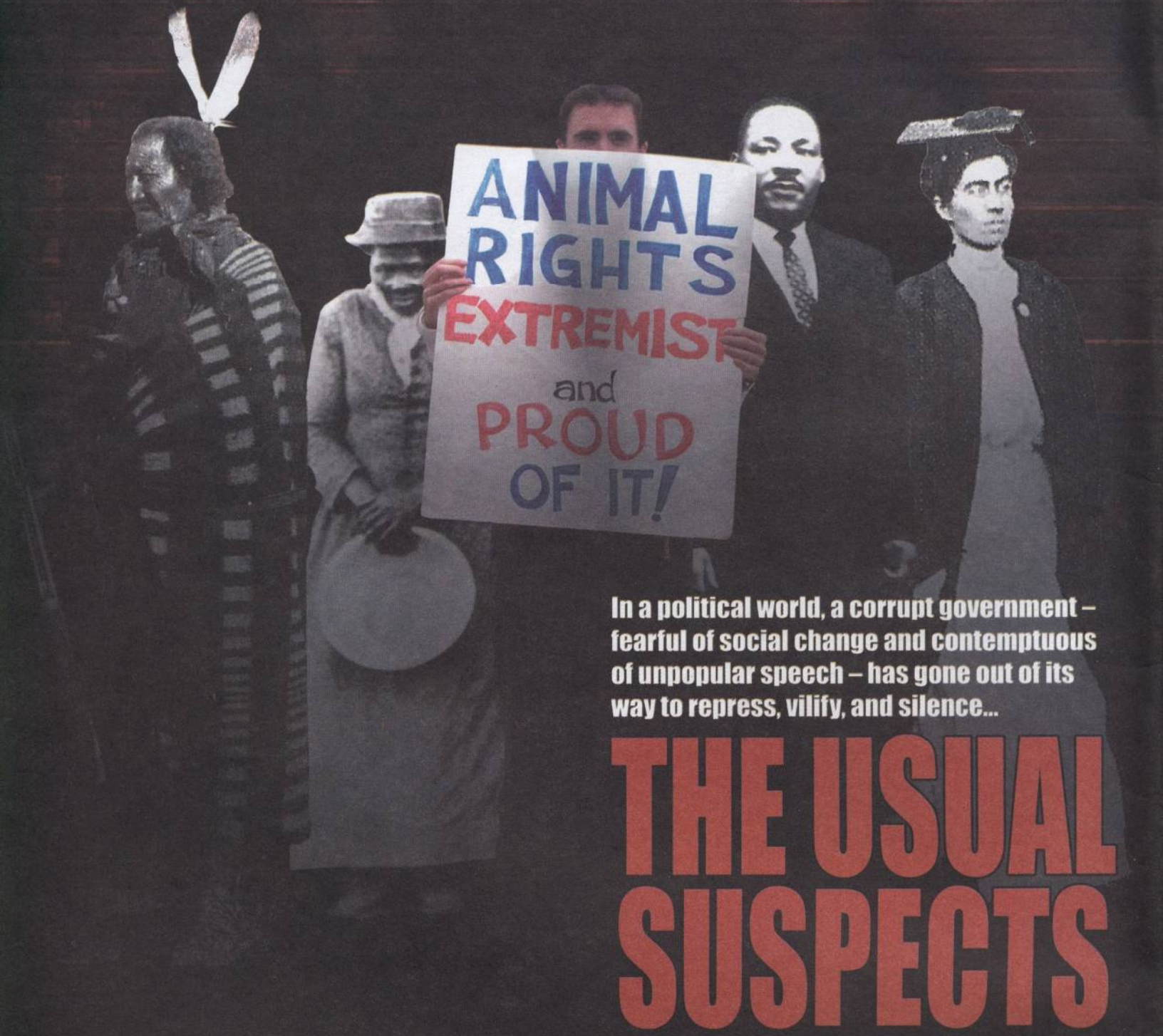
AMERICAN INDIAN MOVEMENT

UNDERGROUND RAILROAD

ANIMAL RIGHTS

CIVIL RIGHTS

THE SUFFRAGETTES



In a political world, a corrupt government – fearful of social change and contemptuous of unpopular speech – has gone out of its way to repress, vilify, and silence...

THE USUAL SUSPECTS

On May 26th, 2004, seven activists (allegedly) campaigning to close Huntingdon Life Sciences were indicted on federal charges under the Animal Enterprise Terrorism Act. Those indicted join a noble and historical few who have stared down government intimidation and beaten back unconstitutional charges. The case of the SHAC 7 is fraught with First Amendment violations that jeopardize all political activists, no matter what their cause. This fall, please join us as we square off in one of the biggest free speech cases of this century.

We need your voice. We need your presence. We need your support.

www.SHAC7.org

www.InsideHLS.com www.SHACAmerica.net/indictments www.HLSCustomers.com

SHAC Attacked

BY ANDREA LINDSAY

The "War on Terror" was officially launched against the animal rights movement on May 26, when FBI agents stormed the homes of seven Stop Huntingdon Animal Cruelty (SHAC) activists across the country and took them into custody for "animal enterprise terrorism." For three of the seven, it did not stop there. The trio was also charged with four counts of interstate stalking and conspiracy to commit interstate stalking.

