

## **Support grows for Eugene man who admits torching trucks** **By Alice Tallmadge, *The Oregonian*, June 12, 2005**

---

Jeff Luers' supporters call him a political prisoner being punished for his beliefs. Prosecutors call him a terrorist. The state considers him a member of an anarchist cell.

### **He considers himself a teacher.**

Five years since he began serving a 23-year sentence for torching three trucks at a Eugene car dealership, the man nicknamed "Free," now 26, sits in his cell at the Oregon State Penitentiary, penning letters to supporters and using his cause celebre case to preach against environmental degradation.

"I think I've been more effective while in prison," Luers said in a telephone interview last week. "People are more inclined to listen to what I have to say."

He admits setting the early morning fire in June 2000 that destroyed a Silverado half-ton pickup and damaged two other trucks, saying he was targeting one of the main causes of global warming: gas-guzzling SUVs.

He has appealed the length of his sentence, arguing that the punishment far exceeds the crime, especially when compared with other people convicted of arson.

Supporters in 24 cities around the country and overseas are holding events this weekend to raise money for his defense fund. Gatherings are taking place in Eugene, Olympia, Sacramento, New York, San Francisco, Los Angeles, Washington, D.C., Cincinnati and Portland, Maine. Events are also lined up in London, Moscow and Melbourne, Australia.

Since he entered prison, Luers has gained a support network beyond members of radical groups to include doctors, educators, lawyers, grandparents and members of social justice and religious organizations. More than 400 people around the country have signed a statement backing Luers.

The more moderate supporters "maybe think the action was a bad idea but also see the sentence as absurd," said Dylan Kay, a member of Luers' defense network. Many of them note the irony, he said, "of sending a young person to prison for so long for attempting to do something about global climate change."

The city of Eugene's Human Rights Commission wrote a letter in 2003 endorsing Luers' efforts to have his sentence reduced, noting that similar crimes "have not been met with such harsh sentences."

But Kent Mortimore, chief deputy district attorney for Lane County, said the term is justified.

"The bottom line is Luers was a terrorist who set fires and detonated explosive devices trying to make a political point," Mortimore said. "He put people in supreme jeopardy."

### **Co-defendant paroled**

Luers was convicted in June 2001 for setting a fire at the Romania Chevrolet dealership and for trying to set another fire at an oil yard in a Eugene neighborhood.

At the start of his trial with co-defendant Craig Marshall, their defense attorney died unexpectedly. The judge declared a mistrial, and Marshall subsequently accepted a plea bargain that gave him a 5 1/2-year sentence. Marshall was released in January and is living in Lane County under the supervision of a parole officer.

Luers declined a plea bargain. Days before his trial was set to begin in March 2001, a second arson fire caused \$1 million in damage at the Romania dealership. Police have not charged anyone in that fire.

Three months later, Lane County Circuit Judge Lyle Velure found Luers guilty on 11 of 13 charges, including three counts of first-degree arson, a Measure 11 crime that carries a mandatory sentence of 7 1/2 years. Luers is serving two of the Measure 11 sentences consecutively and one concurrently. His sentence totals 22 years and eight months.

Luers acknowledges placing an incendiary device on the rear tire of the pickup at the dealership, but has said he had nothing to do with the attempted arson at the oil company. In that incident, investigators found rags, a container filled with a mixture of gasoline and soap, and crude delay devices that failed to ignite.

### **Basis for appeal**

Most of Luers' appeals case centers on the issue of merger, a term relating to the fact that he was charged and sentenced on three counts of arson for one fire, said Eugene attorney Lauren Regan, a member of his defense team.

Case law is fairly strong with regard to stacking convictions, Regan said. "The law says if there is one criminal episode, there should be one conviction," she said.

If the appeal isn't successful, Luers will be eligible to take further legal action claiming inadequate representation at his trial, Regan said, because his trial attorney didn't challenge the merged charges.

In the meantime, Luers has completed a paralegal course, responded to hundreds of letters from supporters and written several essays and opinion pieces.

This spring, organizers of the annual Public Interest Environmental Law Conference at the University of Oregon's Knight Law Center tape-recorded a speech Luers presented

over the telephone, then played the tape for conference participants as a keynote address.

"We wanted to incorporate as many faces of environmentalism as we could," said organizer Daniel Kruse. "Jeff represents a growing and emerging perspective of direct action. We wanted him to represent that."

Although Luers claims no affiliation to any group, the state considers him a gang member and has assigned him "security threat group status" in prison, Luers said.

"I'm listed as an anarchist, with my set being the Earth Liberation Front," he said. The Earth Liberation Front is a name used by a loose association of extremists who, among other things, advocate destroying property to protest environmental ills.

Luers successfully challenged a prison decision ordering him to spend 120 days in solitary confinement after one of his essays was printed two years ago in the Earth First! Journal.

Though corrections officials wouldn't confirm that they've classified Luers as a security threat, they said the status is used to track gang members who could disrupt prison operations. Luers has been involved in one fight since he came to the penitentiary, records show.

The arson case wasn't his first brush with the law. Luers served a month in federal prison for resisting a federal officer during an altercation at a protest camp in the Willamette National Forest. Three days before the arson, Luers was arrested for shoving a Eugene police officer during a confrontation over videotaping.

### **Holding onto hope**

In the years since Luers went on trial, the Romania car dealership has been sold, and the lot that used to be filled with trucks and SUVs is home to dry leaves and bits of litter.

Anarchist activity also noticeably subsided in Eugene after Luers went to prison, said police Lt. Rex Barrong. "But I don't know if the two are connected," he said.

For Luers, the thought that he's made people more aware of global warming keeps him from losing hope, he said. "At the very least, I'm making people think," he said.

No matter when he gets out of prison, Luers said, he plans to avoid breaking the law. He notes that in his first five years behind bars, he's seen only one sunrise.

"I've spent a large chunk of my life dedicated to things I believe in," he said. "I want to dedicate a little time to just living my life."

Alice Tallmadge: 541-741-6256; tallmadge3476@comcast.net