

# Green Scare Continues

More arrests and harsh sentences for planet defenders

**Fifth Estate writer indicted!**

by H. Read

**D**evelopments in what is being called the “Green Scare” continue at a fast pace as the government increases its attack on forest, animal, and earth defenders. Four environmental campaigners from Detroit including a *Fifth Estate* writer were arrested in March for eco-sabotage. Other activists around the country were subjected to the heavy hand of justice with harsh sentences and arbitrary acts. The possibilities of more arrests and indictments are on the horizon.

The Green Scare is an allusion to the 1950s “Red Scare,” which focused on destroying the US Communist Party and sympathizers. Today, the government hopes these arrests of radical environmentalists and animal liberation activists will destroy the political underground of those who use the tactic of property destruction to defend the planet.

Those arrested in the Green Scare have mostly been charged with actions claimed by the Earth Liberation Front (ELF) or Animal Liberation Front (ALF) and have faced charges with disproportionately long sentences, often life in prison. They have been labeled as “terrorists” in public pronouncements by government officials, and in the use of the new Terrorism Enhancement designation. This can be applied by a judge after a plea bargain or conviction, and can make huge additions to sentences.

## **No one have ever been hurt in any of their actions**

The ELF and ALF commit acts of property destruction against companies engaged in environmental destruction and animal exploitation, respectively. Despite the government’s attempts to label them “terrorists,” both groups prioritize safeguarding people, and no one have ever been hurt in any of their actions. They have, however, cost companies millions of dollars in damages and lost profits, and in return, these companies have successfully pushed the federal government to re-classify those who engage in acts of politically-motivated property destruction as “terrorists.”

In March, four Midwest activists, Marie Mason, Frank Ambrose, Aren Burthwick and Stephanie Fultz, were arrested and charged with federal crimes relating to the 1999 destruction of an office linked to GMO research at Michigan State University in East Lansing, and the 2000 destruction of logging equipment elsewhere in the state. All four lived in Detroit at the time of the alleged offenses.

As the latest Green Scare victim, Mason is charged with four federal crimes; if convicted and given the maximum sentence, she will spend the rest of her life in jail. In comparison, the average sentence for a violent offender in 2004 was seven and a half years.

Mason, 46, and mother of two, frequently wrote for the *Fifth Estate* in the late 1980s and early ‘90s. She also was a long-time activist with Earth First! and the

**Green Scare info on line: [midwestgreenscare.org](http://midwestgreenscare.org), [portland.indymedia.org/en/topic/greenscare](http://portland.indymedia.org/en/topic/greenscare), [cldc.org](http://cldc.org), [greenscare.org](http://greenscare.org), [spiritoffreedom.org.uk](http://spiritoffreedom.org.uk)**



—photo: Buster Brown

Industrial Workers of the World (IWW), serving on the editorial collective of the *Industrial Worker*, the IWW newspaper, in the early ‘90s when it was published in Detroit.

Ambrose, on the other hand, is representative of a different feature of those arrested: he spied on his fellow activists (including above-ground groups) and is testifying against them, including his ex-wife Mason, in return for a lighter sentence. In almost all

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p until March 10, I lived in a small, wooded, old neighborhood on the edge of Northside in Cincinnati.

That morning, I left the house with just enough time to get to my job while my 16-year-old daughter, Arianna, was asleep in her room. I drove to the end of my block and was startled to see an SUV come around the corner and stop directly in front of my car, blocking my way.

Another vehicle pulled up directly behind me, and suddenly, I was surrounded by several others, including a Cincinnati police car. I was ordered to get out of my car, and that's when it finally dawned on me that I was being busted, although I had no idea for what.

I was frisked by a male FBI agent, my hands cuffed behind my back, and placed in the backseat of a police car. I was finally told that I was under arrest and that anything I said could be held against me. Special Agent James Shearer asked if I wanted to make a statement, but another federal officer from Michigan told him I had already said that I had nothing to say.

I struggled to get to my cell phone out of the pocket of my coat and got off a call to my friends at Cincinnati's Books4Prisoners informing them of the situation and asking them to come over quickly and stay with my daughter.

