

Trial begins in firebomb case

By Tricia Schwennesen, *Register Guard*, November 17, 2000

A piece of black industrial-strength thread and several gallons of camping fuel could be the link between two self-proclaimed anarchists and a pair of firebombing incidents this spring, Deputy District Attorney Caren Tracy told jurors during opening statements Thursday in the trial of the two men.

Jeffrey Luers, 21, and Craig Marshall, 27, stand accused in Lane County Circuit Court of starting two fires, including one at an oil company that police say had the potential to devastate the Whiteaker neighborhood. The June 16 arson fire at the Joe Romania auto dealership on Franklin Boulevard destroyed a 2000 Silverado half-ton pickup and damaged two other trucks, causing more than \$40,000 in damage. Police say that fire came dangerously close to a nearby fuel line. The other arson attempt fizzled when two homemade firebombs placed beneath two fuel tanker trucks - one filled with gasoline and the other empty but containing fumes - failed to detonate at Tyree Oil Inc., 101 Blair Blvd., on May 27.

Luers and Marshall have pleaded not guilty to two counts of first-degree arson, first-degree criminal mischief, two counts of both unlawful manufacture and possession of a bomb, two counts of attempted arson, and attempted first-degree criminal mischief. First-degree arson carries a Measure 11 mandatory minimum sentence of 7 1/2 years in prison. Sitting at an L-shaped table, both men - with fresh haircuts and wearing navy blue suit jackets - took notes and consulted with their attorneys throughout the testimony. More than a dozen family members and friends sat in the courtroom and listened to opening statements and the testimony of the first few witnesses.

If the Tyree attempt had ignited it could have been "catastrophic," Tracy said. The thread used to make two devices found at Tyree and the fuel used to ignite the Romania fire were "physically and chemically" similar to thread and fuel seized during a search of a warehouse where Luers was known to have stayed, she said. On the night of the Romania fire, police in the Whiteaker neighborhood say they spotted Luers, who they recognized from his arrest for police harassment during a protest the night before. Police said they followed Luers, who was traveling with Marshall, on a roundabout trip from the warehouse at 1395 Cross St. to a location near the truck dealership where they lost sight of them, Officer Greg Harvey testified. Police caught up with the two, after the fire was reported, as they drove away headed for Springfield.

Ken Morrow, Luers' attorney, and Brian Barnes, Marshall's attorney, said the evidence will show that their clients had nothing to do with the firebombs found at Tyree or the fire at Romania, and that two different types of explosive devices were used - one fueled by gasoline and the other by camping fuel. Evidence gathered at the warehouse should not point to Luers and Marshall because four people had keys to the building, at least a dozen others had access to the code that opened the gate and about 20 people were known to hang out there, Barnes said. "The fact is they found no evidence that links these two fires and no piece of evidence that links these two defendants to the crimes," Barnes said.

Police should concentrate on finding the person who left a fingerprint on a piece of cellophane tape stripped across the top of one device, he said. That person was "instrumental" in the failed arson attempt at Tyree, Barnes said. The print did not match Luers or Marshall, police said. Morrow encouraged jurors not to rush to judgment. "Please, do keep an open mind until everyone has been heard," he said. The trial, being argued before Judge Lyle Velure, continues today and is expected to conclude next week.