It started early in the morning. Armed FBI agents raided the home of New York activist Andrew Stepanian at 6 a.m. and whisked him away, stating that he was being arrested for animal enterprise terrorism. Nearly simultaneously, activists John McGee and Darius Fullmer were taken into custody on the same charge in New Jersey. FBI agents entered the California home of Lauren Gazzola, Jacob Conroy and Kevin Kjonaas hours later with guns drawn, arresting them on charges unknown at the time. Shortly thereafter, agents arrested Joshua Harper at his Washington home. The seven were released on personal recognizance bonds later that day.

Their crime? In addition to speaking out in support of controversial protest tactics, they reported the actions of others on a website as part of a campaign to close down Huntingdon Life Sciences (HLS), a notorious animal experimentation lab located in East Millstone, New Jersey. In addition to the seven arrested, SHAC USA was also indicted for animal enterprise terrorism.

The terrorism charges could mean a maximum of three years in prison and a $250,000 fine for each person. The charges of interstate stalking and conspiracy to engage in interstate stalking could mean an additional five years in prison and $250,000 per count.

The Campaign

The campaign against HLS got its start in the UK and has been raging in the US since 2001. Several undercover investigations have revealed video footage of HLS workers cutting open conscious primates, punching six-week-old puppies in the face and falsifying scientific data. Overall, the company is responsible for the deaths of 500 animals every day.



photo by Marko Georgiev

Christopher J. Christie, US Attorney for New Jersey, announces the arrest of SHAC activists

SHAC is well known for its rapid successes in convincing companies to disassociate themselves with the lab, as well as for its controversial tactics. Activists have not only targeted the laboratory directly, they have also taken on its investors, customers, insurance brokers and anyone else who has ties to HLS. Companies like Merril Lynch, Charles Schwab, Stephens, Inc. and the Royal Bank of Scotland have all dissociated themselves from HLS because of activist pressure. Tactics have ranged from leafleting, office disruptions, and phone and fax blitzes to home demonstrations and economic sabotage.

While SHAC's approach has been controversial, it has hardly amounted to terrorism. Yet that is exactly what the 28-page indictment handed down by a New Jersey federal grand jury argues. The document alleges that SHAC USA and the seven defendants violated the Animal Enterprise Terrorism Act. It "proves" this by rattling off a long list of Internet postings on the SHAC USA website that describe actions taken by other, anonymous activists. The indictment then describes an incident at a demonstration in Boston, which two of the defendants were arrested for. However, it conveniently neglects to mention that the two were acquitted of the charges in a Massachusetts court after the judge acknowledged that they were exercising their First Amendment rights. In sum, the indictment fails to pin any serious criminal acts on any of the defendants.

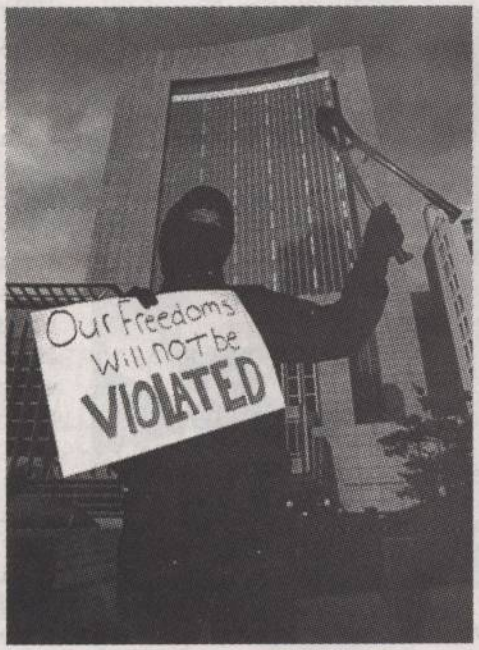
The Animal Enterprise Terrorism Act was passed in 1992, in an effort to further penalize individuals arrested for economic sabotage against animal abuse industries. Specifically, it applies to individuals who "physically" disrupt the functioning of an animal-related business by "intentionally stealing, damaging, or causing the loss of any property (including animals or records) used by the animal enterprise, and thereby [causing] economic damage exceeding $10,000 to that enterprise, or

[conspiring] to do so." The indictment itself describes no actions by any defendant that could remotely qualify under this act.

According to FBI testimony before Congress in May, the FBI has been plotting how to take SHAC USA down since before the campaign spread to the US. During that same hearing, the FBI's assistant director on ecoterrorism testified that the Animal Enterprise Terrorism Act *did not apply to the activities of SHAC USA or its supporters*. Less than 10 days after that hearing, the indictments were handed down. The FBI's testimony only further underscores the fact that these charges are totally unfounded.

The Campaign Continues

Within hours of the arrests, the message was already hitting the media: For those involved in the campaign to close HLS, it would be business as usual. There would be no silence or cowering. With or without the seven who were indicted, the torch would be carried.



Within days of the arrests, reports of home demonstrations against HLS targets were coming in, including 11 activists arrested in Pennsylvania. The message is clear: A few indictments cannot stop a broad-based, committed movement.

In addition to the battle to close HLS, activists are now fighting for their freedom in the courts. SHAC sees this as an opportunity, not an obstacle. The court room, the media and the focus will all be harnessed to draw attention to the animals inside HLS and to the blatant attack on our eroding civil liberties.

Who's Next?

The goal of the government, many believe, is not necessarily to win this case. It is to intimidate, and these prosecutions are undoubtedly a pilot project. If the charges stick, other social movements had better watch out. In John Ashcroft's America, no activist is safe.

