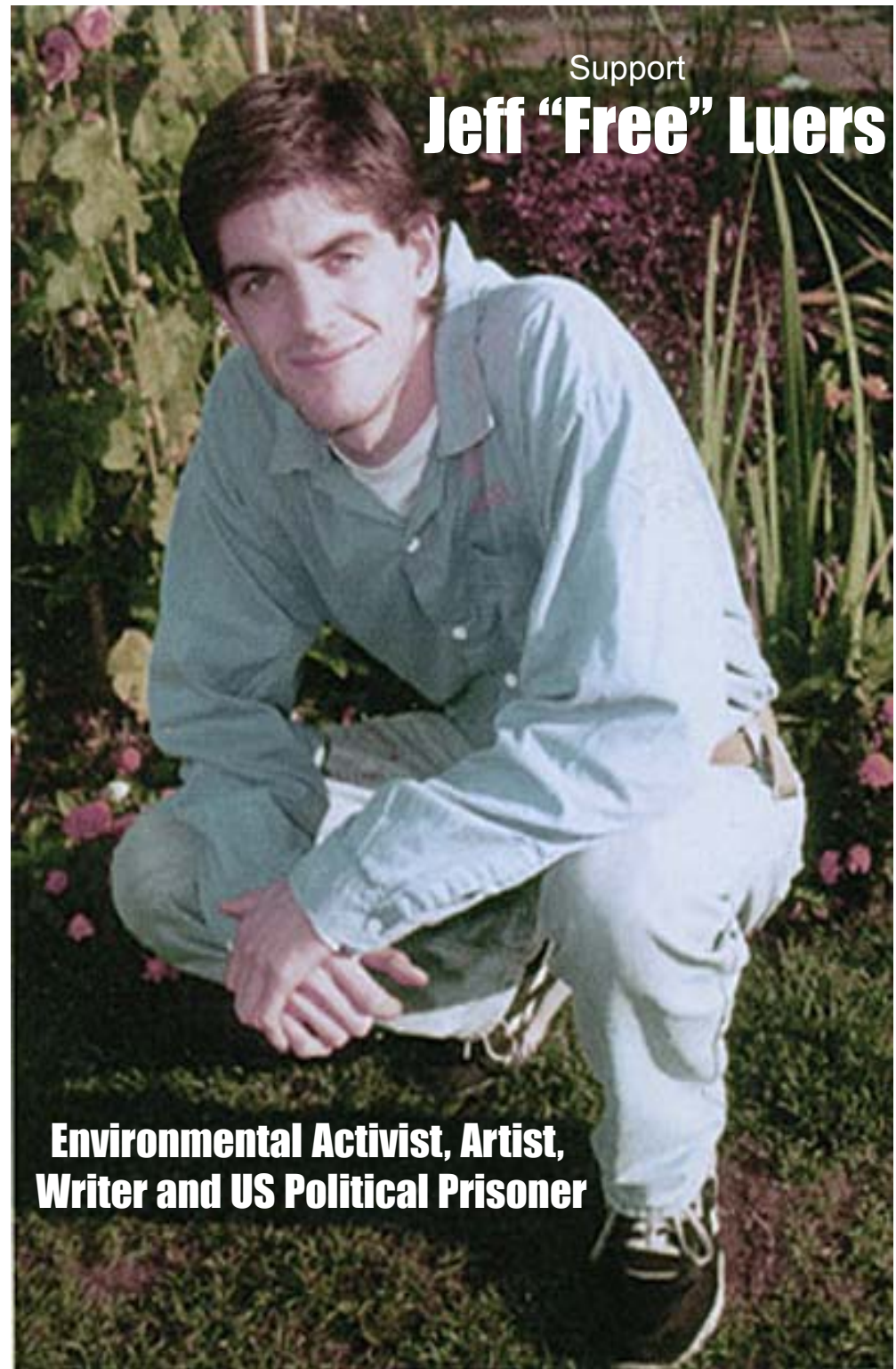


Luers at Security Threat Group status – a designation typically reserved for white supremacists and gang members.

During these difficult times, we must work diligently to ensure that the basic civil rights of everyone are equally protected and upheld. We cannot tolerate the criminalization of dissent or repression against activists, even if we may not agree with their tactics.

Mr. Luers is a sincere young man, and has a tremendous amount to offer the community. We feel that it would be an injustice to keep him locked up during the most precious years of his life. He has stated that, if released, he would continue to be active in efforts to protect the environment, but would avoid activities that would lead him back to prison.

In light of Mr. Luers stated political beliefs and the unusual length of his sentence, we recognize him as a political prisoner. We also support his appeal process, and call for a review of his sentence that would lead to a reduction in time served.



Until all Jails become piles of rubble, there will always be political prisoners to support.

This Pamphlet was formatted by Pirate Press Oly, cascadia. Contact: piratepress@graffiti.net. All information here can be found at www.freefreedom.org along with Jeff's latest writings, dispatches, art and case info. Feel free to make copies and distribute them in your community, or make your own. For more information email Friends of Free at freefreedom@mutualaid.org

How I Became an Eco-Warrior by Jeff "Free" Luers (Fall 2003)

It is late February in Oregon. Several of us make our way down a logging road so old and overgrown that it looks like a small trail, with young trees standing nearly twice as tall as me in its middle. This area was logged once in the early 1900's when they came only for the giant Red Cedars. Then in the 1960's they came back for the rest, leaving only pockets of untouched old growth. Relatively untouched, that is; there are only two giant Red Cedars where we are going.

