creek watershed in 1995. They blocked the logging road and held it for 343 days declaring it the Cascadia Free State. Eventually they were driven out by the forest service, working in concert with the timber industry, but they had formed the key connections that united them in later direct actions. (Kauffman, 1999) Several of these protestors, later exposed by Operation Backfire, were referred by the prosecution as the “Family,” and they

were united by their radicalizing experiences at Warner Creek and Seattle.

The Decline of Ecoterrorism

In a working paper for the Canadian Network for Research on Terrorism, Security and Society, a group of researchers analyzed acts of eco-terrorism from 1970 to 2012, and found that ecocrimes in the US peaked in 2001 and by 2012 were practically non-existent. They believe that a number of factors converged for this to happen including expanding the definition of terrorism to include property crimes, the implementation of the Patriot Act and stiffer sentencing laws, and that the ringleaders of the movement were jailed.

The conflating of ecoterrorism and terrorism that targets human safety is extremely problematic for democratic society. After all, the Boston Tea Party, led by Samuel Addams and the Sons of Liberty, on December 16, 1773 was an example of direct action.

In a seminal Rolling Stone article, “The Rise and Fall of the Eco-Radical Underground” reporter Vanessa Grigoriadis wrote,

“In 2003, when activists including CalTech graduate students fire-bombed several SUV dealerships in Los Angeles, FBI director Robert Mueller responded by assigning the entire terrorism task force in L.A. to the case and personally briefed President Bush about it. In a post-9/11 world where every FBI agent wants to catch a terrorist, an “eco-terrorist” is better than nothing.

Branding activists as terrorists not only makes for good headlines, it also results in longer prison sentences. In 2001, forest advocate Jeffrey “Free” Luers, perhaps today’s most passionately embraced eco-martyr, was sentenced to nearly twenty-three years for setting fire to three Chevy SUVs. The Family faces far more prison time. Under a 2003 order by then-Attorney General John Ashcroft, any arson set with a timer must be prosecuted under a post-Oklahoma City statute that defense lawyers call “the hammer.” Under standard arson charges, the maximum sentence is five years for each building or car that is set ablaze. Under the hammer, the mandatory sentence for a single act of arson is a minimum of thirty years in prison. For two, the minimum is life — with no possibility of parole. The government wants to sentence some members of the Family to life plus 1,015 years.” (Grigoriadis, 2006)

Given these conditions, it is easy to see why otherwise stalwart environmental justice warriors might betray their comrades. Protestors who set fire to an

SUV were facing more jail time than murderers.

Donald Liddick, a criminal justice professor at Pennsylvania State University wrote “My guess is that there was just a core, really just a few members, who were responsible for these more serious arsons,” and once they went to jail, that was it. There really weren’t a large number of people that committed, in the U.S. at least, to begin with.” Liddick referenced several high-profile cases including the torching of the Vail ski resort and the FBI’s (with the Bureau of Alcohol, Tobacco, Firearms and Explosives) “Operation Backfire” which eventually indicted 18 prominent animal rights activists. The Operation Backfire arrests took place between 2004 and 2009. Charges of ecoterrorism have been minimal since then.

The Future of Ecoterrorism

It has been more than 40 years since Edward Abbey wrote the seminal environmentalist novel the “The Monkey Wrench Gang,” and it seems like radical environmentalism, never particularly widespread, may have had its day. The most extreme ecoterrorists have been jailed and prohibitive laws against this form of dissent (many of which were drafted by business interests and include such laws as making it an act of terrorism to film inside a factory farm) have made the consequences of such actions dire indeed. (Kirchner, 2017) Domestic terrorism by white nationalists is on the increase and radical Islamic terrorism is the focus of most security policy. Notwithstanding, ecoterrorism may yet make a resurgence.

Ted Kaczynski is back in the media spotlight. His brother David wrote a book about him, “Every Last Tie: The Story of the Unabomber and His Family” in 2016 and there is a TV miniseries in the works. Ted Kaczynski has offered break his silence to the media under certain conditions, one of which is that he be portrayed in a flattering light, specifically that he is perfectly sane. The FBI joint terrorism task force (JTTF) is investigating at least three of the Dakota Access Pipeline (DAPL) protestors in conjunction with their activities at the Standing Rock campground.

At the height of the occupation, the DAPL hosted 10,000 protestors and hundreds were arrested. (Cuevas et al, 2017) The Occupy movement from 2009 to 2012 was more concerned with social injustice than environmental issues, but it attracted tens of thousands of people to march on Wall Street. Dissenters poured into streets for the Women’s March on January 21. There are thousands of disaffected Americans protesting for various issues, some of which relate directly to environmental causes. Antifa, the

anti-facist group, may have concerns which overlap environmental agendas. Climate change, not as politically charged an issue in the '90s, may become a rallying point in the 2020s. The Trump administration's disdain for the environment and his mandate to dismantle the Environmental Protection Agency may

radicalize some environmental activists into more extreme action. The numbers are certainly there, but are there the John Hannas who are willing to take direct action on behalf of the environment? And if so, would those actions be prosecuted as ecoterrorism or something else?

Appendix:

Meet "The Family": an ecoterrorist cell active between 1995-2001

This group which is loosely referred to as "The Family" or "The Book Club" were direct action protesters affiliated with ELF and ALF. They formed

around 1995 with the Warner Creek Occupation. In this protest, activists prevented the logging of an old growth forest by blockading a fire access road for 360



William C. Rodgers
aka Avalon 1965-2005

Although considered the "mastermind" of many of ALF and ELF's direct actions, Rodgers was only charged with one crime, the June 1998 fire set by the ELF at the National Wildlife Research Center in Olympia, Washington. Rodgers developed the incendiary devices, wrote a handbook describing how to make them, and was responsible for recruiting many of the members to the group. According to Gerlach, he was the sole actor in the Vail Ski Resort arson. Rodgers killed himself in prison before trial.

Operation Backfire: Rodgers was arrested in an FBI raid on Dec. 7, 2005 at the Catalyst Infoshop in Prescott, AZ.

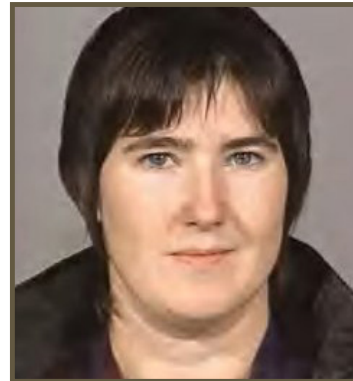


Jacob Ferguson b 1972

Once ELF's most enthusiastic arsonist, Ferguson later became addicted to heroin and was thus vulnerable to accepting a plea deal with the FBI whereby he would turn informant and, while wearing a wire, travel the country to gather intel about his former associates. Ferguson was also romantically linked to several other group members including Josephine Sunshine Overaker and Kendall Tankersley.

He took part in the actions at Warner Creek along with Rodgers, Overaker, McGowan and Tubbs.

Ferguson was not prosecuted for his involvement in the actions, but in 2011 he was arrested on charges related to his drug use and sentenced to 22 months. He was released in 2015.