Ultimately, this case is not about vivisection or animals, it is about free speech. It is about the government taking out anyone who is effective in their use of the First Amendment. It is about criminalizing dissent.

It may start with the animal rights movement, but there will be a domino effect. Everyone who cares about free expression has a responsibility to stand up now and put a stop to this repression. If this domino falls, yours will soon follow.

Take Action and Never Back Down!

One of the most exciting aspects of the campaign to close HLS has been its widespread, independent nature. Activists from around the world are working daily to close the lab down forever, and there is always room for more!

Spread the word about these indictments through speaking events, letters to the editor and creative uses of public forums. New Jersey-area activists can get involved with demonstrations at the federal courthouse. And, of course, SHAC USA can always use financial support to deal with these outrageous indictments.

Government repression is never as effective under scrutiny. We all have a responsibility to shine a light on this case—and watch the feds run for cover.

For more information, visit www.SHACAmerica.net; www.SHAC7.org.

Andrea Lindsay is a volunteer on the SHAC 7 legal support team. She can be reached at andrea@nocompromise.org.

BARE BONES

San Luis Folks Get Tough

In December, the Colorado Supreme Court guaranteed 700 families in San Luis, Colorado, access to the land they've used for generations. Lou Pai bought the 80,000-acre Taylor Ranch that locals call "La Sierra" in the mid-1990s. The court's decision ordered Pai to negotiate terms for livestock grazing and subsistence wood harvesting.

Pai, a former Enron executive, quickly filed motions to limit access to just seven families.

However, according to Ray Otero, founder of the Land Rights Council, "For 44 years, we have jumped all the hurdles they have thrown at us. I don't think the people of this community can take it any longer." Addressing a 100-person protest gathered at the locked ranch gate on March 28, Otero said, "The next time the people gather at this gate, we will be going back up on the mountain."

Email Monitoring Arrests

An email message intercepted by the US National Security Agency (NSA) in February led to the March arrests of nine people in Britain and one person in Canada on charges of facilitating a terrorist act and being part of a terrorist group. This is the first time that routine US monitoring of email traffic has led to an arrest.

Internet traffic is chopped up into data packets, which are transmitted along with a header that records the individual Internet Protocol addresses of every computer a packet touches. The NSA analyzes millions of email messages and phone calls each day, looking for certain keywords, addressing information or traffic patterns.

US authorities are uniquely positioned to monitor international telecommunications traffic because many of the world's high-volume Internet connections are located in the US. Once electronic traffic touches a US computer, it is within the jurisdiction of the NSA.

Green is the New Red

How the Government Landed a Terrorism Conviction for Nonviolent Animal Activists

BY WILL POTTER

In the 1940s and '50s, labeling people "Communist" could drag them before Senate hearings, place them on blacklists and ruin their lives. During the Red Scare, proof of spying for a foreign power rarely mattered. Instead, Senator Joseph McCarthy and others paralyzed an entire political movement by demonizing anyone who had any connection to the Communist Party, either ideologically or personally. The Red Scare was less about evidence than public relations.

Now, Green is the new Red.

On March 2, six activists were convicted on various animal enterprise terrorism charges for campaigning to shut down a vivisection lab. Andrew Stepanian and Darius Fullmer were both convicted on one charge—conspiracy to violate the Animal Enterprise Protection Act (AEPA). Each faces up to three years in prison. Joshua Harper was convicted on two counts—conspiracy to violate the AEPA and conspiracy to harass using a telecommunications device. He faces up to four years in prison. Jacob Conroy, Lauren Gazzola and Kevin Jonas were convicted on six counts, including conspiracy to violate the AEPA. They face up to 10 years in prison each. On June 7, they will be sentenced. All six individuals are planning to appeal the conviction.

Their crime? Running a website, which was shut down following the verdict. They posted news about the campaign—legal actions like protests and illegal ones like liberating animals from labs—and unabashedly supported all of it. Since the feds haven't been able to catch the saboteurs, they're cracking down on those in the spotlight. Think red-baiting, with a green twist. It's a sign of what has become the most frightening new front in the War on Terror: guilt by ideological association.

These activists work with Stop Huntingdon Animal Cruelty (SHAC), the seventh defendant in the case and an international organization with the sole purpose of closing Huntingdon Life Sciences (HLS). HLS has labs in New Jersey and England, and five undercover investigations have shown workers punching beagle puppies in the face, dissecting live monkeys and falsifying scientific data.

SHAC has brought the multinational company to its knees, primarily through a Wall Street-level knowledge of how corporations operate. The SHAC website schooled activists in business savvy, with primers on investors, market makers and pink sheets. It also listed home and work addresses for those associated with companies doing business with HLS, from banks on down to toilet paper suppliers.

Activists have taken to the streets, the phones and executives' homes with bullhorns, phone blockades and plenty of smart-ass, aggressive rhetoric. Illegal actions have taken place as well, ranging from crude pranks to ominous threats. It all got posted on the SHAC website.

It's worked. The lab now teeters on the brink of economic collapse, after more than 160 companies—including Marsh Inc., UPS and FedEx—pulled out. HLS was dropped from the New York Stock Exchange in 2000 and delisted from the London Stock Exchange in 2001.

So how did the government do it? How was a landmark grassroots campaign turned into "terrorism?" The government took the "you're either with us or against us" rhetoric of the War on Terror—the same mentality as the Red Scare—and applied it to animal rights activists. If activists don't prove they are "with us" by condemning sabotage, then they are clearly "against us" and one with the "terrorists."