We bushwack through unit 36 of the Clark timber sale. "Clark" is a low elevation old growth forest, some of the last stands of old growth that checker the Willamette National Forest. There are 10 units in "Clark", the old growth is so patch worked that these 10 units are spread out over a four square mile area, for a grand total of 96 acres of old growth. The ferns grow higher than my waist, vine maple reaches for the sunlight, and there is a plethora of huckleberry. The 400-600 year old Douglas Fir, Western Hemlock, and 2 Red Cedar tower over head. Standing before them is a humbling experience, like standing before a God or Goddess, it is breath taking. Hundreds and hundreds of years this forest has stood silent witness to the passing of time.

These trees were here before Christopher "Genocide" Columbus landed thousands of miles away. They stood as whites encroached further west. They protested "non-violently" in shocked silence as their fellow forest dwellers and protectors, the indigenous nations were massacred. They stood proud in defiance as their peers feel to the axe.

Now it is 1998, I look upon the markings that slate the boundary lines of the clear cuts to come and I shake my head. New lines must be drawn. There is a tranquil beauty here. My decision was made before I even stepped foot in this forest. Now, as I stand here in the presence of something far greater than myself, I realize there can be only one outcome. By any means necessary, I will save this forest.

I've never really been camping before, not real camping. I have the skills, don't ask me how because I grew up in the suburbs of L.A. But I do know how to build a fire and a shelter. I know how to

global warming and the increasing environmental crisis facing the world because of it. Mr. Luers took measures to make sure that no one would be injured as a result of his actions [an arson specialist and the Romania Night Watchman later confirmed at the trial this fire did not pose a threat to human beings]. He denies being involved in - or even knowing about - the attempted arson at the Tyree Oil Company. There was no physical evidence presented that tied him to the latter incident. Fingerprints found at the scene of the crime did not match Mr. Luers' or those of his co-defendant.

During the course of his trial, statements were made by the police and prosecuting attorney that indicated it was Mr. Luers' political views on trial, not merely his actions. His defense successfully proved that evidence had been tampered with, officers had lied and that the prosecutor had manipulated evidence to get a legal search at his residence.

The defense had the upper hand until the untimely death of Mr. Luers' lead attorney, Ken Morrow. This caused the judge to declare a mistrial leading to significant delays, allowing the prosecution to regroup and rethink their strategy.

Perhaps most significantly, the judge threw out the testimony of Mr. Luers' expert witness merely because he disagreed with the state's witnesses. The expert witness had done a more thorough investigation of the crime scenes (including taking photos of the burned vehicles that the police did not) than the Eugene Police Department and the Bureau of Alcohol, Tobacco, and Firearms.

In June of 2001, Mr. Luers was convicted of 11 of 13 charges and sentenced to 22 years imprisonment. Under Oregon's Measure 11 mandatory-minimum sentencing guidelines, he does not have the possibility of parole or early release.

The length of this sentence is patently unjust, particularly when compared to those commonly given to people convicted of crimes against persons. For example, Manslaughter 1 carries a 10 year sentence; Attempted Murder, only 7 and-a-half years; Rape 1, 8 years and four months. Clearly, Jeffrey's sentence is vastly disproportionate to the crime of burning three vehicles. A research project sponsored by supporters of Mr. Luers and the Human Rights Commission of the City of Eugene revealed this disparity and prompted the Commission to sign a statement questioning the role Mr. Luers politics may have played in his sentence.

Mr. Luers was given a sentence that would send the message to environmental and social justice activists that even a merely symbolic act of property destruction would now be equated with terrorism and punished more harshly than many crimes against persons. Since his imprisonment, Mr. Luers has been labeled by the FBI and corporate press as an "eco-terrorist." This label has been used by the Oregon Department of Corrections to justify placing Mr.

organizations you belong to or books you have authored]. The goal of the statement is draw attention to the case of Mr. Luers, and to positively affect his appeal. For more info on the case of Jeff "Free" Luers, visit www.freefreemow.org Questions, comments, or concerns may be addressed to breakthechains02@yahoo.com or freefreemow@mutualaid.org



To Whom it may concern:

Jeffrey Luers is a political prisoner serving a 22 year prison sentence for actions that did not physically threaten, let alone harm anyone.

Prior to his imprisonment, Mr. Luers was a very well-liked community activist in Eugene, Oregon. He was known to law enforcement because of his involvement with forest defense and anti-police brutality activism.

Mr. Luers was arrested in June, 2000, after leaving the scene of a fire at a Romania car dealership in Eugene, Oregon. He was initially charged with three counts of First Degree arson for setting fire to three Sports Utility Vehicles [SUVs] at the car dealership, and later received additional charges of Attempted Arson and Conspiracy to Commit Arson at Tyree Oil Company.

Mr. Luers admits to having committed an act of property destruction at the Romania dealership. The stated purpose of this act was to bring attention to

survive....that's what I thought anyway. There were three of us who had committed ourselves to staying out there. Two other street kids and me. One was from N.Y., the other, like me was from L.A. (How we all found ourselves here is a different story all together.) The three of us are your run of the mill crusty squatter punks, of which I probably have the least experience and at 19 also happen to be the oldest.

The weather was hot and beautiful, blue sky and sunshine. The first morning I woke up early and grabbed my climbing gear. We were trying to be stealth so we had camped in a small clearing in a plantation forest about a quarter of a mile away. I hike in through the woods to Unit 36. I wanted to practice my climbing. I'd been taught the basics and knew how to be safe. There was already a line in a Doug Fir, set at about 120 feet up give or take. My job was to get that line set near the top of the tree where we would put the tree sit. (If you are wondering, the tree turned out to be around 220 feet tall.)

By the second day I had climbed to about 200 feet. I make it sound easy, but the truth is that I was scared to death. There are a few different methods for climbing BIG trees, and by BIG I mean trees that at 200 feet still take 2 people to wrap arms around. I will only describe the one I was using. This method is called free climbing and when done with safeties it goes like this: You use two safety lines called leads. When you are climbing branches you anchor one lead to the branch you are on. The second lead is then anchored to a branch above you, undo the other one, climb and start over. This process is incredibly easy when there are enough branches to climb like a ladder.

