

The REAL Eco-Terrorism

COINTELPRO Tactics Target Environmentalists

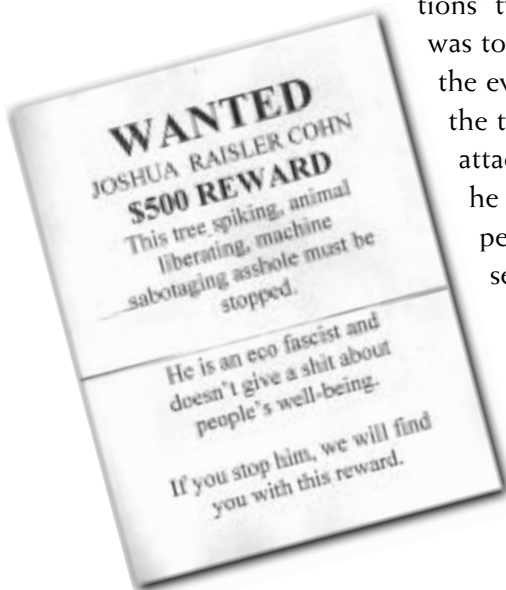
On May 24, 1990, Earth First! activists Judi Bari and Darryl Cherney were the targets of a car-bomb assassination attempt. The motion-triggered bomb was hidden beneath Judi Bari's car seat and exploded as she and Darryl were driving through Oakland, California on an organizing tour for Redwood Summer, a campaign of nonviolent anti-logging protests. The FBI arrived on the bomb scene within minutes of the blast. Ignoring the physical evidence, they had Judi and Darryl arrested for transporting the bomb that was meant to kill them. No charges were ever filed because there was no evidence. No serious investigation of the bombing was ever conducted and the bombers remain at large. In 1994, Judi and Darryl filed a federal civil rights lawsuit against the FBI and Oakland Police for false arrest, illegal search and seizure, unequal protection under the law, and First Amendment violations.

Almost nine years to the day after Judi Bari and Darryl Cherney were car-bombed and then arrested in Oakland, California, an eerily similar scenario was unfolding in Ohio. In the early morning hours of May 19, 1999, Josh Raisler-Cohn, an Oberlin College student and Earth First! activist, awoke to the terrifying sight of his car engulfed in flames. Local police and fire department investigators positively determined the fire was arson after finding the remains of a melted gas can inside the van beneath the steering wheel.

Like Judi Bari and Darryl Cherney, Josh Raisler-Cohn has a thick file of death threats he had received and reported to police over a 2-year period. The threats targeted him because of his environmental activism; some showed that he was being surveilled. As with Judi and Darryl, law enforcement repeatedly refused to investigate the threats.

Instead, Josh was questioned by an FBI agent for four hours when he went in to "answer a few more questions" two days after his car was torched. Despite all the evidence that he was the target of a political attack, the FBI told Josh he was their top suspect, suggesting he'd set the blaze himself.

This latest attack on an effective, nonviolent environmental organizer is no isolated incident.



Josh Raisler-Cohn

The charred remains of Josh Raisler Cohn's van, firebombed in May.

The arson occurred in the context of a wave of escalating violence toward environmentalists all across the country. At the same time, nonviolent activism is increasingly being described as "terrorism" by public officials.

Pipe Bomb in New Mexico

In February, the Forest Guardians, a New Mexico group that uses lawsuits to block timber sales, found a pipe bomb packed with ball-bearings in their mailbox. The bomb was to have been ignited by a lit cigarette which, thankfully, had gone out in the moist night air. Investigators reported the bomb could have destroyed buildings and caused fatalities for blocks if it had detonated.

The FBI has yet to find anyone associated with the attempted bombing. The Forest Guardians continue to receive threats, they believe from the active Wise Use anti-environmental movement in New Mexico. (One of the more serious threats received by Josh Raisler-Cohn in Ohio referred to the bombing of the Forest Guardians office, raising the question as to whether there may be some connection or coordination between the two attacks).

Repression in the Redwoods

The use of repressive tactics against redwood forest organizers is also on the rise. The FBI is back in the business of openly investigating Northern California Earth First!ers, including Judi Bari's co-plaintiff Darryl Cherney. Cherney has been active in forging an alliance between Headwaters Forest activists and the United Steelworkers, currently on strike against Kaiser Aluminum and parent company MAXXAM Corp. (MAXXAM owns Pacific Lumber Co. and, until recently, the ancient redwoods of the Headwaters Forest).

HARASSMENT OF ENVIRONMENTALISTS AROUND THE COUNTRY

Headwaters, Minnehaha, and Vail

In many ways this latest round of violence toward environmentalists was kicked off by the highly-publicized use of pepper spray against nonviolent forest defenders in the Pacific Northwest. The first incident was a surreal attack against a group of activists in Eugene, Oregon, who were trying to stop trees from being cut down to make way for a parking lot. Canister after canister of the chemical was fog-sprayed, forcing the protesters out of the trees which were then cut down.

Not long after, in the fall of 1997, the nation was outraged by video footage of the calculated and systematic torture of nonviolent protesters in Headwaters Forest, with sheriff deputies applying



Steelworker/Headwaters Rally, Oakland, CA 12.2.98

Karen Pickett

In May, this labor/environmental alliance came together to demonstrate at MAXXAM's annual stockholder meeting outside of Houston, Texas. The police presence was overwhelming: U.S. Marshals joined with the Texas Rangers and local law enforcement agencies to provide "security" for the corporate meeting, where no unlawful activity by was planned by the protesters.

caustic pepper spray directly into demonstrators' eyes. A federal civil rights lawsuit brought by the Headwaters pepper spray victims resulted in a hung jury. Rather than allow a new trial, notoriously pro-business Judge Vaughn Walker issued a ruling in favor of the sheriffs. The case is now being appealed.