SHAC has never tried to be in the "with us" camp. News of illegal actions posted on the SHAC website came with tongue-in-cheek commentary (think Nelson from *The Simpsons* pointing and laughing). Posted actions included subscribing a CEO to pornography magazines, setting off stink bombs in corporate offices and paint-stripping cars. They were sometimes crude (calling a CEO's church and accusing him of fondling children) and often ominous (phrases like "we know where you live" appear in many communiqués).

SHAC put itself out on a limb by vigorously defending direct action, even as groups like the Humane Society of the US and the Sierra Club condemned underground groups to win political points. The FBI then started sawing at that limb.

Take the testimony of FBI Deputy Assistant Director John Lewis before a Senate committee last year. "SHAC's overriding goal is to put HLS out of business, by whatever means necessary—even by violent means," he said. "SHAC has used a variety of tactics... including bombings, death threats and vandalism."

A few breaths later, though, he said that "when these companies or individuals are threatened or attacked, it is not necessarily the work of SHAC itself. There may be overlap in membership in extremist movements." When illegal actions are claimed by independent organizations, it is "most likely an attempt by animal rights extremists to continue the SHAC campaign while appearing to distance themselves from the SHAC organization. However, while the SHAC organization attempts to portray itself merely as an information service or media outlet, it is closely aligned with these groups, as well as with the Animal Liberation Front." By "closely aligned," Lewis must have meant ideologically, because the defendants have never been accused of any of the actions they posted on their website.

The government indictment alleged that, by posting the articles, the defendants incited further illegal action and aimed to cause "physical disruption to the functioning of HLS, an animal enterprise, and intentionally damage and



photo courtesy SHAC

Stop Huntingdon Animal Cruelty activists outside the New Jersey courthouse

cause the loss of property used by HLS."

The courts have consistently said that the First Amendment protects even the most inflammatory speech. The general threshold is the standard set in *Brandenburg vs. Ohio*: tough talk is fine unless it is likely to result in imminent, lawless action.

The SHAC website included a lot of posturing, but it didn't go as far as civil rights activist Charles Evers did in 1966 when he urged a Mississippi crowd to boycott white businesses with the words, "If we catch any of you going in any of them racist stores, we're gonna break your damn neck." The Supreme Court found that speech to be constitutionally protected.

Websites have limits, of course. In 2002, a federal appeals court ruled that the First Amendment did not protect a website called "The Nuremberg Files," which posted pictures of doctors who performed abortions and crossed off the names of three of them as they were killed. That's a far cry from SHAC posting a communiqué from "Pirates for Animal Liberation," claiming responsibility for sinking a yacht that belonged to a Bank of New York executive.

Those pirates are in murky water when it comes to questions of how much they were motivated by SHAC's website. They may have looked up an address on the site, or they may have used that old-fashioned listing of names and addresses: a phonebook.

Strategic Forecasting (Stratfor), a "global intelligence" company praised by *Fortune* for its research, explained it like this. There are three legs to the SHAC campaign: illegal activists (the smallest group), legal activists (with signs and bullhorns) and passive sympathizers (opposed to animal cruelty but not sure how to help). "Since there is no formal membership," Stratfor states, "the numbers are in no way fixed—anyone can wake up tomorrow, read about SHAC on the Internet and engage in an activity that night that propels them directly into the first tier." True, SHAC may inspire illegal activity. But, notes Stratfor, so may the conviction. "Ultimately, the conviction of the SHAC 7 could serve to inspire more illegal activity, rather than less, and the trend could spread to involve larger numbers of groups and industries."

Animal rights activists won't be backing down and neither will big business. Corporations have been pushing the government to crack down on "ecoterrorists" since they lobbied to criminalize "animal enterprise terrorism" as part of the AEPA. The SHAC case has only whetted their appetites. Underground activists have claimed credit for more than 1,200 criminal incidents since 1990, according to the FBI, and there are 150 pending "ecoterror" investigations. As David Martosko of the Center for Consumer Freedom, an industry lobby group, said after the SHAC 7 conviction: "This is just the starting gun." Corporations will keep the pressure on lawmakers and the FBI to catch the saboteurs. And if the feds are either too lazy or too incompetent to score arrests of "ecoterrorists," they'll go after the next best thing: aboveground activists with the same goals and the guts to say so.

In this post-9/11 climate, evidence matters less than rhetoric and fear. The "War on Communism" operated under similar terms. If citizens didn't "name names," they were clearly "against us." Witch hunts will test the backbone of social movements, just as they did 60 years ago. It's up to activists to stand with the defendants, not because we're black-mask-wearing animal liberationists, but because we know that we could be the next Communists.

I mean, terrorists.

Will Potter is a reporter based in Washington, DC. He has written for The Chicago Tribune, The Dallas Morning News, In These Times *and other publications. His writings on civil liberties and the War on Terror can be found at www.willpotter.com.*

SHAC 7

~~days of the week~~,
~~colors of the rainbow~~,
~~wonders of the world~~,
~~seven seas, seven dwarfs~~,
~~seven-spotted ladybug~~,
~~the SHAC septet~~,
the SHAC 7!

The SHAC 7 are six activists and a corporation, Stop Huntingdon Animal Cruelty USA, who were sentenced to lengthy prison sentences for their part in a campaign to close down notorious animal testing lab Huntingdon Life Sciences.

They were not accused of smashing windows or liberating animals; rather they are in prison for simply reporting on and encouraging others to engage in legal demonstrations, and supporting the ideology of direct action.

