

EF! Trial Ends with Deal

Fifth Estate Collective

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The U.S. government got the pound of flesh it wanted from the radical environmental movement, but not from Earth First! co-founder Dave Foreman, the prime target of a three-year FBI entrapment scheme.

Foreman and four others, Mark Davis, Peg Millet, Ilse Asplund and Marc Baker, were charged with a long string of conspiracy violations including planning sabotage of a nuclear facility. (See Summer 1991 FE).

The trial of the Arizona Five, as the defendants were dubbed, ended in September with a disappointing plea bargain agreement. Supporters had hoped for an acquittal, but apparently the defense team felt the plea to reduced charges was the best that could be hoped for under the circumstances.

In return for the limited guilty pleas, the government dropped most of its charges including the absurd one of nuclear sabotage.

However, the penalties meted out were unexpectedly harsh, particularly to defendant Mark Davis, whom a vindictive judge sentenced to the maximum under the agreement—six years in prison. The case against Foreman was so weak—that he gave copies of his monkeywrenching manual, *Eco-Defense*, to an informer—he received five years probation; the remaining three received shorter jail terms.

The intent of the prosecutions was to intimidate the radical environmental movement, but if a recently circulated “Earth First! Statement of Solidarity & Unity” is an example of the reaction, the government failed. The trial, according to the Statement, “was not a victory for Earth First!, but neither was it a victory for the FBI and the government. They have put people in jail, but they have not crushed the movement.

“From the splashy bust complete with heavily armed FBI SWAT team commandos, to the prosecutor’s obsession with terrorism and revolution and the media’s innuendoes of nuclear meltdown, this trial was a set up.

“With the help of the FBI and an accommodating press, the government has been molding a political climate which allows planetary poisoners and despoilers to continue their destruction unfettered. The judge sentenced four of the Arizona defendants to prison. He put Mark Davis away for six years. Contrast these sentences with the slap on the wrist given to felons who are leaders of corporate America.

“On July 3, 1991, for example, the entire board of directors of International Paper Company, in their plea bargain, pled guilty to five felony counts stemming from its factory in Jay, Maine, for violation of federal environmental laws. The company was fined, but the directors who steer the corporate giant paid no fines, got no jail time or even probation. In fact, they retain their director positions with International Paper and continue to run this heavily polluting multibillion dollar company.

“Three weeks after the plea bargain bail out, President Bush appointed International Paper’s chief executive officer, John Georges, to the President’s Commission on Environmental Quality.”

For copies of the complete statement and press releases regarding the trial, contact Earth First!, PO Box 210, Canyon CA 94516. For news reports and further support activity, read and subscribe to the Earth First! newspaper, PO Box 5176, Missoula MT 59806.

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