However an old growth Douglas Fir does not have any branches for the first 60-80 feet. After that the branches don't get close enough to climb like a ladder until around 190 feet. And these branches can be as thick as my body. They contain soil and moos up to 6 inches deep and are an ecosystem all alone.

So, in this case what you do is anchor your lead to the branch you are on, then you balance yourself sitting or standing knowing if you fall you are safetied in, but that gives little comfort. From your balanced position you throw your second lead to the next branch. After several attempts you get it over the next branch that is 15 feet over your head. You secure your lead and climb. Then you do it again. (Note- this is by no means a detailed instruction. Get proper instruction before any kind of climbing.) Life was good the third day. The sun was hot, no clouds and I was on top of the world or 200 feet closer to it. Now we could get into other trees easy, even if our

methods were still primitive. From this height in the tree I could throw a stick with heavy fishing line tied to it over a branch of a nearby tree. Then I would lower the stick to the ground, where my friends would tie the climbing line to the fishing line. I would pull up the climbing line and anchor it in my tree. Again I make this sound



easy. Of course once you are already up, this is the easiest method to get into a new tree.

A new line set, I would now wait for the pros to come up from town. Because the way this works is the line is anchored in my tree, draped over a branch in the other tree and goes down to the ground where someone climbs up. (Believe it or not this is actually a standard set up.) Now, when I say pros, I mean exactly that. At some point you get so good at climbing that you know all the tricks, you can literally swing from tree to tree. And because of it you become one of the people called to set-up tree sits. I wasn't there yet, and I was going to wait for backup before going any further. I was counting on the support of people who had done this before to both teach me and help me.

That night the three of us punks squatted under the beautiful starry sky. There is almost nothing better than the company of good friends, a warm campfire and the light of a billion stars. We shared tales of adventure, hopping trains, shop lifting and running from the cops or in some cases fighting them. We fell asleep in the fading light of a dying fire. We awoke to a rain storm in the middle of the night. (Yeah go figure rain in Oregon in February.) Us three city boys were a little shocked by this. Hell in L.A. it was already spring if not summer. We grabbed everything and ran out of the small field into

harming people, the value of those trucks has become more important than the value of life itself. Free is now 22 years old. He will spend more time in jail than he has already spent on earth.

The fire Free was convicted of setting was an act of compassion. The gas guzzling monstrosities known as SUV's slaughter more animals each year than the fur industry, emit fumes that harm the well being of plants and animals alike, and take us further down the path of a world without green spaces. As forests, grasslands, and other wild areas fall to make more room for parking lots and freeways, is it any wonder that people are beginning to attack the auto industry?

I've known Free for about 4 years. In that time I have seen him do amazing things. His dedication to the protection of wilderness is almost without peer. He has lived much of the time I have known him outdoors, constantly protecting forests and the animals that live in them. When ever we saw each other he would tell me about his latest arrest, jail time, or the harassment he was undergoing for his beliefs and actions. It seemed like it was never ending, but he never stopped. Even from behind bars he has stood strong and continued to urge others to go on the offensive for mother earth.

I know for sure that even if Free serves every day of his nearly 23 year sentence he will get out and continue fighting. He values life too much to ever give in and become part of a culture gone mad. While he is stripped of his freedom, it is up to us to continue fighting. His sentence cannot become a deterrent to us. If we quit protecting animals, wilderness, and each other out of fear of reprisal then we are cowards. Let Free's bravery stand as a testament to how hard our common will is to break. Don't give up, and dedicate your next victory to Free.

Sign-on Letter of Support for Jeff Luers

Please consider endorsing this statement for Oregon political prisoner Jeff "Free" Luers.

This is a statement that was written by supporters of Oregon political prisoner Jeff "Free" Luers. If you're willing to endorse this statement, please contact breakthechains02@yahoo.com and be sure to include a brief self-description [for instance, you can mention what

As politicians offer hollow speeches on the Titanic, Free and Critter sacrificed their freedom to turn the ship around. In this case the icebergs are actually melting as a result of the hottest temperatures in recorded history. Goodbye baby seals, polar bears and penguins. While Free has been labeled as “eco-terrorist,” (a term originating in timber industry p.r agencies) and sentenced to more years than he has been alive, what court will dare hold to Bush accountable for self-serving acts of extreme violence to the planet and the people on it? Is the law not supposed to protect public safety?

Big corporations and the Bush regime have armies of lawyers to protect them from accountability, but Free does not. Please remind State Attorney General Hardy Myers that Free placed no one at risk, and request that Jeff Luer’s sentence be reduced to 5 years including time served. See FREEFREENOW.ORG to support Free’s costly appeal.

In Solidarity,
Warcry

**In Honor of Jeff Luers: 23 year Jail Sentence for An Act of
Compassion
by Josh Harper
from [No Compromise](#) magazine**

On June 6th a Eugene based newspaper, *The Register Guard*, reported that a man who killed a woman while driving drunk received a 10 year jail sentence. The man was given the sentence because the judge saw him as having no concern for the lives or well being of the other drivers on the road.

Six days later, the same newspaper reported that my friend Jeffrey Luers, also known as Free, had been sentenced to 22 years and 8 months for causing a few thousand dollars worth of fire damage to some sport utility vehicles. This disparity in sentencing is one we should expect from a society whose values are so predominantly capital-centric. Even though the judge admitted that Free had taken precaution against

the forest. We hurriedly scrambled with the only tarp we had and made a dry, though cramped place to sleep.