The SHAC 7— Lauren, Kevin, Jake, Josh, Andrew and Darius— began their sentences in October and November 2006.

The SHAC 7 case represents a frightening new frontier in the war on speech. Their conviction is constitutionally flawed and imperils not just those who speak out on behalf of animals, but anyone who has something controversial to say. The SHAC 7 are appealing their unjust sentences, and they need your support. Please write them in prison, donate, get the word out, and keep fighting! To learn more, visit: www.SHAC7.com



Jacob Conroy #93501-011
FCI Victorville Medium I
Federal Correctional Institution
P.O. Box 5300
Adelanto, CA 92301
USA
Sentence: 4 years
(www.SupportJake.org)



Darius Fulmer #26397-050
FCI Fort Dix
P.O. Box 2000
Fort Dix, NJ 08640
USA
Sentence: 1 year, 1 day
(www.shac7.com/dari)



Lauren Gazzola #93497-011
FCI Danbury
Federal Correctional Institution
Route #37
Danbury, CT 06811
USA
Sentence: 4 years, 4 months
(www.SupportLauren.com)



Joshua Harper #29429-086
FCI Sheridan
Federal Correctional Institution
P.O. Box 5000
Sheridan, OR 97378
USA
Sentence: 3 years
(www.JoshHarper.org)



Kevin Kjonaas #93502-011
FCI Sandstone
P.O. Box 1000
Sandstone, MN 55072
USA
Sentence: 6 years
(www.SupportKevin.com)



Andy Stepanian #26399-050
FCI Butner Medium II
Federal Correctional Institution
P.O. Box 1500
Butner, NC 27509
USA
Sentence: 3 years
(www.AndyStepanian.com)

JAKE CONROY

"March 2007

It's hard for me to start a letter without thanking everyone for their support. You don't fully realize how supportive our movement is until you're in prison, and you have to set aside a good hour a day just to read the letters received. It makes me feel an enormous amount of pride in the animal rights movement every time I explain to someone why mail call is so good to me. "You get all those letters from people you don't even know?!"

But what really puts a smile on my face is to open a letter or newsletter and read about the actions. How HLS is still being clobbered worldwide, Schumacher's Furs being run out of Portland, and foie gras, veal and gestation crates being banned in various place around the country. I am most inspired by the response by activists to the heavy handed oppression by governments world-wide. In their attempt to crush what they perceive as a small fringe of "radicals," they have disturbed a hornet's nest. You can see it in the response – organizing, demonstrating, and most importantly, action. You can feel it in the elation of the thousands of liberated animals in 2007 alone. You can hear it in the chants, bullhorns and shattered glass.

It's a response that puts joy in my heart – that people care enough to act. Not only on behalf of the animals, but on behalf of those, like the SHAC7 and those who we share prisoner listings with, that can no longer fight. Dedicated direct action reports from places like Mexico, the US and Europe. Seeing photos from SHAC7 banner hangs in Wisconsin, tables in Florida, and even banners at an anti-George Bush rally in Estonia!

It also upsets me that I can't be there to fight side by side with all of you. But unlike the animals we fight for, my time locked up is temporary. And I look forward to the time when I can join you again!

Keep fighting!
Jake"

KEVIN KJONAAS

"FCI Sandstone, MN: 2-18-07

My first night in here was the worst. I was scared, agitated and confused. The small concrete box that was my new home reeked of urine and was cold and uncomfortable. Every little noise around me seemed magnified and echoed abrasively. I heard other unseen people shouting, screaming, and the belligerent demands hurled at me were arresting and unintelligible. Nothing seemed certain. I didn't know what I was supposed to do or what was going to happen to me. I felt no control over my fate and my imagination ran wild that first night. The assured feeling of simple personal safety, that I had so taken for granted, was gone.

That night of November 16th 2006 was one of the worst and most important of my life. It was through that very brief but very real glimpse of personally unparalleled misery and trauma that I rekindled that flicker of empathy for animals. That flame of passion and indignation that had shined so bright had all but burned out through the course of a distracting two-year indictment, a conviction that profoundly crushed my deepest hopes for any justice, a disorienting betrayal by certain co-defendants, and a numbing apathy I kept fueled with alcohol. I was having quite the self-pity party and was not expecting its abrupt end from one loud noise.

After a not-so-gentle nudge into my isolation cell the slamming of a heavy, large metallic door jarred me out of a self-centered slumber. If only for a moment, and that's all it was, I could see what life looks like through the horrified eyes of those primates and beagles Michelle Rokke descriptively wrote about in her diary from inside Huntingdon. For a second I understood that paralyzing panic that grips their small bodies and the nightmarish disbelief over what is happening to them.

In that moment of absolute vulnerability I was no different than any terrified lab animal that is desperate for escape, for the warm embrace of their mothers, or in many circumstances the mercy of death.

Unlike those imprisoned inside of HLS, or any lab, my journey into despair was short-lived, but long enough for me to remember the priority of my principles and that inaction on my part – or any of us – has very real and very painful consequences for those we profess to fight for.

