

**Freedom ain't Free:  
How Three Burnt SUVs Bought Jeffrey Luers 22 Years in Prison  
By Marjorie Skinner, Portland Mercury, June 10, 2004**

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On June 16, 2000, 23-year-old Jeffrey "Free" Luers lit three Sport Utility Vehicles on fire. An articulate and by most accounts warmhearted young man, Luers had been an activist since 1996. He was well known in the community for his work dealing with issues like police misconduct and eco-defense, as well as affiliations with organizations like Food Not Bombs. Notably, Luers was also the first tree sitter at Eagle Creek. *[Note: Free was the first tree sitter at Fall Creek, not Eagle Creek]*

His fateful action at Romania Chevrolet dealership in Eugene represents more than an example of direct action. Despite the fact that there were no injuries and only \$40,000 worth of damage, he was sentenced to 22 years and eight months in prison. Of the 11 charges of which he was found guilty, three were for arson in the first degree--one for each SUV, instead of one charge for the single fire he started. Under Oregon's Measure 11, he is ineligible for parole or reduced sentencing.

This is why you should care: Under Measure 11, first-degree rape carries a mandatory sentence of only eight years and four months. An attempted murderer would serve a sentence of seven-and-a-half years. In fact, you could rape someone and then try to kill them and you would still have a significantly shorter sentence than Luers has for causing property damage.

These circumstances make Luers one of the many poster children for anti-Measure 11 activism. One of the objections to the measure is its lack of distinction between violent and nonviolent crimes. In fact, a caveat to the sentencing guidelines is that first degree arson can only be considered a Measure 11 crime if "the offense represented a threat of serious physical injury" (Senate Bill 1049).

According to testimony at the trial from an arson specialist, as well as the night watchman of Romania Chevrolet, Luers' crime did not represent any such threat. The action had been planned months in advance. Luers and his friend Craig "Critter" Marshall, who is serving a five and a half year sentence for conspiracy to commit arson and possession of an unlawful device, scoped the lot with the specific aim of avoiding harm to any person.

During the first trial, Luers' attorney Ken Morrow had proven that the investigating officers had given false information, and that evidence had been tampered with. Unfortunately, Luers' lawyer died. A mistrial was declared, the prosecution came back for round two, and won. Luers was given an incredibly harsh sentence for a so-called physically threatening crime that he specifically engineered in order to avoid physical threat. Say what you will about direct action and the motives behind it, but this is a blatant miscarriage of justice.

Supporters of Luers believe the court threw the book at him because of the political motivations behind his crime. He freely admits he is guilty of setting the SUVs on fire and that he did it because he was trying to raise awareness on the effect these types of vehicles have on global warming. Activists across the world got the message that Luers was being punished, at least in part, to be made an example of. For Eugene, a town that has been considered a hotbed of political unrest for years, and whose "Eugene Anarchists" have generated much media attention, this was particularly

pointed.

Since his incarceration, Luers has remained politically active, writing essays and dispatches to his supporters on the outside--and is being punished for it. For example, on May 28, 2003, Luers sent a letter to the Earth First Journal, in which he advised those who were considering taking up direct action. He told activists to "remain true in prison" and that there is "no excuse to ever rat on another to save your own ass."

This letter brought Luers a new load of trouble. According to the "Findings of Fact" report from his prison hearing, the letter contained evidence that "Luers is a documented Earth Liberation Front [ELF] security threat group affiliate," and for his writings, he was subsequently put into solitary confinement as punishment. This is odd for several reasons. In prison, "security threat groups" generally refer to gangs or white supremacy groups, which have an obvious potential to cause problems within the prison population. Besides, Luers has consistently denied any affiliation with the ELF.

Luckily, Luers' attorneys have been able to get him out of solitary confinement, and are currently working on his appeal. The main objectives are to deflate his extreme sentence by contesting the classification of his crimes as Measure 11 offenses, arguing he should only be held responsible for one count of arson. Oral arguments are set to begin in July.

Over the past four years, Luers' case has drawn attention all over the globe. He has garnered support from the Eugene Human Rights Commission as well as political prisoner Mumia Abu-Jamal. June 12th marks the fourth anniversary of Luers' sentencing, prompting an "International Day of Action & Solidarity with Jeff 'Free' Luers." Events have been planned across the United States and abroad, with the flagship event occurring in Eugene.

The event includes a performance from Blackfire, a political group combining punk with Native American traditional styles. There will be several speakers, including Ramona Africa, the Minister of Communication for the revolutionary group MOVE; Kevin Price, whose work includes publishing the Friends of MOVE newsletter and involvement with the International Concerned Family and Friends of Mumia Abu-Jamal; and Claude Marks, a prison activist and Project Director of the Freedom Archives, a collection of audio tapes chronicling progressive history between the 1960s and '90s.

Saturday, June 12, WOW Hall, 291 W 8th Ave, Eugene, OR, (541) 687-2746, 7 pm, \$5-50 sliding scale. For more information about Jeffrey Luers or to make a donation to his appeal.