The rain had not stopped my morning and showed no signs of letting up anytime soon. The pros came out though. A lot of them! They brought supplies and another tarp. First they set up the other tarp at the edge of the clearing so we could have a place for a fire. while some did this others stashed supplies and gear in buckets. The task may have been small, but their efficiency and coordination was amazing. These people had worked together and done this before. In ten minutes, the tarp was up, food and gear stashed, and a fire going!

After that I showed them the trail I had made, complete with landmarks. I was proud of myself, and they were too. Today we were going to get in that second tree. I climbed up my tree- the one I’d been climbing the last three days. At the top I shouted down to the others. there of them piled their weight on the line going into the other tree, while I observed how much the branch bent as the line was about four of five feet out from the tree. Satisfied that everything was secured and safe one of them started to climb. I can’t describe the moment with the justice it deserves. The rain is coming down and I’m soaked to the bone. I’m huddled on a branch so high up there is no protection from the wind or rain and a sticks throw away from my friends grinning face staring back at me from the first tree I ever set a line in. It is one of those beautiful moments in life that you remember with absolute clarity. At that moment I had no doubt that we would save this forest.

We hiked back down to what was now called base camp. I dried off around the fire. I only had two sets of clothes, and no rain gear. I lived out of my back pack. I traveled light and fast. I was from the streets and not the woods. I was sorely unprepared for winter outdoors in Oregon and blissfully unaware.

Everyone went back to town that day, except for me. the other two kids who had been with me couldn’t take the rain and it would be months before I would see my two friends again. I stayed to protect what I now considered my forest, and my home. I checked the lines everyday. I hiked around, learned the deer trails and made them my own. I got to know the area like the back of m hand. At the end of each day I would go back and build a fire, change into my one set of dry clothes and dry the others.

A week had gone by, no one had come back out. I was alone and comfortable with it. I’d made friends with the forest, the trees and the creatures. Now, when I hiked around the forest birds didn’t treat

me like an intruder. I didn't know it that day, but I was about to experience something amazing...

A freak storm blew in that evening. It had been raining harder than usual and I headed back to camp early. The temperature was steadily dropping and the wind whipped as it began to hail. I huddled around the fire drying my wet clothes when a sudden gust tore the grommets out of the tarp where it was tied. The tarp flew like a flag tied at only one corner. There was so much rain mixed with the hail that as I struggled with the tarp my fire was extinguished.

I was able to rescue the tarp. With a little effort I rekindled my fire, again I set about drying my clothes, now both sets. The hail became a heavy sleet, the wind picked up. This time it blew down instead of up. Under the weight of the wind and sleet my tarp collapsed on top of me, again putting out my fire. I managed to get the tarp up again. I struggled over my dead fire for the second time. All the wood was wet and it was difficult to get burning. I was able to get a small fire going, but it was a fraction of the fire I first had. I shivered as I tried to warm myself by its small flames.

As I shivered around my pathetic fire the temperature dropped even further. The sleet had turned to full on snow. It was really coming down. Every few minutes I had to knock it off the tarp. But the storm was determined to have my fire. The wind had come in so hard and fast that it split the tarp right down the middle. For the third time my fire went out. My hands and feet were numb, my clothes wet, and my body shivering uncontrollably. I knew it would be impossible to hike out and get to a warm, dry place at this time of night. I was simply too far away from the nearest town. The first time in my life I wondered if maybe I wouldn't make it though the night.

I crawled under my other tarp in the woods. The wind would have a harder time getting this one, though it still rattled it at times. Slowly I set up the propane camping stove that was almost out of fuel. I fumbled with a lighter for about five minutes. When your hands are too numb to make a fist, flicking a bic is a hell of a challenge.

It worked, oh yeah I made it work. I warmed my hands over the low blue flame. When I could feel all ten fingers again I took off my boots and warmed all ten toes. I was still shivering but I could feel my hands and feet again.

I wasn't about to try and build a fire again. The tarp I was under was too low to the ground and would melt with a fire. And I was not at all confident that I could keep a fire lit without a shelter above it.

Editorial submitted to the *Eugene Weekly* February 2003

STOP THE REAL ECO-TERRORISM: Global Warming: A Weapon of Mass Destruction

Jeff "Free" Luers has just filed his appeal in hopes of reducing his 23 year sentence. As Americans fill their gas tanks with the blood of Iraqi children, consider the urgency of the message Free and Critter were sending when they torched 3 SUV's at a deserted car dealership. Global warming is a weapon of mass destruction because of the indiscriminate impact it will have on billions of human and non-human lives. One need not endorse arson to recognize that the threat to our stability and health must be confronted, both in terms of massive human rights disasters and the irreversible and accelerating damage to the earth's life support systems. Though Free and Critter, both former tree sitters, acted to expose these greater harms, Free is not allowed to claim the necessity defense in court. His 23-year sentence is the result of a politically motivated prosecution that grossly inflated the risk factor, in all likelihood to further justify a bloated counter-terrorism budget.

Meanwhile, the public is asleep at the wheel (of their Hummers and SUV's) fails to grasp the implications of our addiction to fossil fuels. As Phil Berrigan, who burned draft files with napalm once observed, "The bystanders,... who stay home,... can't be charged with taking part in any evil act; they watch as evil proceeds. They create the norm, define what is common. When a whole population takes on the status of bystander, the victims are without allies. ...Indifference grows lethal.... where is the outcry?"

Taking his marching orders from Exxon, Bush ignores the global climate change treaty, subsidizes SUV's, installs a pipeline in Afghanistan after bombing several thousand civilians, and supports ethnic cleansing in Palestine; yet no court has called Bush an "eco-terrorist" or "domestic terrorist." Never mind the 1.5 million dead Iraqis. (The only numbers "good Americans" seem interested in is the cheap rates at the gas pumps.)