I came into FCI Sandstone three months ago with many ideas about how I was going to serve my sentence and what role I was going to play in the animal rights movement. Like many other letters that have graced these pages, and like my co-defendants, I envisioned myself prolifically writing in a defiant but cheerful tone. Letters that spoke to the comical, but cliché, complaints about prison food (surprise surprise) or peppered with silly pseudo-inspirational quotes from Dickens or whoever. The value in this is staying politically (or personally) relevant and demonstrating to our laboratory opponents and their government allies that our spirit cannot be broken, that prison is of no detrimental value. For me to be authentic though I have to eschew this kind of formulaic script. I hate being here and this does feel like a punishment. For those that know me, or know a little about my personal life, you know I am having a very different prison experience than the rest of my co-defendants. A certain bigotry has made my life . . . well challenging. While I lament this and am forced to confront it whenever it rears its ugly head, it does serve to keep me acutely sensitive to injustice. Instead of an indifference to the loss of liberty, I feel like a sponge for marginalization and oppression. The worse it gets, the more I absorb, and the stronger my determination grows.

While everyday is one exasperated sigh after another, hidden reserves I didn't know I had are deepening with anger that I know will fuel my activism for decades to come. Prison is not supposed to be a fun experience and in a perverse way I'm glad it isn't, because this ensures that I will never forget those tortured lives that brought me down this path, or forgive those who think they are off the hook in my incarcerated absence.

I want to thank everyone who has taken time to write me a letter, buy my doggies some treats, or otherwise demonstrate their solidarity. These were heart-felt expressions I was touched by. Being in prison though shouldn't be the same as being in a popularity contest though and sometimes that's what this feels like, generating lots of "fan-mail." Yeah, sometimes I get bored, depressed and feel bad for myself, but so what. I will survive prison and a six-year absence, but will those beagles survive anything inside of Huntingdon? Will this campaign survive the unconstitutional assault of the new AETA? Will this once liberation based movement survive the lack of imagination and courage of its so-called leaders with the Humane Society or academic ivory towers? Only you hold the affirmative answers to these questions in your actions.

With that in mind I'd like to suggest we re-channel some of the overwhelming suport you've offered me vis-a-vis your correspondence into some different directions. At your next prisoner letter-writing party when it comes time to pen me a little pep talk instead take that 10 or 20 minutes and do something positive for animal rights. The best support I can receive is to know instead of the pen you've picked up the placard in pursuit of a just cause.

Yours,
Kevin

P.S. I am still seeking support for my legal defense fund. This appeal is very expensive, but will be worth every penny if we prevail."

JOSH HARPER

"2-13-07

Dear Friends,

I have been trying to write this letter for a few days now but keep hesitating because I'm almost embarrassed to discuss my prison experience. Reading the dispatches sent out by my co-defendants makes me feel like a giant, soft, oversensitive ball of wussiness! They seem so upbeat and cheerful, and describe yoga classes, and weight lifting. I'm overjoyed for them, but here there are few distractions from incarceration. Since my transfer I've mostly encountered only loneliness, boredom, and plenty of anxiety over Sheridan's idiotic racial politics. I've been robbed, threatened, and spent the last month fearing violence that luckily has failed to materialize.

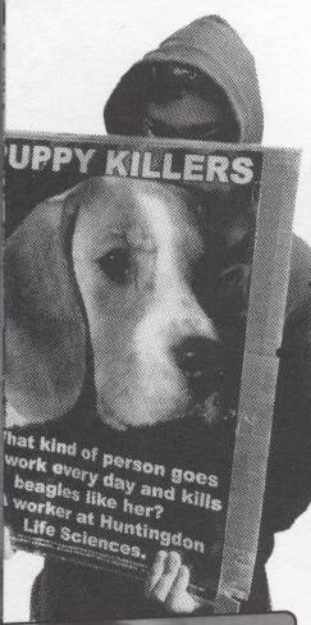
Despite these hardships you may be shocked to read that I wouldn't trade this experience for anything. Don't misunderstand me, I want to leave this place with all my heart, but whereas so many people are dead inside I'm happy to be feeling the full spectrum of emotion. Countless humans crawl through life, never taking risks for fear their comfort might be interrupted. Consequently they never really live at all.

If I had never stood up to Huntingdon Life Sciences I would have escaped prison, but I never would have known the joy of fighting alongside my wonderful comrades. I would have missed the thrill of victory over multi-national corporations. Worst of all, I never would have found the dignity that came from staring the rich and powerful right in the eyes and saying, "I am not afraid of you and if you don't divest from H.L.S. we're going to have some serious problems." (Note to Federal Prosecutors: those weren't my exact words…) Anyhow, I would not exchange one second of these highs to avoid the lows that have followed.

So please know that as difficult as prison can be, even the worst of it is better than a life of cowardice. Forget your fears, forget your lust for comfort. Instead remember your love for life, freedom, wilderness and animal liberation. Consequences be damned! The blows hammered down on us by the government will hurt, but they can either break us or forge us into a stronger weapon. I've chosen the latter.

Never stop!

Josh"



THE SHAC 7 AND ME

BY JOSH HARPER
SHAC7 DEFENDANT



Josh is from the Pacific Northwest. He is a former drama school student who now runs his own video production company. Josh has made featurettes on animal and earth protection issues, is a vocal supporter of anti-war efforts, and speaks at universities across the country about current political topics.

Steve Best recently wrote an article detailing a series of epiphanies he had on his path to become vegan. It got me thinking about the small moments in time when the obfuscation of the media disappears, our own bias melts away, and suddenly we can see with absolute clarity the previously shrouded injustice that exists right before our eyes.