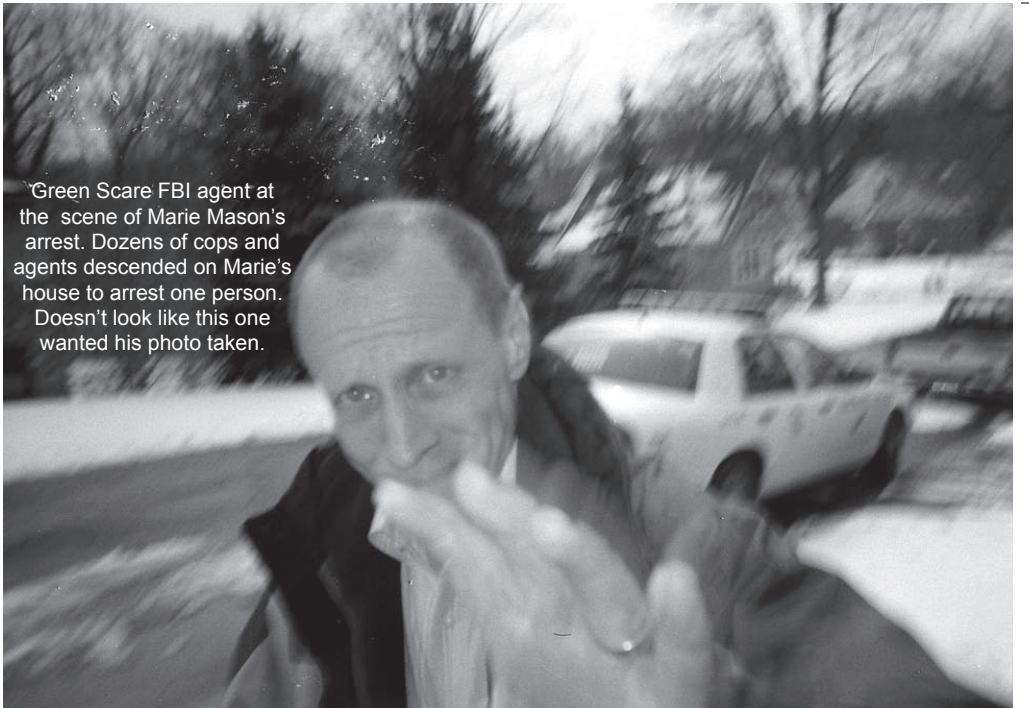
### **My street filled up with cop cars and agents**

Meanwhile, my street quickly filled up with cop cars and agents. It was a real circus, with media from every outlet in Cincinnati camped out on my lawn, obviously tipped off by the feds that they were making a major "domestic terrorist" bust. My upstairs neighbor, who does daycare in her home, was prevented by the police from picking up the kids from school and had to remain on the premises as the FBI searched my downstairs apartment.

I was taken in a three-car motorcade to the downtown Cincinnati federal building where I was frisked again by both male and female cops, fingerprint-

**Free Marie on line:**  
[www.freemarie.org](http://www.freemarie.org)

**See Page 38 for Free Marie! gear: Marie Mason's CD, "Not for Profit," and t-shirt. Proceeds go to her defense.**



"Green Scare FBI agent at the scene of Marie Mason's arrest. Dozens of cops and agents descended on Marie's house to arrest one person. Doesn't look like this one wanted his photo taken."

## **My Green Scare Arrest**

Or, why does it take 30 cops to arrest one person?  
Couldn't be anything about creating public hysteria  
against forest defenders, could it?

**by Marie Mason**

ed, and photographed. They made a big deal out of my modesty when they insisted on photographing the dragon tattoo on my stomach, like I was hiding something. I was asked again by Agent Shearer if I wanted to make a statement and told me, "not to wait too long," whatever that meant. I told him again that I had nothing to say, and I was then brought to the chief investigative agent's office and told I could call my attorney.