By inflating the risk factor the prosecution invokes the idea of “deterrence”. For example, they are in effect saying that “the risk is so great that we must punish severely to deter future similar crimes”. The intention of the state is to discourage those who might take similar actions with a similar motivation.

The Eugene Weekly included a short piece about Free’s appeal in their January 30,2003 issue. *Eugene Weekly*-January 30, 2003. *Free Appealing*

Jeffrey Free Luers, the activist who was sentenced to more than two decades in prison for starting a fire that burned three trucks, has started the long, winding process of appealing his sentence and convictions on multiple counts of arson and attempted arson.

The majority of it is trying to get my sentence reduced down to a reasonable amount of time, Free told EW during an interview inside the Oregon State Penitentiary. Free said he and his attorney, public defender Shawn Wiley, are confident the sentence could be reduced by about half, to 11 to 13 years. That, hes almost 95 percent positive about, the inmate said. As far as going below that, we dont have any expectations.

Free and his co-defendant, Craig Critter Marshall, were arrested in June 2000 for starting a fire at Romania Chevrolet on Franklin Blvd. Critter pleaded guilty to two lesser charges and is serving a 5-year sentence at the Snake River Correctional Institute in Ontario, Ore. Free’s case went to trial, where he was linked to an attempted arson at Tyree Oil on West 1st Ave. He denies being involved in or knowing about the Tyree incident.

His Jan. 14 filing before the Oregon Court of Appeals raises a number of issues beyond the length of his sentence. For example, Free’s attorney argues that police searches of a car and a storage room Free used were illegal, and that he had been illegally detained before the searches.

The brief also deconstructs the legal logic that led to the 266-month sentence. One point of contention is the judges declaration that the risk of injury or death posed by a fire justifies a long prison term. Wiley says that is erroneous the judge should only have considered what actually happened, not what could have happened. No one was injured in either incident. The state has until March 4 to file a response. The entire appellate process is expected to take a year to 18 months.

Resigned, I decided my best bet was to get out of my wet clothes and get into my somewhat wet sleeping bag. I broke out my emergency space blanket and covered my sleeping bag with it. I was still cold inside my sleeping bag but I felt confident that if my tarp held I would be fine. And that I could hike out in the morning. The wind still rattled the tarp, but I was more worried about the weight of the snow. which I was regularly shaking off the tarp.

My body never got warm, but I did not stop shivering after a while. I decided to pack my pipe with some kindness left by a visitor the week before. I was celebrating life, mine and that of the 39 year old trees around me.

I knew that I needed to stay awake, not so much because I was worried about my body temperature, but I was worried about the storm and my tarp. To pass the time I talked with my favorite tree, the one that my tarp was tied to. I spoke out loud to hear my voice, but I was speaking with my heart. Now,, for some people this may sound crazy, to me I’ve spoken with trees and animals all my life. Intrinsic knowledge that all life has the ability to communicate with each other. I’d never gotten an answer until that night. I’ve had many since then.

On this night I distinctly heard, or rather felt the tree ask why I was scared. It was like this sensational feeling like instinct. You just feel it and if you ignore it , it goes away. If you pay attention a whole new world opens up.

Surprised, yet calm. I explained my situation. we actually talked like this for a while. It may have been my imagination but in my mind the young tree sounded like a child. It was astonishing. It came to light that the forest understood why I was there. that I was there to protect it. I understood that within this forest I would be safe. I felt this calm and peace wash over me, like a kind of magik. The snow still fell and the wind still blew. I knew I would be fine though. I sang a few songs and chanted until I fell asleep. When I awoke in the morning the snow was still falling. there was about three inches on the ground. However, there was no snow on my tarp. In fact there was a perfect circle of forest floor completely bare of snow around my tarp. I was amazed and humbled. I thanked the trees and forest for it’s protection. I promised I would return soon. Of course the forest already knew.

I packed my gear and stashed what I would leave behind. I threw on my pack and started the 10 mile hike back to an asphalt road. About half way down the snow turned back to rain with a slight rise in temperature. when I got to HWY 18- the road that runs through

the Willamette. I started the 20 odd mile hike to the nearest town. fortunately, I got a ride after about a mile. Unfortunately, it was in the back of a pick up in the pouring rain. When I got into Eugene I went to the only place I knew. a local coffee shop that is friendly to forest defenders. I sat in the corner drinking my free cup of coffee and shivering again. I was found there by a womyn (who is now one of my coolest friends_ she didn't know me, but she was friends with the pros, and she knew who I was. I wasn't really able to talk well, or explain everything right then. She knew right away that I had hypothermia. she took me to her home and took care of me.

Her home became a sort of in town base camp. The next month would find me going back and forth between town and the woods while I and friend climbed, measured and planned. Others built the treesit in town. I continued to talk to that young tree regularly. I also started talking to the trees I climbed and the one I would live in. I soon started calling this tree "Happy". It just fit.

I began to be able to feel the energy of the forest around me. My senses felt enhanced. I could smell rain half a day away. I could tell when I wasn't alone and others were somewhere in the forest. I learned how to use this energy, how to communicate with the forest better. I learned to use the magik of the forest to not be seen by freddies (forest cops) even when I was standing 3 feet in front of them. (That too is a different story) This forest was my home. I was prepared to die for it. I was more than prepared to fight for it.

On April 19th, 1998, I ascended into "Happy", the first treesit at what would come to be known as Red Cloud Thunder and the Fall Creek Treesit. I was joined by a veteran sitter, who was going to hang out for a few days to make sure I "knew the ropes" (quite literally, actually). On April 20th, we were discovered by the Freddies. They had caught our supply line on the ground and a tug of war ensued. Ultimately, we were forced to cut the line. It had begun.