Chelsea Dawn Gerlach b.1977
aka Country Girl

Sentenced to 9 years for arson at Childers Meat Co. in Eugene; arson at a Boise Cascade office in Monmouth, OR; toppling of a Bonneville Power Administration tower; arson at the Eugene Police Department West University Public Safety Station; attempted arson at Jefferson Poplar Farms in Clatskanie, arson at the Vail Ski Resort acting as an accomplice to Bill Rodgers. Gerlach was a Warner Creek protestor and dated Stan Meyerhoff in the '90s..

Operation Backfire: Arrested on Dec. 7 in Portland, OR with boyfriend Canadian animal rights activist Darren Todd Thurston. In 2011, Gerlach was sentenced to 9 years and was released on October 10, 2013.

days, including the most brutal days of winter. This non-violent action was not ecoterrorism, but some activists connected there, and many of them continued to be based in Eugene, Oregon. “The Family” (a contentious name, as they did not call themselves that. The prosecution may have used the name as a convenience, or more cynically to link these neo-hippies to the notorious Manson gang in the public imagination) considered themselves friends and colleagues; ecowarriors with a shared desire to protect the earth and animals from exploitation and destruction. Membership was not fixed or constant and the network was not particularly organized. Many of the members were also romantically linked. Most actions involved less than five people, and their most “sophisticated” crimes involved little more than gasoline and an ignition timer.

Despite these limitations, they did a staggering amount of destruction – more than 30 direct actions, over \$43 million in damages and hundreds of criminal charges were leveled against the members. By the end of 2001, the group had disbanded, many of them disenchanted by other members or frightened of the direction their protests had taken. However, although they may have moved on, law enforcement had not. In 2004, seven arson investigations were merged into one dubbed “Operation Backfire.” In December 2005 and January 2006, with assistance from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the FBI, under the leadership of Robert S. Muller III

(now famous for investigating the Trump campaign’s ties with Russia) indicted six women and seven men on a total of 65 charges. Sometimes they are known as the “Eco 11” and this period referred to as “The Green Scare.”

Initially spurred by one informant, Jacob Ferguson, others were coerced into testifying against the others in exchange for more lenient sentencing. Since the penalties for domestic terrorism are much more stringent than those for arson, especially in the aftermath of the 9-11 terror attacks, most chose to “snitch” over a life behind bars and took plea agreements rather than face trial under U.S. District Judge Ann Aiken. Several were able to reach a deal whereby they plead guilty to their own crimes without testifying against the others. Josephine Sunshine Overaker and Joseph Dibee remain at large. Despite “The Family’s” past commitment to extreme direct action, most have not been welcomed back to the ELF/ALF community, which keeps databases on those they consider informants and collaborators. Although these direct actions were being monitored carefully by law enforcement, police got their first big break in the case in the form of Jacob Ferguson, a prolific activist who became caught up in heroin addiction. He may have been promised immunity from prosecution in exchange for complete cooperation including meeting with his former associates and recording them. Kera Abraham, writing for the Eugene Weekly, set out a timeline of the arrests and prosecution arrangements:



Josephine Sunshine Overaker
aka Lisa Rachele Quintana
b. 1971 (or 1974)

Overaker is still at large and still on the FBI’s most wanted list. She is fluent in Spanish, and it is believed that she may have moved to Spain in 2006. Overaker, at the time Jacob Ferguson’s girlfriend, was one of the group of Warner Creek protestors. According to Oregon Live, a “2006 indictment accuses Overaker of helping to destroy the US Forest Service ranger station in Oakridge and a truck at a Detroit ranger station — both in late October

1996 and both by fire. After that she allegedly torched a US Bureau of Land Management wild horse corral in Burns, Oregon, in 1997, a US Department of Agriculture facility in Olympia, Washington, in 1998, a BLM wild horse holding facility in Rock Springs, Wyoming in 1998, Childers Meat Co in Eugene, Oregon, in 1999 and the Boise Cascade timber company office in Monmouth, Illinois in 1999.” Overaker was not originally part of the Operation Backfire sweep, she was indicted in April 2006.

- In December 2005 the feds swooped in for the bust, arresting William Rodgers, Kevin Tubbs, Stanislas Meyerhoff, Chelsea Gerlach, Kendall Tankersley and Daniel McGowan. They also jailed Gerlach’s Canadian boyfriend, Darren Thurston, on immigration charges; he would later be indicted for arson.
- William Rodgers killed himself in prison on Dec. 21.
- In January 2006 they arrested southern Oregon residents Suzanne Savoie and Jonathan Paul; in February and March, Joyanna Zacher, Nathan Block and Briana Waters, all from Olympia, Wash. By April they had also indicted Josephine Sunshine Overaker, Rebecca Rubin, Joseph Dibee and Justin Solondz, who are still at large. At some point during the sweep Spokane

natives Jennifer Kolar and Lacey Phillabaum came forward to cooperate, according to the FBI.

- Federal prosecutors minced no words, calling the defendants “eco-terrorists” and threatening them with staggering, post-9/11-style sentences. Faced with that terrible decision — rat out your friends or sit in jail until you die — each defendant, it seems, reacted differently. Meyerhoff reportedly started cooperating immediately; Tubbs, Savoie, Gerlach, Thurston and Tankersley had made the same decision by the time they pleaded guilty in July. So did Kolar and Phillabaum, who pleaded guilty in October. While “snitch” provisions have not been made public, virtually all such deals require cooperating defendants to name names, according to Civil Liberties Defense Center attorney Lauren Regan, who lived with Phillabaum for a year.
- Four defendants before the federal court in Oregon — McGowan, Paul, Block and Zacher — pleaded not guilty. On behalf of all four, the team of defense attorneys filed discov-

ery motions asking the feds to hand over any information that had been obtained through National Security Administration surveillance or warrantless wiretaps, which a judge had recently ruled illegal.

- The federal prosecutors stalled, pushing back their court-ordered deadline three times while maintaining that no illegal surveillance had occurred. But eventually they struck a plea deal with the defendants: In exchange for withdrawing the discovery motion and confessing to their own crimes, all four defendants would get dramatically reduced sentences and would not have to implicate anyone else. They took the deal, pleading guilty in November.
- Only one defendant, Briana Waters, continues to plead not guilty before the federal court in Washington. Her attorney is pursuing a discovery motion similar to that filed by the Oregon defense team.

Source: Abraham, Kera. 2006. “Eugene Weekly.” *Flames of Dissent* PT. IV: THE BUST (blog). December 17, 2006. <https://www.eugeneweekly.com/2006/12/07/flames-of-dissent-2/>.



Darren Todd Thurston b. 1970

Initially faced five federal charges including arson with an incendiary device and conspiracy in addition to two federal charges for the possession of fraudulent identification. Took a cooperating plea agreement. When Gerlach and Thurston were arrested, they had in their possession four pounds of marijuana and several hundred ecstasy pills. Thurston was given a sentence of 37 months in prison after he pleaded guilty to conspiracy and arson in the 2001 fire at the Litchfield, Calif., U.S. Bureau of Land Management wild horse corrals.

Operation Backfire: Arrested on Dec. 7 in Portland, OR with girlfriend Chelsea Dawn Gerlach. Thurston ultimately served 37 months in jail and was deported to Canada in late 2008.



Kendall Tankersley
aka Sarah Harvey b. 1977

Charged with arson and attempted arson of US Forest Industries in Medford, OR on Dec. 26, 1998. Reached a plea arrangement for a reduced sentence. She and Ferguson had a brief relationship which was when she became involved in the arsons as a lookout/driver. She had a BS in molecular biology and had been accepted to medical school when she was arrested.