As I had been the subject of numerous investigations for years and was somewhat prepared. I had previously asked the nearest National Lawyers Guild attorney, Fred Slough in Kansas City, that in case of an arrest, would he be my advisor until I could locate an attorney in Ohio. He had kindly agreed, so I called him for advice. He advocated silence and to use the services of a local public defender until I could secure an attorney of my own. I was taken to a holding cell to await my arraignment. While I was in the lockup, someone from the FBI began calling on my cell phone to various friends and activists whose numbers were listed in my phone book trying to get information.

I was appointed a public defender for my hearing before the presiding judge where I was finally told of my charges—three counts of felony arson and one count of conspiracy involving two actions claimed by the Earth Liberation Front in 1999 at Michigan State University and the next year in Mesick, Michigan, at a logging facility.

### **I was immediately put on suicide watch**

On the public defender's advice, I signed a waiver agreeing not to fight extradition to Michigan and was taken back to my holding cell. I was uncomfortable during the hearing due to a bladder infection I had just developed in jail, but I wasn't allowed to use the bathroom as there was no matron present to escort me. I didn't get medical care for my ailment until three days before my release, though I requested it immediately. After hours of waiting, I was taken to Butler County Jail in Cincinnati.

I was immediately put on suicide watch for no particular reason. Were they hoping? All my clothes were taken from me. I was given a "pickle suit", a velcroed black plastic short vest and showered for lice. I

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**See Page 39 for a list of eco-actions Frank Ambrose has confessed to and implicated others.**

# My Green Scare Arrest

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was photographed and put in a cell with another woman going through withdrawal from heroin. We had some very interesting conversations about life and her addiction.

I wasn't allowed a phone call to tell anyone where I was. After 36 hours, I was interviewed and asked by a jail shrink if I wanted to kill myself, and then showered again and given the charming circus balloon outfit all the federal inmates wear. I made a quick call to the only number I could remember, a friend from the IWW. It was late at night, so I was placed in one cell and then moved at dawn the next day to another cell block.

I had no way to call from my new location since I didn't have access to the commissary where I could buy a phone card. There wasn't much food I could eat, since my vegan diet prevented me from eating anything but applesauce,

oatmeal, or the occasional steamed vegetable. I spent my time playing cards and scrabble with the other inmates, getting to know some of them.

I was in my cell reading the next day while the rest of the block was out in the main area watching television. Suddenly, there was a huge uproar and my bunkie came running into the cell. "You were on TV!" she yelled excitedly. The local news station had run a special on the Green Scare cases. They reported my arrest and ran stock pictures of the arson at Vail, Colorado, though my case has nothing to do with that action. From what the other inmates said, the report made me sound pretty scary.

After a couple of days, my friends on the outside got me a phone card and it was such a relief to be in touch with them and my daughter again. I discovered that most cell phones and many landlines won't take collect calls from jails. At first, I thought this meant my friends were refusing my calls, but folks inside told me the phones didn't interface sometimes.

I was still without a lawyer, and still unsure of what was happening with my co-defendants. Most importantly, I didn't know that Frank Ambrose (my soon-to-be-ex-husband) was cooperating with the feds. He had actually been cooperating with them for nearly a year and had been gathering evidence by traveling around the country and visiting me and other friends.

After a week in the Butler County jail, I was awakened very early, cuffed and shackled, and brought to the intake area. I had not been told, but I was being extradited to Michigan that day. I was driven to the federal building and brought to a holding cell to wait. Again, with the endless frisking and waiting around in cells.

After several hours, I was cuffed and shackled again and taken to the basement parking lot and placed in an agent's car. From there, we drove at frightening and excessive speeds to reach an airport in Kentucky where a private government plane flew me to Grand Rapids, Michigan.

I appeared in federal court there before a magistrate, and refused the offer of a public defender, insisting that I would soon retain counsel of my choice. I was bound over for trial and taken to the

Newaygo County Jail in White Cloud, a small mid-Michigan town.

The next day in jail, I received a message that my family had retained an attorney for me. The following day, I was awakened early and cuffed and shackled and taken back to the federal building in Grand Rapids. Once there, I met John Minock, who within seconds entered the official record as my attorney. He had me "stand mute" before the court, a version of "not guilty," and made a motion for me to be released on a non-cash bond as my co-defendants, Aren Burthwick and Stephanie Fultz had been in Detroit.