The next day, we watched as giant trees were felled to build the road that would be used to haul them out. When a tree that big falls, it shrieks all the way down. It lands with a thud that rattles the earth up to a mile away. I wanted to rappel and stop them, but my friend wouldn't let me. He said in an unusually comforting way that this was part of it. Some trees will fall, others will stand. His kind demeanor could not stop my tears from falling.

He stayed with me almost a week. During that time we sat through miserable cold and wet rain, wind so strong that the center of gravity in the sit would change as the tree swayed, even two

The three counts of Arson that Jeff "Free" Luers was charged with for the single fire that he set, should have only been one count. Furthermore the action itself did not pose a sufficient risk factor to qualify as first-degree arson; therefore it should not qualify as a Measure 11 crime. With the rhetoric of *firebombing*, and *eco-terrorism* that the prosecution and media like to use, it is often forgotten that Free and [Critter](#) never hurt anyone or put anyone in harm's way despite the prosecution's conjecture that responding fire fighters might have been endangered.

The appeal contends that the court should consider the *actual* harm (which was- \$40,000 worth of damage to property- 2 of the vehicles have since been fixed) and not the *risk* to greater harm which is a "what might have happened" scenario that the prosecution likes to entertain to scare juries and judges. In other words, the sentence Jeff was given has little to do with what he *actaully* did what rather what the prosecution thinks might have happened in a *worst case scenario*.

During the original trial, a fire expert testified that the firemen were milling around casually during the fire indicating that a threat to life was minimal, however this expert testimony was disregarded by the original trial judge with no reasons offered as to why.

The appeal argues that Jeff's sentence is Cruel & Unusual under the 8th Amendment. Also, that the evidence gathered by the illegal search and seizure of the vehicle Jeff was driving. This is a 4th Amendment issue. A motion to suppress evidence may have been filed. The appeal also states that the classification of Jeff's incendiary device (a milk jug with camping fuel) as a bomb is inaccurate.

Lastly, the appeal asserts that Jeff and [Craig "Critter" Marshall](#) should have gotten separate trials. The appeal also attacks the circumstantial evidence and speculation that convicted Jeff of an attempted arson at Tyree Oil which Jeff denies any knowledge of. The main point of the appeal is to attack the "amplified" sentencing. The court has drawn out as many charges as possible. For example, Jeff was charged and penalized with both possession and manufacture of a destructive device when manufacture implies possession. By interpreting the criminal code and applying it in this way the court is able to inflate the sentence and amount of time Jeff has to spend in prison.

misrepresentation of our actions and not allow people that get arrested and imprisoned to fade away and be forgotten.

On June 12, 2003 supporters of Jeff in Eugene, Oregon had a 'Free Free' march (ending with 12 arrests). Supporters in Melbourne, Australia conducted a picket for Jeff outside the American embassy and activists in Moscow, Russia are embarking on a postcard campaign as well. Plans are being discussed for an international day of action and solidarity for Jeff next summer with protests as well as celebrations all over the country and the world.

All that I ask is that you believe the sincerity of my words, that you believe that my actions, whether or not you consider them to be misguided, stem from the LOVE I have in my heart.

-from Jeff's sentencing statement, June 11, 2001

What you can do to help Jeff

Jeff's case is in appeal and his lawyer and the state will trade briefs before going to court again; Jeff intends to appeal his case as many times as necessary. This case is tremendously expensive and requires a lot of community support.

To donate money to Jeff's appeal, click 'make a donation' on his website www.freefreenow.org or send a check/money order made out to 'Free's Defense Network' and send to POB 3, Eugene, OR 97440. Donations can also be made to his commissary account for stamps, pens, envelopes etc. You can write Jeff directly at: Jeffrey Luers, #13797671, OSP, 2605 State Street, Salem, OR 97310. Form a local support group for Jeff; his defense network is decentralized, with groups coordinating through Jeff. Groups can hold benefits, put donation jars at the local bookstore or have letter-writing days to Oregon newspapers or the Governor. Check the site for more ideas: www.freefreenow.org

Synopsis of Jeff "Free" Luer's Appeal

by [Warcry](#)

lightning storms. A lot of people will glorify tree-sitting as this warm and fuzzy experience. I did it for two years (on and off). I would sit for months at a time. I sat through frozen lines covered in icicles, snow, sleet, breaking limbs and lines, hovering helicopters, and just about anything else you can think of. It is a beautiful and horrible experience, any person who does it for any length of time does so out of necessity.

Still, after my friend left and I was the only one in the forest, all alone up in Happy, I was loving life sitting under a warm spring sun and blue sky. I felt this sense of belonging I'd never felt. I could feel the magik of the forest and of Mother Earth in my blood. I finally truly understood what it was to be a human being and be alive.

I climbed up to my perch, the branch above the sit. I sat cross-legged, my back against Happy, and I began to meditate. I went into a trance. I forgot that there was a plywood platform below me. I forgot that I was a single entity. I felt the roots of Happy like they were my own. I breathed the air like it was a part of me. I felt connected to everything around me. I reached out to Momma Earth and I felt her take my hand. I could feel the flow of life around me. I felt so in tune with the ebb and flow of the natural cycles. I asked Her what it felt like to have humanity forget so much, and attack her every day like a cancer. I told her I needed to know, I needed to feel it.

She granted my request. My body began to pour sweat. I felt the most severe pain all over, spasms wracked my body. Tears ran down my face. I could feel every factory dumping toxins into the air, water, and land. I could feel every strip-mine, every clearcut, every toxic dump and nuclear waste site. I felt my body being suffocated by concrete. I could feel every awful thing our "civilized" way of life inflicts on the natural world. The feeling only lasted a second, but it will stay with me for the rest of my life.

My life changed that day. I made a vow to give my life to the struggle for freedom and liberation, for all life, human, animal, and earth. We are all interconnected, we are all made of the same living matter, and we all call this planet home. I vowed to defend my home, I vowed to stand in defense of Mother Earth.