Operation Backfire: Arrested in Dec. in Flagstaff, AZ. Tankersley, was sentenced to three years and 10 months. She could have received more than eight years had she not testified against her co-conspirators. She was released on Sept. 17, 2010.

Briana Waters was found guilty in 2008 of the UW arson, but had the conviction overturned on appeal. Facing a retrial, she accepted a plea bargain that would require her to admit to perjury in her first trial and to testify against her ex-boyfriend, Justin Solondz. She was eventually sentenced to four years in jail.

Justin Solondz went on the run for several years after Operation Backfire but was eventually apprehended in China where he had already served two years on a local charge of making hashish out of wild marijuana. He was sentenced to seven years in prison in 2012 and was released from prison in the US in early 2017. As it happens, Waters did not have to testify against Solondz; he plead guilty in exchange for more lenient sentencing.

An interesting aspect to this case are the interpersonal relationships that were forged in the course of the actions and destroyed in the aftermath of the arrests. On pages 122-123, a timeline of the actions is correlated with the Family members associated with each of 19 actions. Some of the Family met at Warner Creek and formed the core of the group. It is believed that William Rodgers aka Avalon was chief recruiter for the actions, and that he and Jacob Ferguson were responsible for manufacturing the incendiary devices. Members of this group frequently joined as couples, but often the women had active roles in these actions.

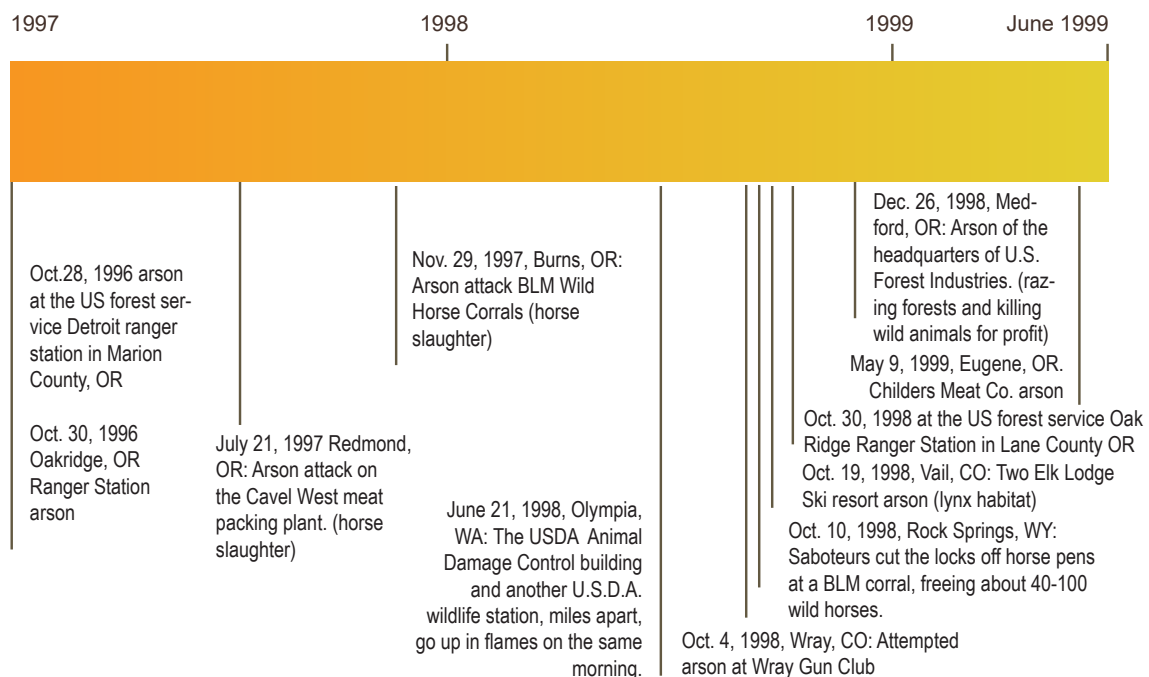


Jonathan Mark Christopher Paul
b. 1966

Paul's sister stated that he "dismantled corrals to release wild mustangs. He impersonated a fur buyer to film the treatment of minks. He put himself between whales and whalers despite warnings that his boat would be impounded and that he would be jailed." Paul plead guilty to the arson attack on the Cavel West Slaughterhouse, which killed and processed horses for food. He did not implicate others, and served 51 months.

Operation Backfire:
Arrested Jan. 16 in OR.

Timeline of direct actions specific to "The Family"



Predictably, these unconventional people did not always have the most straightforward relationships.

Jacob Ferguson and Josephine Overaker were a couple and consequently participated in actions together. Overaker was described in Vanessa Grigoriadis' Rolling Stone article as being utterly devoted to Ferguson and Ferguson was described as practicing polyamory. In the U.S. Forest Industries arson, he involved another lover, Kendall Tankersley, but by the time of the Childers Meat Co. arson, he and Overaker were back together. Overaker's last action was helping to topple the Bonneville Power Administration hi-power transmission line. In this way, group member's involvement was influenced by bonds of friendship and love and the betrayals that followed were particularly brutal.

In the tangled relationships of Family members, Jennifer Kolar dated both Jonathan Paul and Joseph Dibee. Stanislas Meyerhoff "Country Boy" and Chelsea Gerlach "Country Girl" were high school sweethearts who forged their relationship during the Warner Creek Occupation. Later on, Meyerhoff dated Lacey Phillabaum and was living with her at the time of the arrests. Briana Waters believed that former boyfriend Justin Solondz once slept with Lacey Phillabaum while they were still dating. Rebecca Rubin was linked to Kevin Tubbs, possibly Thurston as

