



MOVE OVER AL QAEDA! ANIMAL LOVERS TOP FBI MOST WANTED

ACTION • EDUCATION • ANIMAL DISASTER AID NETWORK
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by Brenda Shoss

Residents probably thought a homicidal maniac lurked along tree-lined streets of their neighborhood on May 26, 2004. As they rose to eat harried breakfasts and tackle the morning commute, U.S. Air Marshals circled overhead in a noisy helicopter. At 6:00 a.m. 15 gun-toting FBI agents and assorted Secret Service personnel raided the home of Kevin Kjonaas, 26, Lauren Gazzola, 25, and Jacob Conroy, 28.

Their crime? Operating a website that reports civil disobedience, laboratory animal rescue, vandalism and similar tactics of other animal rights activists. Kjonaas, Gazzola, Conroy, Darius Fullmer, Andrew Stepanian, and Joshua Harper — all linked with the nonprofit organization Stop Huntingdon Animal Cruelty (SHAC-USA) — are not accused of these crimes. They were arrested on “animal enterprise terrorism” charges for ties to a website that “conspires” to close Huntingdon Life Sciences, an animal testing laboratory cited for research fraud and hundreds of animal welfare violations.

“This case is about First Amendment practices in the 21st century [and] the freedom to use websites to speak for any cause,” attorney Andrew Erba told Star-Ledger reporters. Kjonaas is a University of Minnesota graduate who started an Amnesty International chapter and volunteered at nursing homes before becoming a full-time advocate for animal. He and the others hardly typify the terrorist profile.

Conspiracy to terrorize Huntingdon, a London-based company with a lab in New Jersey, carries a maximum three-year jail term and \$250,000 fine. The activists also face a five-year jail sentence and \$250,000 fine, per count, for conspiracy to engage in interstate stalking plus three more counts of interstate stalking.

That’s a lot of zeros for breaking a little known law enacted to shield animal-use corpo-



rations from protesters. The **Animal Enterprise Terrorism Act of 1992** authorizes the Attorney General and Secretary of Agriculture to conduct a tax-funded study on domestic terrorism impacts “on enterprises using animals for food or fiber production, agriculture, research, or testing.”

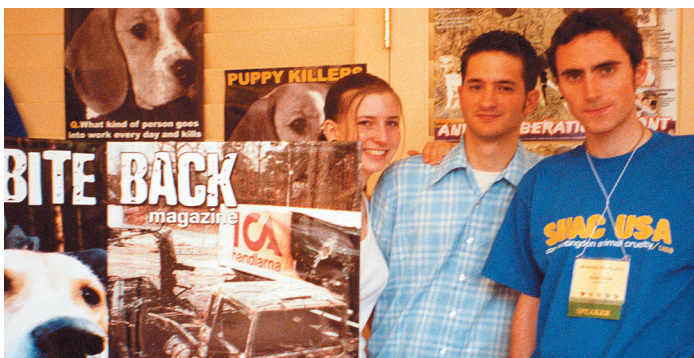
Ahhhh. That’s Osama’s sigh of relief as America’s “War on Terrorism” turns from bomb-wielding Islamic extremists to grassroots eco-activists.

Even right-wing fanatics vie for the Justice Department’s attention, Paul Krugman asserts in a New York Times op-ed piece. Attorney General John Ashcroft apparently withheld details about a white supremacist in Texas armed with 60 pipe bombs and a cyanide bomb. Yet in early June, Krugman notes, an FBI rep asked an industry group to help suppress “the leading domestic terrorist threat: ecological and animal rights extremists.”

The Bush regime can’t “smoke out” terrorists overseas. So it exhausts resources on a National Task Force to hunt down animal rights activists at home. “The rounding up of [SHAC-USA] activists should set off alarms heard by every social movement in the United States: This ‘war’ is about protecting corporate and political interests under the guise of fighting terrorism,” writes freelance reporter Will Potter, *Protest Torture of Animals; Get Arrested as a Terrorist*.

In June, Rep. George Nethercutt, R-Wash., proposed the “Ecoterrorism Act of 2004” to install criminal penalties for “destructive conduct intended to injure, intimidate or interfere with plant or animal enterprises.” This bill guards livestock from “tampering ecoterrorists.”