This was denied, based on federal prosecutor Hagen Frank's unfounded allegation that I was a threat to the community's safety and a flight risk on the basis of what they called my "international contacts," since I had traveled to India for the World Social Forum.

Minock countered that I could be released into my mother's custody and wear an electronic tether. This was accepted, but there was a delay because of the Easter holiday and the time needed to set up the tether.

So, I was driven back to Newaygo and spent another weekend in jail. Finally, on the Tuesday following Easter Sunday, I was taken to Grand Rapids, met with my probation officer, was attached to the tether, and released to my Mom.

I am now staying in northern Michigan under house arrest, having lost my home and job in Cincinnati. I am forced to live eight hours away from my daughter, my friends and political projects. I am able to call, write and e-mail. I can cook vegan meals and receive visitors.

It's nowhere near as uncomfortable as jail had been, but definitely a strain on my family and not the same as being free.

I'm very grateful for all the support from friends and people who have heard about my case and been in touch. And, for everyone for putting in so much effort to support my legal fund.

Thank you so much. It gives me so much hope to see such solidarity. As a strong community of resistance, we can withstand the repression of the state and continue to fight for the Earth everywhere.

Stay strong, I am with you in spirit. My time may be done, but yours is just beginning.

## FREE MARIE! Gear



T-Shirt: "In Solidarity with Marie Mason" - available in black and dark brown, in s/m/l/xl. \$17ppd.

CD: "Not for Profit" with EF! folksinger, Darryl Cherney; songs to defend the earth - \$7ppd

Send remittance to Fifth Estate, POB 201016, Ferndale MI 48220; (check to Fifth Estate). All proceeds go to Marie Mason Defense Fund.

## Green Scare Continues

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the earth defense cases, the government has convinced activists to betray their former comrades, and in some cases, such as with Ambrose, had them wear wires to entrap others. Eric McDavid was trapped by an FBI plant calling herself "Anna."

McDavid, one of only a handful of those accused of ELF actions to have gone to trial, received over 19 years at his sentencing in May even though he never committed an action and his group was infiltrated by a provocateur. McDavid's two other comrades also rolled over and cooperated with authorities.

In fact, the majority of those arrested have ended up cooperating with the authorities. Excluding the recent Midwest indictments, only seven of the several dozen arrested since 2005 and charged with ELF actions have refused to cooperate: Exile, Sadie, Daniel McGowan and Jonathan Paul (who were arrested in Operation Backfire, the original round of arrests in 2005 and 2006); plus Eric McDavid, Tre Arrow, and Briana Waters.

Ambrose, however, may a darker side than just run-of-the-mill betrayal of others. Court documents (available at [freemarie.org](http://freemarie.org)) discuss a non-prosecution agreement regarding an amended plea, but the US attorney has refused to release information, claiming that it is irrelevant since there will be no prosecution of Ambrose on that offense. He is widely thought to have been confronted by the Feds with material from his confiscated computer unrelated to the eco-sabotage charges, and is turning in his ex-wife and former friends in order to save himself from being prosecuted on those unspecified charges.

Mason, who is not cooperating with federal prosecutors, is currently under house arrest in Michigan and is required to wear an electronic tether; a trial date is set for August 12. The other three Detroit arrestees are free on bond. Burthwick and Fultz have not cooperated with authorities, but also declined offers of support work extended to them.

In other Green Scare news, Briana Waters' trial in Washington state ended in her conviction on charges related to her allegedly acting as a lookout during a 2001 attack on the University of Washington horticulture building. Former activists-turned-informers Lacey Phillabaum (a former *Earth First! Journal* editor) and Jennifer Kolar testified against Waters in return for reduced sentences, although Waters claimed that she was not present during the action. She was to be sentenced on June 2, but this was delayed because of revelations that evidence may have been tampered with. Her lawyers have indicated that they may appeal.