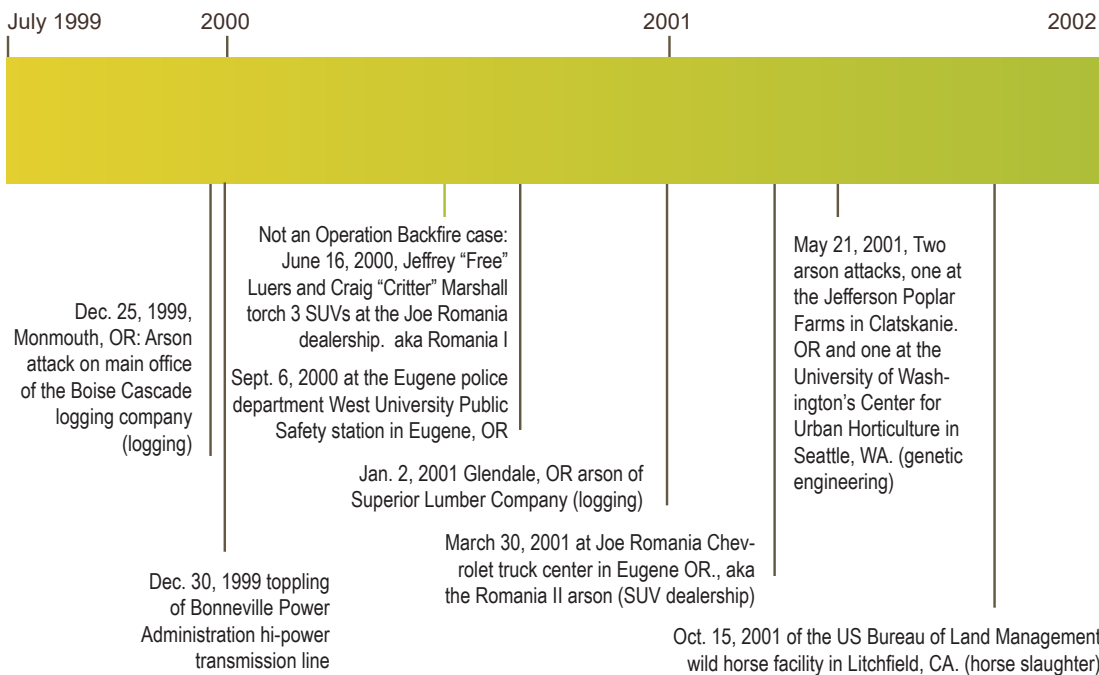
Continued on page 124



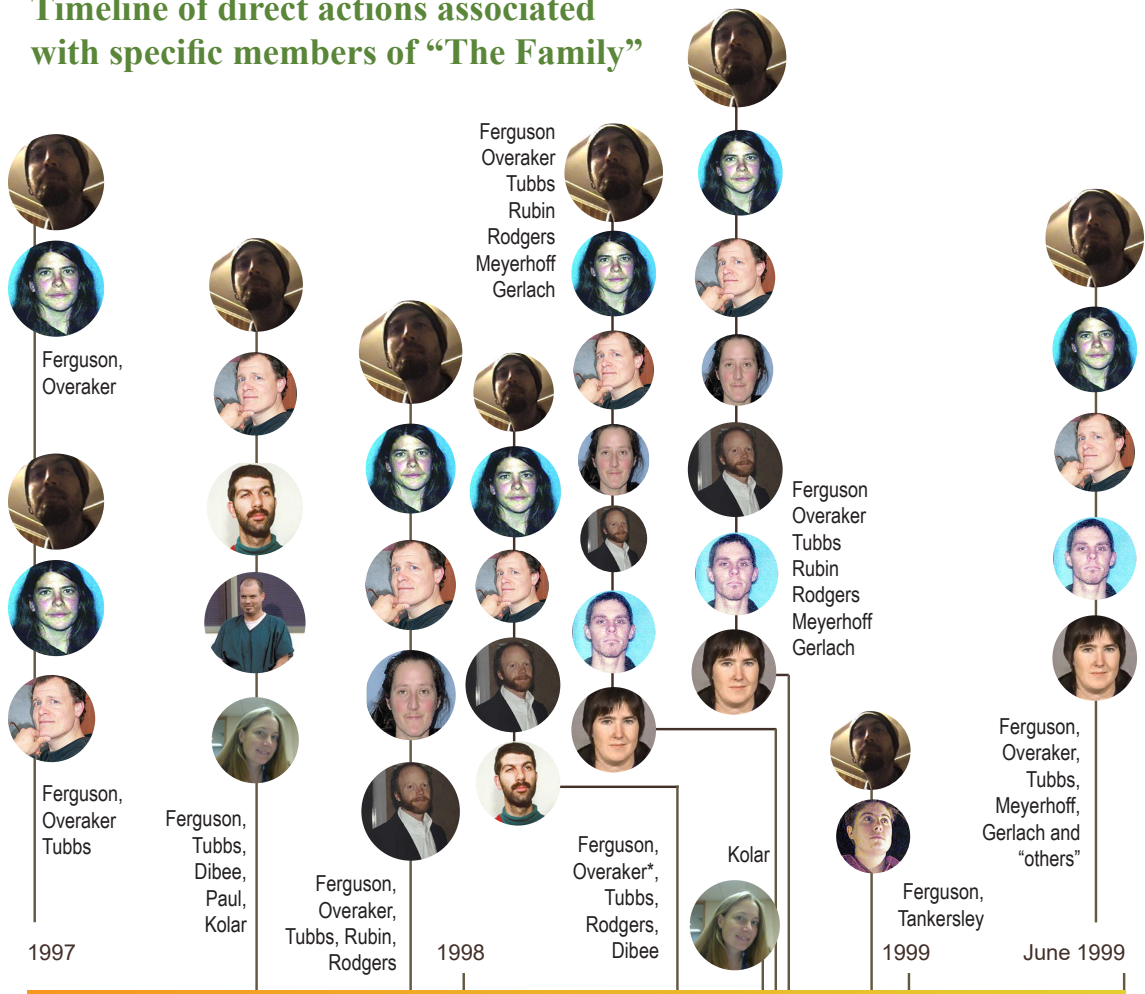
Kevin Tubbs b. 1969 aka Dog

Plead guilty to firebombing of the U.S. Forest Service ranger station in Oakridge in 1996, a horse slaughterhouse in Redmond in 1997, the Bureau of Land Management wild horse corrals in Burns in 1997, offices of U.S. Forest Industries in Medford in 1998, a meat packing plant in Eugene in 1999, a police substation in Eugene in 2000, offices of Superior Lumber Co. in Glendale in 2001, and the Jefferson Poplar Farm in Clatskanie in 2001.

Operation Backfire: Arrested in Dec. in Springfield, OR. Facing life in prison, Tubbs ultimately got 12 years and 7 months in prison with 3 years supervised release for his cooperation. As of June 6, 2016, Kevin Tubbs was in a Kansas City halfway house.