A simple trip to the store ten years ago changed my life forever. I had just turned vegan and although I had seen videos and photos of animal abuse I had not yet recognized the totality of violence endured by our fellow creatures. That was all about to change though as I wound my way through the aisles of my local super market. I was headed to the "nutrition center," a tiny alcove in the back of the store that carried soy milk, tofu, and other staples of my new diet. I had just come from my job at a local parking garage, and was pre-occupied with the frustrations of working in a glass booth all day. Suddenly it occurred to me that I was heading down the wrong aisle. I looked up and realized that I was near the meat case. My eyes locked on a cellophaned package of hamburger meat, but my brain registered something else. A dead cow, mutilated, shredded. I imagined her pushed through the doors of the slaughter house, hoisted up by one ankle, and rotated through the horror of the abattoir. I looked away, not wanting to view this atrocity exhibit, but my eyes swept across leather coats, children eagerly clutching ice cream, racks of animal-tested cosmetics. All of these things had fallen under my gaze in the past, but for some reason I now saw them clearly. They were each a stolen part of someone else's life and body. A piece of their flesh torn away from them, a life in a cage, an existence spent without sunlight or fresh air or companionship. My fellow shoppers just plodded right on past me, sleepwalking through the nighmare I had just woken into.

In the ten years since then I have tried a number of different tactics to wake people up to the horrible reality of animal slavery. Each and every day all across the globe animals are subjected to the worst of humiliations and tortures, and our entire civilization is built upon their suffering. The animal nations deserve advocates who not only tell the world about this ongoing holocaust, but who also physically attack the anthropocentric system when they are able. I have traveled all over the country agitating for animals and have spoken to thousands of people. Speciesism runs deep, so my words are controversial, but as an American citizen I have a constitutionally guaranteed right to freedom of speech. At least, that's what I had always been told. On May 26th of last year I was arrested on a federal indictment for terrorism charges. My crime? Speaking and writing about my opinions. Welcome to my new waking nightmare…

Some of us are facing as much as 25 years in prison, and yet we have not bombed nor beaten anyone. What we have done is stand strong in the face of government repression and fight for animals lives.

It is difficult to describe what it is like to be facing charges for "conspiracy to commit animal enterprises terrorism." Sure, I was aware of the existence of the Department of Homeland Security before they knocked on my door. I knew all about the FBI and had previous dealings with them that told me with absolute certainty they exist mostly as a private security force for the rich. I have read extensively about the powers U.S. corporations have to see their will carried out in the court rooms. But reading about these things did not prepare me for seeing my image on a television screen alongside the words, "accused terrorist.". I had no idea what it was like to walk down the hall to my apartment and have my neighbors peak from behind their blinds, scared of the "extremist" living in their midst.

Being labeled a terrorist by our government was surreal enough, but as I began to see the "evidence" in the case the idea that anyone has been terrorized became more and more absurd. The FBI had used my mailman to write down all return addresses for items shipped to my home. They had attempted to get one of my room mates to spy on me, and had successfully convinced a longtime activist and friend of mine to spend three years giving them detailed reports on my day to day life. My e-mail and phone conversations had been monitored, my home had been broken into, my personal belongings had been stolen, and after all of this time and effort the government had only one "illegal" action they could pin on me; a speech I had made at the University of Washington. An agent in the audience was wired and had recorded me explaining how to send black sheets of paper to companies supporting Huntingdon Life Sciences. No proof exists that I have ever sent these so-called "black faxes" myself, or that anyone who heard me speak that night sent black faxes, but U.S. Attorney Charles McKenna feels that my words alone make me more of a terrorist than the FBI agents who barged into my home and held guns to my room mates heads. It's laughable really, because who runs frightened from black sheets of paper being printed by a fax machine? Apparently just the cry-baby, freedom hating, animal killing scum bags who give HLS their business.

Many of you have heard by now about the SHAC 7 trial. For a moment I want you to forget about the "SHAC 7" and instead think of John McGee, Darius Fulmer, Jake Conroy, Lauren Gazzola, Andy Stepanian, Kevin Jonas, and myself. Each of us are like you; activists trying to make the world a better place with what few means we have at our disposal. We are being tried for our words and our thoughts, for articles, speaking engagements, and postings on websites. Some of us are facing as much as 25 years in prison, and yet we have not bombed nor beaten anyone. What we have done is stand strong in the face of government repression and fight for animals lives. We have struggled alongside many of you and given our most for this movement. Now it is time to stand with us or potentially fall with us. The government certainly sees things that way, federal agents have been visiting a range of activists lately, from mainstream groups like PeTA to individual activists who have never done anything other than write polite letters to animal abusers. If they win this case it is only a matter of time before others among us face felonies for believing that animals have rights.

Trial is approaching fast, and we need your support. Please, hold a benefit in your town for the SHAC 7, print leaflets from the www.shac7.com site and raise awareness of the case. If you are able, please try to make it to New Jersey to show your support during the trial. Or show your support in the manner my co-defendants and I would most like to see- continue attacking the machinery of speciesism and government repression so that we can destroy these parallel nightmares once and for all. BB

KEEP UP AT: SHAC7.com



Ask an EF! Lawyer

He's Working on *Your* Side!