This was a clear signal to the corporate powers that the courts and police won't prosecute violence against Earth First!ers, and signaled the institutionalization of the use of brutality against environmental protesters.

This complicity by law enforcement fueled the climate of violence by Pacific Lumber/MAXXAM in the struggle for Headwaters Forest - violence that culminated in the tragic death of David "Gypsy" Chain last September. Chain was killed by a logger who felled a tree in Chain's direction after activists had reported numerous incidents of extreme violence by MAXXAM/Pacific Lumber employees to unresponsive law enforcement.

Target: Judi Bari

Locally, just as we are making significant progress on the legal front—fighting Oakland’s frivolous appeal and winning court orders to force continued discovery against the FBI—we’re also seeing a dramatic resurgence of the disinformation campaign aimed at Judi Bari, her family, and her civil rights lawsuit against the FBI and Oakland Police. A small group of people in Northern California have spearheaded a bizarre effort to spin the media and focus the bombing investigation on Judi’s personal associates. It is a calculated move to shift the focus off of big timber and the FBI, asserting instead that the bombing had nothing to do with politics or environmental organizing, but was only a personally motivated attack.

In fact, the bombing came at the height of organizing for the May 1990 “Mississippi Summer in the California



Judi Bari with a police photo of the car she was driving when the bomb exploded under her seat.

Evan Johnson

Redwoods,” a bold call that drew thousands of activists to Northern California. Earth First!’s fierce grassroots, pro-labor campaign of mass nonviolent civil disobedience was a significant threat to corporate timber’s liquidation of the old-growth forests, and was greeted with dirty tricks, death threats, and increasing violence

But escalating corporate and police violence toward environmentalists is not confined to Northern California. When the pepper spray lawsuit was thrown out of court, police in other parts of the country picked up on the tactic. A three-month nonviolent occupation by Earth First!ers, community members and the American Indian Movement (AIM) in Minneapolis, Minnesota, called the “Minnehaha Free State,” was raided around Christmas, 1998. 800 armed state troopers overwhelmed the activists with brutality and a chemical arsenal.

In one of the biggest police actions in U.S. history, the participants in the peaceful occupation of a neighborhood slated for demolition by an unpopular freeway project were choked by tear gas, beaten and arrested. Several of the activists had “pepper gel” rubbed into their eyes after they were already handcuffed and in police custody. Police at the raid made comments to the activists about weapons and “booby traps.” Protesters felt that police had

been briefed that the nonviolent resisters were actually a band of terrorists and potential cop-killers.

Meanwhile, the FBI has continued its direct involvement in the nationwide campaign against environmentalists. America’s political police are still interrogating the community-based environmental organizers in Colorado about a mysterious arson fire at a Vail ski resort eight months ago. The FBI has interrogated activists, even going so far as to question the professors and employer of one organizer. Activists have been brought before a grand jury, with no indication as to whether they are the FBI’s witnesses or its suspects, creating suspicion of the environmentalists by falsely associating them with the arson. The nonviolent organizers who were working successfully to build a community movement against the resort’s expansion into endangered lynx habitat are now struggling to keep up their efforts in the face of FBI interrogations, grand jury subpoenas, and a now-alienated local population. ♦

against activists. But despite the threats, the attempted assassination of the key organizers, and a well-orchestrated FBI campaign to paint Bari and Cherney as terrorists and intimidate supporters, thousands came to Redwood Summer, bringing national attention to the destruction of the redwood forest ecosystem.

The assertion that the bombing was personal and not political also flies in the face of all the physical evidence and some 10,000 pages of documents and testimony. But the way disinformation works, you don't have to convince anyone that what you say is true; you just have to create confusion.

In the context of these latest attacks nationwide, again trying to paint environmental activists as terrorists just as was done in 1990, it's easy to see why the bombing case would be the target for such an aggressive effort right now.

Criminalizing Defending the Earth

The intent of the attacks both locally and around the country is to marginalize and criminalize non-violent activism in defense of the earth. Recently, proposed state legislation in Maine and Oregon has surfaced that would increase the criminal penalties for environmental defense, including for nonviolent civil disobedience. In Oregon, SB 678 has already passed and is soon to be law.



Pam Davis

ACTION ALERTS:

- ➔ Sign and circulate the enclosed petition to the Oakland Mayor Jerry Brown and the Oakland City Council demanding their full disclosure in the bombing case. Send completed petitions back to RSJP.
- ➔ Support the alliance between environmentalists and the United Steelworkers! Check out the web site of the Jail MAXXAM CEO Charles Hurwitz Campaign at www.jailhurwitz.com.
- ➔ Support Earth First!'s efforts to stop the clearcutting of miles of redwoods within the Headwaters Forest preserve. Call (707)468-1660 for more details.

It was exactly this portrayal of ecological defense as terrorism while condoning violence against environmental activists that prompted Judi Bari and Darryl Cherney to file their civil rights lawsuit against the FBI and Oakland Police. These recent events only confirm that this COINTELPRO-style assault, intended to chill effective grassroots organizing, is far from over.

The Redwood Summer Justice Project is working to make it safe for all activists to take on corporate- and government-sponsored environmental destruction without fear of harassment, intimidation, or threats of violence. More than ever we must hold the FBI and the Oakland Police Department accountable and work to find the bomber(s) of Judi Bari and Darryl Cherney.

(To receive updates on the Redwood Summer Justice Project and the civil rights lawsuit against the FBI, or to make a tax deductible contribution to help fund this work, please contact us.)