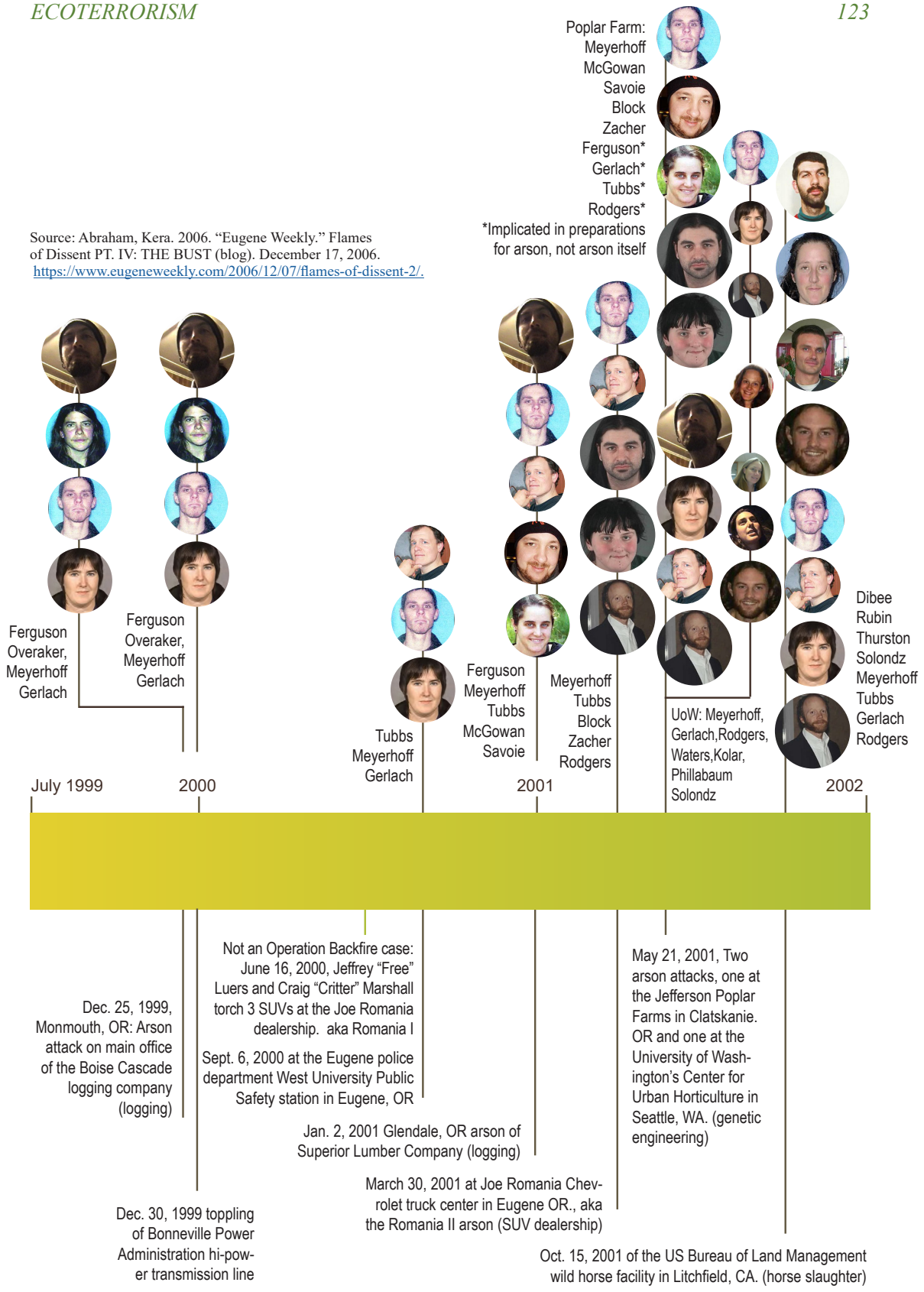


Timeline of direct actions associated with specific members of "The Family"



<p>Oct. 28, 1996 arson at the US forest service Detroit ranger station in Marion County, OR</p> <p>Oct. 30, 1996 Oakridge, OR Ranger Station arson</p>	<p>July 21, 1997 Redmond, OR: Arson attack on the Cavell West meat packing plant. (horse slaughter)</p>	<p>Nov. 29, 1997, Burns, OR: Arson attack BLM Wild Horse Corrals (horse slaughter)</p> <p>June 21, 1998, Olympia, WA: The USDA Animal Damage Control building and another U.S.D.A. wildlife station, miles apart, go up in flames on the same morning.</p>	<p>Oct. 4, 1998, Wray, CO: Attempted arson at Wray Gun Club</p>	<p>Dec. 26, 1998, Medford, OR: Arson of the headquarters of U.S. Forest Industries. (razing forests and killing wild animals for profit)</p> <p>May 9, 1999, Eugene, OR. Childers Meat Co. arson</p>	<p>Oct. 30, 1998 at the US forest service Oak Ridge Ranger Station in Lane County OR</p> <p>Oct. 19, 1998, Vail, CO: Two Elk Lodge Ski resort arson (lynx habitat)</p> <p>Oct. 10, 1998, Rock Springs, WY: Saboteurs cut the locks off horse pens at a BLM corral, freeing about 40-100 wild horses.</p>
--	---	--	---	--	--

Source: Abraham, Kera. 2006. "Eugene Weekly." Flames of Dissent PT. IV: THE BUST (blog). December 17, 2006. <https://www.eugeneweekly.com/2006/12/07/flames-of-dissent-2/>.



*Implicated in preparations for arson, not arson itself

Snitches and Anarchy

- **Undercover Agent/Infiltrator:** A law enforcement officer who uses an assumed name or fake identity to infiltrate a movement or organization to gather information or evidence. In political infiltration cases, an agent will typically pose as a sympathizer to a particular organization, gain the trust of its key members and then use this access to gather confidential information to pass on to the investigative agency. A secondary objective may be to lay the groundwork for a separate investigation. Undercover agents typically concoct a cover story as detailed as the assignment requires as well as a basic biography and plausible story covering past and present activities.
- **Informant:** Individuals who are not employed as law enforcement agents who provide law enforcement agents with information, often in exchange for money. An informant ordinarily has previous involvement in – and more intimate knowledge of – the movement or organization that the agents are investigating.
- **Cooperating Witness:** Similar to informants, except that cooperating witnesses usually agree to ‘flip’ or ‘snitch’ after being threatened with prosecution. Cooperating witnesses will testify in court in exchange for lesser or no charges filed against them.
- Law enforcement recruits informants and cooperating witnesses from the ranks of people already active within the movements or organizations being targeted. The government often threatens these individuals with charges carrying massive jail time, offering to not file charges in exchange for a promise to inform on others in the movement. Undercover agents, on the other hand, use false pretenses from the beginning of their association with any movement or organization.

Source: “Information on Informants and Snitches.” 2011. Earth First! Newswire (blog). August 9, 2011. <http://earthfirstjournal.org/newswire/informant-tracking/>.

Stanislas “Stan” Gregory Meyerhoff,
aka “Jack” and “Country Boy”

b.1977

Meyerhoff was a participant in Warner Creek and was romantically linked to Chelsea Gerlach, who he knew from high school. His sentencing memorandum states that he was largely involved with direct action in an effort to impress Gerlach. At the time of his arrest, Meyerhoff was living in Virginia with Lacey Phillabaum and studying engineering. For his cooperation, Meyerhoff was sentenced to 13 years at USP Terre Haute and was scheduled to be released on July 8, 2015.



Continued from page 121

well. Thurston was living with Chelsea Gerlach at the time of the arrests. Daniel McGowan and Suzanne Savoie were romantically linked and Joyanna Zacher and Nathan Block were, and still are, a couple. This is rather convoluted, but not unexpected. This was a very tight-knit community, and if one’s interests run to radical veganism and setting horse meat facilities on fire, then finding partners outside the group may be problematic.

As mentioned before, the case against these individuals came through a weak link, Jacob Ferguson. When that leverage was achieved, law enforcement was able to use terrorism-enhanced sentencing to compel testimony from other participants including those whose involvement was minimal. It also helped that by 2005, the members of this cell had (largely) moved on with their lives and were starting families and careers. They had more to lose. The threat that “You’ll never see your child” carried enormous weight. It also helped that the group dissolved acrimoniously after the actions of May 21, 2001. The arson attacks directed at genetic engineering of forest trees were successful in execution but not in choice of target. Instead of winning public support, which was generally with the group when they destroyed horse slaughterhouses, they were condemned for destroying a family business that was arguably helping the environment (and did not use genetically engineered poplars as they assumed) and for burning a university (again mistaken about the actual research being conducted). Among the group there was dissent about whether their actions were effective and if they should be scaling back or escalating the violence. Many of the group were disenchanted with William Rodgers. The 9-11 terror attacks in New York were a game-changer for some of them in how they viewed politicized violence and their role in it. In short, the arsonists of 2005 had grown up and were not the committed ecowarriors they were in 2000. The legal



Jennifer "Diver" Kolar
b.1973

Kolar and Phillabaum each pled guilty to charges of conspiracy, arson and use of a destructive device. Kolar also pled guilty to an attempted arson charge for a failed 1998 firebombing that damaged a Wray, Colorado gun club that organized a multistate turkey shoot. Lacey Phillabaum and Jennifer Kolar dramatically reduced their sentences, with Phillabaum received 36 months and Kolar 60 months. Kolar was romantically tied to Dibee and Paul. She was released on February 1, 2013.



