

responsible for a broad campaign of domestic terrorism that spanned five states, included roughly 20 arsons or attempted arsons, and caused more than \$40 million in property damage."

Gonzales referred to the cases as "domestic terrorism" before the sentencing was finished. At the time the release was issued, Jonathan Paul, who participated in the Cavel West arson, had not received his sentence. He will not be sentenced for at least three more weeks.

Shasta Kearns Moore, sister to the convicted Chelsea Gerlach, responded to the terrorism enhancement's application to her sister via email. "I think there's room in our judicial system to make the distinction between ideological property damage and mass murder."

Gerlach herself issued this statement: "The Bush Administration can't promote its anti-environmental agenda through rational discourse, so it has resorted to name-calling. It's unfortunate the term is being applied so broadly, but it certainly is not going to stop me from working for peaceful, sustainable change in society."

Local Effect

With legislation such as the AETA in place and judges applying the terrorism enhancement to arsons that caused no injuries, will Eugene activists continue to engage in civil disobedience and direct action, or has the word "terrorist" begun to have its predicted chilling effect?

Eugene has a history of activism. Several of the Backfire defendants were local to Eugene and it appears that Eugene was the epicenter of the arsons. During the World Trade Organization protests, much of the blame for property damage was laid by the media at the feet of "Eugene anarchists." Eugene was also the staging point for the Warner Creek campaign (see *EW's* 2006 series "Flames of Dissent"), a successful attempt to block the salvage logging of a burned area of forest.

Warner Creek was brought up repeatedly at the Backfire sentencing by the prosecution to show that the defendants had background in illegal or suspicious activities. Protestors at Warner held loggers at bay until the Clinton administration called a halt to the logging.

Local videographer Tim Lewis' documentary of Warner Creek, *Pickaxe*, was used both by the prosecution and the defense at the sentencing. Concerning the terrorism enhancement and its future applications, Lewis says, "That's what it's meant to do — throw people into a fear mode."

The prosecution also brought up activities such as Daniel McGowan's pie throwing with the "Biotic Baking Brigade." U.S. Attorney Peifer used as evidence a communiqué sent by McGowan signing himself "Agent Key Lime." This and the other name McGowan used (Agent Tart Classique) were referred to by Peifer in serious tones as aliases.

Eugene-based prison support activist Brenton Gicker expressed dismay at what he called "exaggerations" by the prosecution at the sentencing.

The prosecution indicated that seemingly above-ground activities such as participation at the UO's Public Interest Environmental Law Conference (PIELC) were suspicious. Backfire defendant Gerlach had presented at PIELC, and several of the defendants would sometimes meet during the conference. PIELC has also featured speakers such as Robert F. Kennedy Jr., Winona LaDuke and Ralph Nader.

There are already signs of chilled speech. For this article many local activists who once participated in acts of civil disobedience and direct action were not comfortable speaking with *EW* about their past participation in peaceful direct actions such as tree-sits and blocking forest roads. Others, citing concern at being linked to the arsons and the word "terrorism," would speak only under conditions of anonymity.



Eugene activists protest at PC Market of Choice before being removed by police.



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