The Fall Creek campaign grew. I came down and others went up. I would still spend many months in the trees. At that point, though, I felt I was needed on the ground. We had a huge influx of anarchist street kids up for a punk gathering in the woods.

I helped organize road blockades, cat and mouse with the bulldozers, and security patrols. More importantly, I and some others helped keep the spectrum of tactics open. We would not allow the sometimes dogmatic adherence to "non-violence" rule the campaign. I'm not against non-violence, and we used it with great effectiveness at Fall Creek. But no matter what, we were not going to let this forest fall. The lines had been drawn. When the road workers buried a kid, who stood his ground, in dirt with a bulldozer and the Freddie's stood by laughing, saying "We didn't see anything", we had had enough. The next day, armed with clubs and roadblocks, we stood our ground. When a kid was attacked with a machete, we fought back. When they sent in climbers to remove sitters, we chased them out. If a Freddy was in the woods we surrounded him and made him leave. If a Freddy was spying on camp and would not announce his presence in the woods, we threw rocks and made him show himself. When the Freddie's pulled their pepper spray, we pulled ours.

Over the camp flew a banner: "If trees fall, blood spills." We were denounced in some circles of activists and applauded in others. The Freddie's quickly realized we would not be bullied. If they pushed us, we pushed back. A strange level of respect was given to us by the authorities. I think they realized that with us their power meant nothing and that made them treat us as equals. (I also think they were afraid to piss us off.)

There are a thousand stories about Fall Creek and Red Cloud Thunder, and about all the people who lived there or passed through over the years. There were beautiful moments, like when the security guard hired to protect the big machines helped carry supplies to the camp, or when the loggers joined us for a beer to bitch about their boss and company practices. There was conflict, tragedy, and love. There was some violence and more than one brawl with the Freddie's. There was also a family of devoted friends who together saved a forest that to us is sacred.

Today Fall Creek still stands. It was ultimately saved by some wonderful people who worked through the system. They found several red tree voles and nests, which the Forest Service conveniently hadn't looked for. They thus saved the forest with the Forest Service's own rules. However, if it was not for the hundreds of brave women and men who stood their ground, held the blockades, sat in the trees, brought out supplies, and fought off Freddie's, climbers, and attacking road workers or loggers, Fall Creek would never have stood long enough for it to be saved by the law.

Our Mother Earth is a living being, the giver of life and our home. The places we defend are ecosystems that support all kinds of life,

as well as 'property rights groups' [like the Center for the Defense of Free Enterprise] have dropped the word 'eco' and now labels activists like Jeff 'terrorists,' equating them to al-Qaeda. Advocates for Jeff's freedom hope the case will go to court within a year but it is impossible to tell. Promising developments in Jeff's case are a letter released by the Eugene Human Rights Commission in June 2003. It argues that Jeff's sentence is disproportionate in comparison to those of people who commit violent crimes as well as urges him to utilize the appeal process and seek a reduced sentence.

This case is a pivotal case for activists nationwide because it is setting the tone for how actions in defense of the Earth will be viewed by the public and punished by the state. Prior to Jeff's case, activists getting arrested for actions like arson or liberating animals could expect sentences of about five years or so. Jeff's sentence is a radical departure from that model and it goes hand in hand with the manner in which these actions are described by the government and media. What was once 'direct action' has been transformed into 'eco-terrorism' and more often now, we are seeing the term 'terrorism' being used. Legislators on the state and federal level are pushing for strong anti-terrorism legislation that will serverly increase punishment for actions like Jeff's as well as serve as a deterrent to future actions. Over and over, letters printed in areas in which actions occur are stating that these actions are one and the same with the terrorism of groups like al- Queda members. If we want to get anywhere, we are going to have to combat this



released a statement that the act was in solidarity with both defendants and criticized car culture. Many felt that this tainted Jeff's chance of a fair and unbiased trial and perhaps for that reason, Jeff chose to have a judge decide on his innocence or guilt instead of a jury.

After five days of trial, Judge Lyle Velure found Jeff guilty of 11 of 13 charges. Because of Oregon's mandatory minimum sentencing guideline, Jeff received a seven year mandatory sentence for each car burned as well as charges of possession of incendiary devices and attempted arson-totaling 22 years and eight months. In his sentencing statement, Jeff spoke about the many precautions both he and Craig took before the action:

I took every precaution to ensure that no one would be injured by this fire. If I thought for any reason that anyone-responding firefighters or police officers-would be injured, I never would have set this fire. It was not my intention to hurt anyone or place anyone at risk.

Campaign to 'Free Free'

Although faced with a tremendous sentence and against major obstacles like his distance from his home in Eugene and being moved around from prison to prison, Jeff has been remarkably active in the first three years of his imprisonment. He is working toward a degree in sociology as well as taking paralegal classes, and many of his writings and artwork have been published, including an op-ed piece on the concept of ecoterrorism in the statewide newspaper, the Oregonian.

He also has addressed the Congressional Hearings on 'Eco-terror' held in February 2002-a hearing that reminded some of Senator Joe McCarthy's House of Un-American Affairs Committee (HUAC) political witch hunts of the 1950s [*has anyone you know or have known been a member of...Earth First! ?*] In those hearings, Congressman Scott McInnis (representing the district near Vail, Colorado-home of the biggest ELF action ever, the 1998 burning of the Vail ski resort which was set to expand into a wilderness area) taunted former ELF press officer, Craig Rosebraugh, asking if he wanted to "waste away in prison for the next two decades like Jeff Luers".