Lacey Phillabaum
b. 1975

A former editor of Earth First! Journal, Phillabaum took a cooperating plea agreement, pleaded guilty to conspiracy, arson, and use of a destructive device at the University of Washington's Center for Urban Horticulture in 2001. Phillabaum was not a target of Operation Backfire, but turned herself in to the FBI as an informant in return for a reduced sentence, joining Meyerhoff who also sought a reduced sentence through cooperation with the investigation. Phillabaum was released on April 21, 2010.



Daniel Gerard McGowan
b.1974

One of the Warner Creek protesters and a member of the black block in the battle in Seattle, McGowan was charged in federal court on multiple counts of arson and conspiracy for the arson of Superior Lumber company in Glendale, Oregon on Jan. 2, 2001, and Jefferson Poplar Farms in Clatskanie, Oregon on May 21, 2001 With co-defendants Jonathan Paul, Joyanna Zacher and Nathan Block he accepted a non-cooperation plea agreement. Operation Backfire: Arrested in Dec. in New York City. Sentenced to 7 years, released June 5, 2013.



Joseph Dibee
b. 1967

Dibee was a computer software tester who had occasional contact with the group. Dated Kolar. Improved the design of the incendiary devices with new digital timers and led the group at its last arson, at the BLM horse corrals in Litchfield, CA. Not part of the initial Operation Backfire sweep, the FBI sought Dibee's cooperation, but he fled the country instead. In 2005 he was believed to be in Syria. He remains a fugitive, wanted by the FBI.

landscape also changed during that period and crimes that were once considered criminal mischief now had terrorism enhancements added to the sentencing.

Mueller et al were able to use these factors not to prevent more ecoterror attacks - at least not from these individuals - but to capture the key members of the cell; catch some tangential members, gather information about radical ecological groups and send a

deterrent message to others who would emulate them. By compelling them to testify against old friends and lovers, rifts were created among the group, but also with all of their former connections in the environmental movement. It was an extremely effective take down.

The ALF/ELF movement has a special virulent hatred for those they consider collaborators and infor-



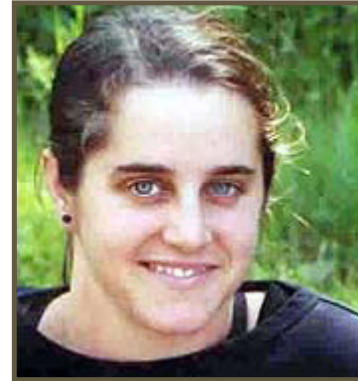
Joyanna "Sadie" Zacher
b. 1978

Zacher and Block met in the Spring of 1999 at the WTO protests. There they met Bill Rodgers, Suzanne Savoie, Lacey Phillabaum and probably Daniel McGowan. Between the actions of 2001 and their arrest in 2006, they married. Zacher and Block refused to cooperate with the prosecution and received harsher sentencing than Savoie, to the chagrin of their defense. There were several other crimes they were not charged for, including killing GMO trees, having a marijuana grow operation and tree spiking. Throughout their incarceration, they were unrepentant about their actions, expressing no regrets. They also condemned the "former friends, trusted colleagues" who took cooperating plea agreements.



Nathan "Exile" Block
b.1981

The prosecution painted the pair as being more interested in the adventure of anarchy and violence and less in the environment than the other defendants and claimed that they were actively seeking the status of activist martyrs. The two agreed to plead guilty only after six others had agreed to testify. In June 2007, Zacher and Block were sentenced to seven years and eight months imprisonment each for the arsons of the Romania Chevrolet dealership on March 30, 2001 and the Jefferson Poplar on May 21, 2001. They were released from prison in May 2012.



Suzanne "India" Savoie
b. 1977

Once Daniel McGowan's girlfriend, Suzanne Savoie turned herself in to FBI agents in January 2006. She accepted a cooperating plea deal and made statements against Joyanna Zacher and Nathan Block. She was sentenced to 51 months in prison for her role in two arsons. Savoie was released in March 2011.



Craig "Critter" Marshall
b. 1974

mants. It's a valid consideration as law enforcement attempts to infiltrate and arrest extremists and organizers alike. However, this extends to these groups keeping extensive "snitch lists" on cooperating witness, which makes it very difficult for people who have reached a plea agreement with the prosecution to move on with their lives once they have been released from prison. In some cases they are doxxed - their addresses, phone number, work information and social media accounts may be shared on the internet. Many have received death threats. Conversely, activists who do not testify against their co-conspirators are elevated to hero status, which has a different dark side. Joyanna Zacher and Nathan Block were idolized by elements within ELF/ALF who regarded them as

martyrs, despite relatively low involvement in the actions. Now that their socio-political leanings tend to white nationalist fascism, many of their one-time fans have distanced themselves. Support for animal rights does not necessarily mean support for human rights.

Craig "Critter" Marshall and Jeffery "Free" Luers were known to the defendants in the "Family" case: they too were taking direct actions in Eugene, Oregon during the same period. The first Romania SUV dealership fire, which burned three cars, was executed by these two on June 16, 2000, and they were caught



Rebecca "Little Missy" Rubin
b. 1973

Rubin is a Canadian activist who was introduced to the group through Darren Thurston. Her case became complicated - she initially fled to Canada, then spent years in a legal limbo. Eventually she accepted a deal that allowed her to serve 60-90 months without implicating others in her crimes. By then it was 2012, and unlikely her testimony would have any bearing on her co-conspirators. Eventually she was sentenced to five years in prison and she was released in April 2016.



Justin Solondz
b.1979

Solondz dated Briana Waters while attending Evergreen State College. He was indicted for arson and conspiracy *in absentia* based on testimony from other co-defendants in 2006 but evaded capture for several years. In 2009, he was arrested in China for processing hashish. In 2011, he was taken into federal custody and in 2012 he reached a non-cooperation plea agreement and was sentenced to seven years in prison. Solondz was released from prison in the US in Jan. 2017.



Briana Waters
b.1975

Waters pled innocent in her first trial. The evidence against her stemmed from Kolar and Philla- baum's testimony, for which they got substantially reduced sentences. She was found guilty, but remained free prior to sentencing to spend time with her 3-year-old daughter. Her conviction was overturned on appeal in 2008, but when faced with a retrial in 2012, she signed a cooperating plea agreement, where she admitted to participation in several arsons and agreed to testify against Justin Solondz. She was sentenced to four years in prison, with reduction for time served. As a result of the plea agreement, Waters is considered a "snitch" although she did not actually testify against Solondz. Waters was released from prison in 2013.

red-handed. Marshall pled guilty to the arson and was sentenced to five-and-a-half years in prison. He was released on January 6, 2005 having served four-and-a-half years. Jeffery "Free" Luers was not as fortunate. Although their crimes were identical, Luers' legal strategy and trial had a very different outcome and Luers was sentenced to 22 years, 8 months, the longest sentence ever given in an ecoterrorism case. Remember that in 1977, John Hanna was sentenced to five years (and served considerably less) for a similar offense. In 2007, the Oregon Court of Appeals overturned Luers' sentence, which became 10 years. He was released December 16, 2009 after serving nine-and-a-half years. Luers' sentence was seen within the ecological community as a gross miscarriage of justice and Daniel McGowan was part of a letter writing campaign to try to bring about a sentence that had more parity with the offense. Free Free!

