

Prosecutors say eco-saboteurs are terrorists

Tom Maurer

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EUGENE – More than a dozen lawyers gathered Tuesday before a federal judge to formally debate a question that has raged in Oregon for decades: Are the serial arsons of eco-saboteurs property damage or terrorism?

Tuesday's debate came during a hearing before U.S. District Judge Ann Aiken, who took pre-sentence testimony about the actions of 10 convicted eco-saboteurs to determine whether they were eligible for harsher punishments under federal sentencing guidelines.

Aiken said she plans to rule on whether the defendants are eligible to be considered as terrorists before the first sentencing, which is set for next Tuesday.

The six men and four women defendants have already admitted guilt to arson and conspiracy charges in a multi-state arson campaign, primarily on behalf of two underground groups: Earth Liberation Front and Animal Liberation Front. A designation as a terrorist could land the defendants longer terms in a more restrictive prison.

Assistant U.S. Attorney Stephen Peifer likened the gang to the night riders of the Ku Klux Klan, who burned African American churches to the ground during the civil rights struggles of the 1960s. Peifer declared that the defendants, some of them seated in the nearby jury box, did not just target Oregon's government buildings, timber offices and a parking lot choked with SUVs any more than the Klan just targeted the empty churches of Mississippi.

Defense attorneys argued that the arson campaign waged by their clients from 1996 to 2001 was aimed at destroying the property of those whose enterprises they accused of doing harm to the natural world. The arsons were calculated not to hurt humans or animals, they said, which argues against labeling them terrorists.

"It is historically inaccurate – an insult to African Americans," argued defense lawyer Amanda E. Lee, to liken arsonists such as her client, Daniel McGowan, to the arsonists who wore Ku Klux Klan hoods, because the Klan also committed countless lynchings. To compare the two groups "is appalling," she said.

Defense lawyers argued that domestic terrorism sentencing should be reserved for mass murderers such as those responsible for the 1993 World Trade Center bombing and the 1995 bombing of the federal building in Oklahoma City.

"Terrorism," said defense attorney Bill Sharp, "is about killing people."

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