BY STU SUGARMAN

Dear EF! Lawyer,

I just read Lenny's and Andrea Lindsay's stories on the SHAC 7 in the Journal's *last issue (July-August, pages 2, 12-13). Do you think these charges will stick?*

—STOP HUNTINGDON ANIMAL CRUELTY NOW!, NEW JERSEY

Dear Stop Huntingdon,

On May 26, armed FBI agents launched unannounced pre-dawn raids across the country, ultimately arresting seven Stop Huntingdon Animal Cruelty USA (SHAC USA) activists, including SHAC USA's president and campaign coordinator. The Bush administration charged the SHAC 7 and SHAC USA, a non profit organization, with felony Animal Enterprise Terrorism Act (AETA) offenses and conspiracy to commit AETA felonies.

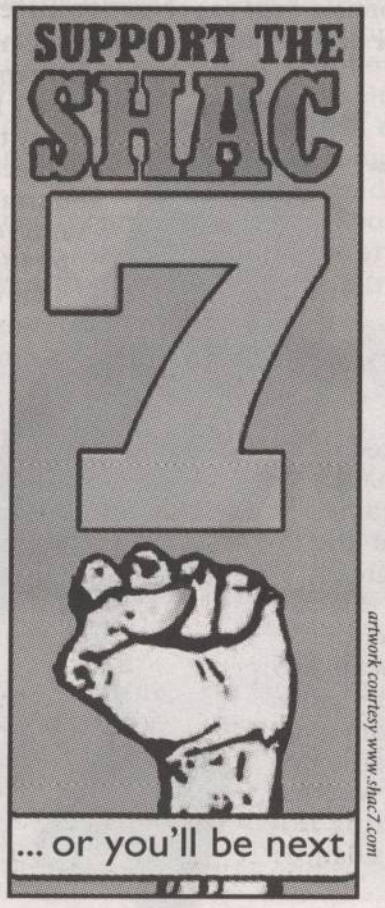
The government also charged three of the SHAC 7 with three counts each of aiding and abetting interstate stalking. The charges carry a maximum penalty of three years prison for the AETA counts and statutory maximums of five years in prison for each of the interstate stalking counts. Fines could total $250,000 for each count per person. I regret I do not have the space for a complete discussion of all the charges, but I've written some thoughts below.

To prove its case that any of these defendants committed animal enterprise terrorism under AETA, the government must prove (to paraphrase the statute) three elements: (1) the person knowingly traveled between states, or used mail or the Internet across state lines; (2) for the purpose of physically disrupting the functioning of an animal enterprise; and (3) intentionally damaged or caused the loss of any property used by the animal enterprise, or conspired (agreed with others) to do so.

On element one, it seems that the government cannot prove that any of the defendants traveled or used the Internet in any way relevant to these charges. The government, in its charges, does not describe who posted what message. I think that the government omitted this information because it does not know who did what.

Without being able to prove who posted what messages, the government should get nowhere at trial. This truth raises the possibility that the government expects the pressure of a criminal prosecution will cause at least one of the SHAC 7 to "get on the bus" as prosecutors say, and rat on the other six—possibly by making up a story where all seven did not violate these statutes. It is more likely, though, that this will end up being another case of "nobody talks, everybody walks."

On elements two and three, the government also must prove that the posting itself was intended to cause, and did cause, the physical disruption of Huntingdon Life Sciences (HLS), Chiron or other corporations qualifying as "animal enterprises." A person who posts the home address of an HLS executive does not necessarily intend to, and cannot possibly succeed in, physically disrupting HLS because HLS is not the target. The same is true for a person who posts information about the many evils of HLS and Chiron because this information is constitutionally protected—there is nothing a jury would find criminal about it. Even the statements urging the destruction of HLS property are protected speech because of the remoteness of the speech in time and place to the target and the receiver. Under *Texas v. Johnson*, a US Supreme Court ruling, the government must show that the speech was directed at inciting or producing immediate lawless action and that the speech is likely to incite or produce such action.



artwork courtesy www.shac7.com

In almost all cases, according to the government, posts urging people to damage HLS property occurred weeks or months before any destruction occurred. Thus, any connection between the post and the action is speculative and likely to be coincidental. Even in the single case where damage supposedly occurred hours after such a posting, that damage is still not considered "immediate." Additionally, while the post urging people to destroy HLS property may have been created by the person who ultimately destroyed the property, SHAC USA and the SHAC 7 would have played no role at all in the destruction.

John Ashcroft's recent prosecution against Greenpeace crashed and burned (see *EF!J* July-August 2004), and it looks like his SHAC attack is headed in the same direction. Please support SHAC USA and the SHAC 7, and show that you stand beside them in their fight against animal cruelty. If any of us are to succeed, we must support each other!

Do you have a legal question? Contact Stuart A. Sugarman, LLC, 3430 SE Belmont #101, Portland, OR 97214; blc@hevanet.com. Please write "Dear EF! Lawyer" on the subject line.



Six of the U.S. goverment's biggest domestic threats are heading to prison for years, and they need your support!

SHAC7.com



the SHAC 7 | JAKE | DARIUS | LAUREN | JOSH | KEVIN | ANDY

SHOW YOUR SUPPORT!

SHAC7.com

The SHAC 7 are six individuals--Jake Conroy, Lauren Gazzola, Kevin Kjonaas, Josh Harper, Andy Stepanian, and Darius Fulmer--and the organization Stop Huntingdon Animal Cruelty USA Inc. On March 2nd, they were found guilty in federal court of multiple charges related to their alleged involvement in the campaign against Huntingdon Life Sciences. None of the defendants are accused of engaging in any illegal conduct themselves.

Visit SHAC7.com to find out how you can help the defedants, get updates, learn more about the case, write letters and most importantly, don't stop fighting for the animals!