The Operation Backfire case is the most high-profile ecoterrorism prosecution, and as such was tremendously successful. But was justice served? Some actions and some activists may have slipped through the net. Others may not have been guilty, or at least not of all the charges they were accused of. Many lives were disrupted, and one was ended. Charges inflated with terrorism enhancements, then confessions coerced by plea arrangements, do not establish guilt or innocence in any objective sense. Lack of a trial simplifies the work of the criminal justice system



Jeffery "Free" Luers
b. 1980

but leads to mass incarceration. According to Emily Yoff, writing for *The Atlantic*, “The vast majority of felony convictions are now the result of plea bargains—some 94 percent at the state level, and some 97 percent at the federal level.” She continues with a quote from Supreme Court Justice Anthony Kennedy for the majority in *Missouri v. Frye* (2012), a case that helped establish the right to competent counsel for defendants who are offered a plea bargain. Quoting a law-review article, Kennedy wrote, “‘Horse trading [between prosecutor and defense counsel]

determines who goes to jail and for how long. That is what plea bargaining is. It is not some adjunct to the criminal justice system; it is the criminal justice system.” (Yoff, 2017) Because law is established through precedent (a literal application of the principle of “trial and error”), the criminal justice system will not have precedents to base ecoterrorism penalties against until cases go to trial, and that isn’t likely to happen. When activists complain that the system is rigged, they are stating a fact.

References

- Abraham, Kera. 2006. “Flames of Dissent Eugeneweekly.com.” *Eugene Weekly*. December 7, 2006. <http://www.eugeneweekly.com/2006/12/07/news1.html>.
- Alexander Hellene. n.d. Leona Lewis - Run (A.L.F. Tribute). <https://www.youtube.com/watch?v=YEZ5XI26ch8&feature=share>.
- “Animal Liberation Prisoner Justin Solondz Released!” n.d. North American Animal Liberation Press Office. Accessed February 16, 2018. <https://animalliberationpressoffice.org/NAAL-PO/2017/01/13/animal-liberation-prisoner-justin-solondz-released/>.
- Baldwin, Buck. n.d. “Green Scare: The Case of the Eco-Eleven. Green Scare Cases Eco-Eleven (Darren Thurston, Joseph Dibee, Rebecca Rubin, Jonathan Paul, Kevin Tubbs, - Ppt Download.” Accessed February 26, 2018. <http://slideplayer.com/slide/6818235/>.
- Baldwin, Brent. “Wade’s War: John Wade was out to save the planet. But at 18, his radical environmentalism landed him three years in a federal prison. Now he’s back with a message.” *Style Weekly*, 6 Feb. 2008. Web. 19 Feb. 2017. <https://web.archive.org/web/20080324141543/http://www.styleweekly.com/article.asp?idarticle=16293>
- Barcott, Bruce. 2002. “From Tree-Hugger to Terrorist.” *The New York Times*, April 7, 2002, sec. Magazine. <https://www.nytimes.com/2002/04/07/magazine/from-tree-hugger-to-terrorist.html>.
- Boynton, Robert. 2004. “Powder Burn.” *Outside Online*, May 2, 2004. <https://www.outsideonline.com/1908621/powder-burn>.
- Cecil-Cockwell, Malcolm. “Questions for John Hanna.” *Questions for John Hanna*. *Epoch Journal*, 25 Mar. 2008. Web. 19 Feb. 2017.
- Contenta, Sandro. 2014. “The Rise and Fall of ‘Eco-Terrorist’ Rebecca Rubin.” *The Toronto Star*, February 2, 2014, sec. Insight. <https://www.thestar.com/news/insight/2014/02/02/the-rise-and-fall-of-ecoterrorist-rebecca-rubin.html>.
- Cuevas, Mayra, Sara Sidner, and Darran Simon. “Dakota Access Pipeline protest site is cleared.” *CNN*. Cable News Network, 24 Feb. 2017.
- Curry, Marshall. *If A Tree Falls: The Story of the Earth Liberation Front*. Documentary, 2011. <http://www.ifatreefallsfilm.com/film.html>.
- D’Arcy, Stephen. *Languages of the Unheard: Why Militant Protest Is Good for Democracy*. Zed Books Ltd., 2014.
- Earth Liberation Front. N.p., n.d. Web. 20 Feb. 2017. <http://earth-liberation-front.com/>.
- “Earth Liberation Front (ELF).” n.d. *Anti-Left-Wing, Anti-Marxist. Target of Opportunity*. Accessed February 17, 2018. <http://www.targetofopportunity.com/elf.htm>.
- Eilperin, Juliet. 2012. “As Eco-Terrorism Wanes, Governments Still Target Activist Groups Seen as Threat.” *Washington Post*, March 10, 2012, sec. Health & Science. https://www.washingtonpost.com/national/health-science/as-eco-terrorism-wanes-governments-still-target-activist-groups-seen-as-threat/2012/02/28/gIQAA4Ay3R_story.html.
- “FBI: Eco-Terrorism Remains No. 1 Domestic Terror Threat.” *FOX News Network*, 31 Mar. 2008. Web. 19 Feb. 2017. <http://www.foxnews.com/story/2008/03/31/fbi-eco-terrorism-remains-no-1-domestic-terror-threat.html>
- Francis, Thomas. n.d. “Burned.” *The Stranger*. Accessed February 18, 2018. <https://www.thestranger.com/seattle/burned/Content?oid=29472>.
- Gerlach, Chelsea. 2007. “Firestarter.” *Outside Online*. August 27, 2007. <https://www.outsideonline.com/1899101/firestarter>.