Tre Arrow is charged in connec-

tion with two 2001 arsons of trucks from belonging to Ross Island Sand and Gravel and Schoppert Logging in Oregon. Arrow, who proclaimed his innocence, fled to Canada and unsuccessfully fought extradition for years.

In March, he returned to the US, and in June, citing the convictions of Waters and McDavid, accepted a non-cooperating guilty plea to two charges. (He originally was charged with 14 counts and faced life in prison if convicted). Arrow was sentenced to six years, but will get credit for time served for the four years he was in custody in Canada. He was also turned in by a former fellow activist, Jacob Sherman.

Daniel McGowan, one of the non-cooperating arrestees who has started serving his sentence, was moved in May from Sandstone federal prison in Minnesota. He was moved without warning or explanation, and it is not clear where he is headed. He is currently in transit as we go to press.

Lastly, Jacob Ferguson, the informant who betrayed all of his former comrades resulting in one of them committing suicide, ten imprisoned, and three on the run, was also sentenced. Having admitted his involvement in almost all the Pacific Northwest eco-sabotage attacks, the court gave him five years probation in return for his modern-day Judas impersonation. He previously received \$150,000 in compensation for providing evidence against his former comrades, which included travelling around the country and interviewing them while wearing a wire in order to record incriminating statements.

In the course of the prosecutions, more incidents were made public during the sentencing period, and new indictments may

be issued for these actions. If new arrests occur, the activists will certainly face the same outrageous charges (i.e., threats of life sentences) and the same attempts to publicly and legally label them as terrorists for acts of property destruction in which no one was injured. These actions are the hallmark of the ALF and ELF and one of the reasons the groups attract sympathy and support.

Activists may wish to prepare preemptively for such eventualities, rather than being reactive when arrests are made. It seems time to form a broad coalition of legal and activist groups, formed around a simple program of: 1) resisting the outrageous sentences that are being handed down on the basis of political beliefs, and not acts, and 2) fighting the terrorism enhancement designations that add even more years to sentences.

This would provide for a flexible coalition that could include more mainstream environmentalists, legal and civil rights groups, as well as those who support the arrested for specific political reasons.

Any attempt to reverse the Green Scare will necessarily come from the legislative and legal arenas, and alliances are desperately needed.

### Crimes Confessed to by FBI Snitch, Frank Ambrose

Aug. 7, 1999 - Escanaba, Mich. - (arson) two power boats; loss \$9,436.

Aug. 22, 1999 - Bloomington, Ind. - (arson) Deer Park construction site; loss \$95,000.

Nov. 2, 1999 - Bloomington, Ind. - (vandalism) logging equipment; loss \$55,000.

Dec. 31, 1999 - East Lansing, Mich. - (arson); Michigan State University genetic research facility; loss \$1.1 million

Jan. 1, 2000 - Mesick, Mich. - (arson) logging equipment; loss \$18,000

(Jan. 23, 2000 - Bloomington, Ind. - (arson) Sterling Woods Development; loss \$200,000.

Apr. 30, 2000 - Bloomington, Ind. - (vandalism) Crider & Crider Equipment; loss \$75,000.

Jun. 26, 2000 - Bloomington, Ind. - (tree-spiking) Morgan-Monroe State Park; loss \$5,500.

Jun. 26, 2000 - Bloomington, Ind. - (tree-spiking) Yellowwood State Forest; loss \$1,600.

Jul. 2, 2000 - North Vernon, Ind. - (arson-vandalism) Rose Acre Farm; loss; \$100,000.

Oct. 18, 2000 - Shoals, Ind. - (vandalism) Martin State Park; loss \$55,000.

Mar. 21, 2003 - Superior Township, Mich. - (arson) Mystic Forest; loss, \$1,000,000.

Jun. 4, 2003 - Macomb County, Mich. - (arson) Willow Ridge; loss, \$1,000,000.

Based on the foregoing, Frank Ambrose stipulates and admits that the property destruction attributable to his pattern of criminal activity on behalf of ELF exceeded \$2,500,000 but was less than \$7,000,000. Source: Court documents.