Jeff's appeal was filed in January 2002 and the state government recently responded with its own brief, which calls Jeff a terrorist 5 [times. Emboldened by a reactionary 9-11 climate, the prosecution

including ours. The struggle for the Earth, for animals and humyns, is not one of separate issues. It is not just one of the oppressed against the oppressors. It is a struggle for us to remember a different way of life, one forgotten by our society. Our very lifestyles have to change. We must learn to walk in harmony and balance with the world around us. We must teach these ways to our children so that they can build on them and teach them to their children.

We have also inherited the task of ensuring that there will be wild places and animals left for our children. That the world they grow up in is not one of pollution. We must fight to ensure that their world is free from oppression in all its forms. It is not our children's battle and we cannot leave it to them to fight.

That means we will have to use many tactics. We will have to use property destruction and sabotage. In some cases, like Fall Creek, people will be forced to defend themselves or others. We must support those people who make this stand, because they are fighting for so much, and they are risking their lives and freedom to do it.

There comes a point where if you are paying attention, you become aware of all the wrongs and injustices around you. You have to decide what is important to you - clean water, freedom? You have to decide if you are willing to be a part of something larger than yourself. And you have to decide if you are willing to fight for it. We have already lost too much, we can not lose any more.

If your answer is "yes", then it is time for you to pick up your spear, draw a line in the ground, and say: "You have come this far and you shall come no further. I have a voice and I will use it. I will speak for the voiceless, and if you will not hear my words then you will feel my actions. I will not let you rape, murder, and oppress any longer. I am a warrior and I will fight you." To all the brave womyn and men out there fighting with the ELF and ALF, fighting for humyn freedom, fighting for a better world with equality and justice, my heart and gratitude is with you. May you always live free. May you strike like lightning and disappear with the wind. May all our dreams come true.



THERE ARE NO BARS
STRONG ENOUGH,
NOR WALLS THICK
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Free Free: The Case of Jeff Luers

by Dylan Kay

from [Satya](#) magazine [January/February 2004]

You can judge my actions, but you can't judge my heart. It can not be said that I am unfeeling and uncaring. My heart is filled with love and compassion. I fight to protect life, all life, not to take it.

-from Jeff Luer's sentencing statement, June 11, 2001

Back in June 2000, a young activist named Jeff Luers, known to his friends as 'Free,' set fire with friend Craig Marshall to three Sport Utility Vehicles (SUVs) at Romania Chevrolet car lot in Eugene, Oregon, using simple milk jugs of gasoline, incense sticks and matches. Instead of receiving a three-year sentence and fading into the background, Jeff was slapped with a 22.5 year sentence-which was not only longer than his lifetime until that point, but is one usually reserved for the most heinous of crimes like rape and murder, not acts of property destruction. Jeff's sentence has been criticized for its length, given that in Oregon, most arsonists receive sentences of 50 to 96 months; Jeff got over 230. I read recently that Jeff's trial judge sentenced a 21 year-old to just 3 years for throwing a molotov cocktail into a school. Jeff's case has received international prominence in the environmental and social justice movements due to his severe sentence and has prompted the question, "why would someone burn three SUVs?"

The Action

Jeff was arrested shortly after the incident by the same police who had been following him and Craig all night. Some have even accused the cops of allowing the SUVs to be burned in order to make an arrest based on the fact that Jeff and Craig were followed by six undercover police cars prior to the action. The police lost sight of them for only five minutes-the time it took for them to set the fires. Their stated purpose was to raise awareness about global warming and the role that SUVs play in that process. Both activists took measures to make sure that no one would be injured as a result of their action. In fact, the location was scouted for months beforehand. An arson specialist later confirmed that the action did not pose any threat to people based on its size and distance from any fuel source. Jeff and Craig were arrested, charged with multiple arson charges and a few days later accused of an attempted arson at Tyree Oil-a gas facility located in the Whitaker neighborhood, home

to many activists that reside in Eugene. Although there was no proof of their involvement at Tyree Oil-and there were fingerprints that did not match Jeff or Craig-the state manipulated evidence to get a warrant and illegally searched Jeff's residence. [In the search, they found metal cutters that they said matched a hole cut in the Tyree Oil fence]. Overall, they were faced with 13 serious charges including first degree arson, attempted arson, possession and manufacture of a destructive device and criminal mischief.

The Trial

The trial, which started after they had spent a year in Lane County Jail, was a farce from the very beginning. Articles in the local media marginalized them as troublemakers and highlighted previous arrests. Supporters were stopped on their way to the trial by local police and threatened with noise violations. Jeff's judge denied almost every motion made by his lawyer, including that to separate the Romania car lot case from the Tyree Oil case, allowing the state to portray them as serial arsonists and a menace to the community. Had the cases been separated, the flimsy circumstantial evidence for the Tyree case would never have stood up. Motions to sever the defendants from each other were similarly denied.

From the prosecutor's actions, it seemed that Jeff was a trophy conviction-one that would deter future actions and allay criticism of Oregon's inability to solve cases of property destruction by the Earth Liberation Front (ELF). Since 1996, over 200 actions against animal industries, logging, mining and biotechnology have been claimed by the ELF or ALF (Animal Liberation Front), causing hundreds of millions of dollars in damage to these companies-cases that are still unsolved. The action taken by Jeff and Craig however was not claimed by the ELF and they have stringently denied involvement in the group. Nonetheless, the prosecutor seemed to be driven by the need for a big conviction.

Five days into the trial, Jeff's lawyer Ken Morrow died unexpectedly, causing a hold-up in the trial. A day later, Jeff's codefendant Craig Marshall pled guilty to conspiracy to commit first degree arson and possession of a destructive device. He was sentenced to a five year, five month sentence [his release date is December 2004]. After some legal wrangling, Jeff hired Craig's lawyer and proceeded on with the case.

Three days into Jeff's trial, unknown individuals torched 36 SUVs at the same car lot that Jeff and Craig had set fire to a year earlier, and