- Gottlieb, Stuart, ed. *Debating Terrorism and Counterterrorism*. 2nd ed. Thousand Oaks: CQ, 2014. Print.
- Grigoriadis, Vanessa. "The Rise and Fall of the Eco-Radical Underground." *Rolling Stone*. July 28, 2006 Accessed May 20, 2017. <http://www.rollingstone.com/culture/news/the-rise-fall-of-the-eco-radical-underground-20110621>.
- Griset, Pamala L., and Sue Mahan. *Terrorism in Perspective*. 3rd ed. Thousand Oaks: Sage Publications, 2013. Print.
- Hirsch-Hoefler, Sivan, and Cas Mudde. 2014. "Eco-terrorism: Threat or Political Ploy?" *Washington Post*, December 19, 2014, sec. Monkey Cage. <https://www.washingtonpost.com/news/monkey-cage/wp/2014/12/19/ecoterrorism-threat-or-political-ploy/>.
- "Information on Informants and Snitches." 2011. *Earth First! Newswire* (blog). August 9, 2011. <http://earthfirstjournal.org/newswire/informant-tracking/>.
- "Interview with ELF Founder, John Hanna." *ELF The original eco-guerrilla defense force*. N.p., 5 Sept. 2001. Web. 18 Feb. 2017. http://www.originaelf.com/interview_with_elf_founder.html.
- Jarboe, James F. "'Testimony of James F. Jarboe, Domestic Terrorism Section Chief, Counterterrorism Division, FBI before the House Resources Committee, Subcommittee on Forests and Forest Health at February 12, 2002 'The Threat of Eco-Terrorism''." Congressional Testimony. Federal Bureau of Investigation, 2 Feb. 2002. Web. 19 Feb. 2017. <https://web.archive.org/web/20080311231725/http://www.fbi.gov/congress/congress02/jarboe021202.htm>.
- Kaczynski, Theodore J. "Industrial Society and Its Future." *GitmoList*. Freedom Club, 19 Sept. 1995. Web. 02 Mar. 2017.
- Kauffman, L. A. "Who Were Those Masked Anarchists in Seattle?" *Salon*. Accessed May 20, 2017. <http://www.salon.com/1999/12/10/anarchists/>.
- Kirchner, Lauren. "Whatever Happened to 'Eco-Terrorism'?" *Pacific Standard*. Pacific Standard, 31 May 2016. Web. 19 Feb. 2017. <https://psmag.com/whatever-happened-to-eco-terrorism-ee7f-b3a89fa8#.2pxf7reo2>.
- Luers, Jeffery. n.d. *Biography of Jeffrey "Free" Luers*. Accessed February 26, 2018. <http://archive.org/details/BiographyOfJeffreyfreeLuers>.
- Lewis, John E. "Animal Rights Extremism and Eco-terrorism." Testimony of John E. Lewis Before the Senate Judiciary Committee. FBI, 18 May 2004. Web. 18 Feb. 2017. <https://archives.fbi.gov/archives/news/testimony/animal-rights-extremism-and-ecoterrorism>.
- Marx, Gary T., and Patrick F. Gilham. "Complexity & Irony in Policing and Protesting: The World Trade Organization in Seattle." *Social Justice* 27, no. 2 (2000): 212–36.
- Meyerhoff. *sentencing*, 2006 (United States District Court, District of Oregon). CR-06-60078-01-AA. Retrieved from <https://www.scribd.com/document/78201197/Meyerhoff-sentencing>
- Misoczky, Maria Ceci, and Steffen Böhm. "Resisting Neocolonial Development: Andalgalá's People Struggle against Mega-Mining Projects." *Cadernos EBAPE*. BR 11, no. 2 (June 2013): 311–39. doi:10.1590/S1679-39512013000200008.
- Novak, Robert D. 2000. "Incident at Warner Creek." *Washington Post*, April 3, 2000. <https://www.washingtonpost.com/archive/opinions/2000/04/03/incident-at-warner-creek/a02499ca-dada-4de6-8364-4b08ad536690/>.
- Oregon Health Authority; Public Health Division. *Environmental Health Assessment Program. Agency for Toxic Substances and Disease Registry. Public Health Assessment Highway 36 Corridor-Exposure Investigation October 2014*. Oct. 2014. 18 Feb. 2017 <https://public.health.oregon.gov/HealthyEnvironments/TrackingAssessment/EnvironmentalHealthAssessment/Hwy36/Documents/Highway_36_PHA_final_10-17-2014.pdf>.
- Regan, Lauren. 2016. "Informants and Information: Looking at the Green Scare and Surveillance with Lauren Regan." *It's Going Down* (blog). August 3, 2016. <https://itsgoingdown.org/informants-information-looking-green-scare-surveillance-lauren-regan/>.
- Report from Sentencing for Nathan Block and Joyanna Zacher, June 1, 2007. https://cldc.org/wp-content/uploads/2012/03/Block-Zacher_sent_notes_pdf
- Reuters. "British Animal Rights Protesters Admit Plotting Against Farmers." *The New York Times*. *The New York Times*, 11 Apr. 2006. Web. 26 Feb. 2017.
- "Save The Newchurch Guinea Pigs Campaign Film" YouTube. N.p., 04 Nov. 2007. Web. 26 Feb. 2017. <<https://youtu.be/3DONT2Aucgs>>.
- Shapiro, Nina. Jun 19, 2012. n.d. "Justin Solondz Torches a Movement." *Seattle Weekly*. Accessed February 16, 2018. <http://www.seattleweekly.com/home/873190-129/story.html>.

- Siegel, L. J. (2015). *Criminology: Theories, Patterns, and Typologies*. Cengage Learning. <https://books.google.com/books?id=djB-BAAAQ-BAJ&pg=PT417&ots=Gt0Zib8Vq5&d-q=Rebecca%20Rubin%20ELF%20horse%20BLM&pg=PT431#v=onepage&q=Rebecca%20Rubin%20ELF%20horse%20BLM&f=false>
- St. Clair, Jeffery, and Joshua Frank. 2017. "The FBI's 'Operation Backfire' and the Case of Briana Waters." *Counterpunch*. June 23, 2017. <https://www.counterpunch.org/2017/06/23/the-fbis-operation-backfire-and-the-case-of-briana-waters/>.
- Tucker, Jonathon. *War of Nerves: Chemical Warfare from World War I to Al-Qaeda*. Pantheon Books, 2006.
- "UK | England | Staffordshire | Four jailed in grave-theft case." *BBC News*. BBC, 11 May 2006. Web. 26 Feb. 2017.
- Workman, Justin. *Pesticides and Birthweight: A response to the Hwy. 36 exposure investigation*. *Eugene Weekly*, 15 Jan. 2015. Web. 19 Feb. 2017. <http://www.eugeneweekly.com/20150115/guest-viewpoint/pesticides-and-birthweight>
- Yang, Sue-Ming, Yi-Yuan Su and Varriale Carson, Jennifer. "TSAS WP14-04: Eco-Terrorism and the Corresponding Legislative Efforts to Intervene and Prevent Future Attacks." Working Papers. Canadian Network for Research on Terrorism, Security & Society, 2014. Web. 28 Feb. 2017. http://tsas.ca/tsas_library_entry/tsas-wp14-04-eco-terrorism-and-the-corresponding-legislative-efforts-to-intervene-and-prevent-future-attacks/
- Yoffe, Emily. 2017. "Innocence Is Irrelevant." *The Atlantic*, September 2017. <https://www.theatlantic.com/magazine/archive/2017/09/innocence-is-irrelevant/534171/>.



The most widely publicized act of ecoterrorism in the United States was the Oct. 19, 1998, Two Elk Lodge ski resort arson in Vail, CO. Chelsea Gerlach claimed that although several members of the cell took part in planning the attack, ultimately she acted as driver and lookout while William Rogers carried gasoline up the mountain and set the fire. ELF protested the construction on the basis that Vail Associates, a private company, built the massive lodge and several ski lifts on national forest property, habitat of the Canadian lynx, among other species. No one was hurt and the lodge was rebuilt. (Boynton, 2004 Gerlach, 2007)



Jane Pojawa graduated from Cal Poly Pomona in 2016 with a bachelor's degree in communications, journalism emphasis, and a minor in political science. Her interest in ecoterrorism stems from two classes offered by Cal Poly Pomona's Political Science Department, PLS 352 "Environmental Security" and PLS 499 "Terrorism and National Security," both taught by Marc Scarcelli, Ph.D. Pojawa hopes to write about environmental subjects in a manner that is both informative and interesting to readers. Pojawa is currently in the Masters of Regenerative Studies program at the John T. Lyle Center for Regenerative Studies at Cal Poly Pomona. Her thesis work involves interviewing people who are (or were) participants in intentional communities with sustainable values with consideration to theory and practice.

Email: jmpojawa@cpp.edu