With the June screening of more American cows thought to harbor BSE infection, tampering ecoterrorists might find it hard to compete with the growing threat of mad cow disease. Never mind that. Over the May 15-16 weekend, your tax dollars apprehended animal rights activists trying to stage a picnic at an Orange County, CA park for Liberation Weekend. The picnic didn’t go down, but thanks to the counterterrorism efforts of the FBI and Costa Mesa Police, several teenagers were busted for failure to wear their seatbelts.



Both aboveboard and underground activists can no longer count on their First Amendment privilege to free speech, Fourth Amendment buffer from unlawful search and seizure, and Sixth Amendment assurance of a speedy and public trial. Under Bush's Patriot Act, the government is empowered to:

- Acquire the titles of books that suspects buy or borrow from bookstores and libraries.
- Wage "sneak-and-peak" searches at the home or workplace of anyone affiliated with a religious or political body, with no requirement to demonstrate probable cause.
- Obtain user records from Internet providers without a court order or subpoena and observe Internet searches, email exchanges, and chat room dialogue. Expand wire-tapping of phone calls.
- Attain an individual's medical, financial and educational history.
- Spy on discourse between attorneys and clients in federal custody.
- Detain foreigners for an indeterminate period.

According to the Patriot Act, domestic terrorism includes "intimidation" and "coercion" used to influence the government or civilians. "Indeed, nearly any protest group can fit the definition of terrorists," argues Dr. Steven Best, associate professor/chair of philosophy at the University of Texas-El Paso. "Protests often are intimidating and their entire point is to 'influence' policy."

In historical terms, the decades-old animal rights movement is not particularly outstanding. It is "no more controversial than the lunch counter sit-ins of the civil rights era, the union pickets for fair wages, the agitation of the suffragettes, and the dissidence of Henry David Thoreau, Harriet Tubman, John Brown, and the celebrators of the Boston Tea Party," SHAC-USA maintains.

Some politicians agree. In response to a May 18, 2004 Senate Judicial Committee hearing, *Animal Rights: Activism vs. Criminality*, Senator Patrick Leahy stated: "Most Americans do not consider the harassment of animal testing facilities to be terrorism, any more than they consider anti-globalization protesters or anti-war protesters or women's health activists to be terrorists. I think most would rather that we address more urgent concerns that really do pose a threat to this country and to the world."

In fact, the government's most wanted ecoterrorists — the Earth Liberation Front (ELF), the Animal Liberation Front (ALF) and SHAC-USA — have never caused human death or injury in the U.S.

Huntingdon Life Sciences (HLS), on the other hand, flaunts multiple breaches of the U.S. Animal Welfare Act, the arrest of workers on animal cruelty charges, more than 520 infringements of Good Laboratory Practice in England, and a \$50,000 payoff to the U.S. Agriculture Department for misstated records and animal welfare violations. As many as 500 dogs, cats, rabbits, mice or chimpanzees die each day for tests "only reliable 5-25% of the time," one HLS record claims. Documentation from six investigations exposes inept HLS technicians who shove naso-gastric tubes into dogs' lungs, causing instant death as animals drown in toxins. Animals seen dangling from slings or

covering in cages are left to seize, vomit and collapse with no veterinary care. In one video clip a tech grabs a beagle by the the loose skin over his neck. As the puppy's legs frantically peddle air, the man punches the dog in the face. During a supposedly post-mortem dissection,

another tech slices into the chest of a convulsing monkey.

Still, HLS enjoys unlimited immunity while its adversaries fight increasing repression. On May 29, 2004, Philadelphia activists holding a legal demonstration outside the home of the president of Johnson Matthey Pharmaceuticals, an HLS customer, were arrested and handcuffed to a wall for eight hours at state police barracks. The 11 activists, including two minors restrained in leg shackles, were charged with criminal conspiracy, harassment, disorderly conduct, and corruption of a minor.

"In our Orwellian culture where truth is falsehood and falsehood is truth, documenting animals tortured is terrorism, but beating and killing animals in unspeakably vicious ways is not," Dr. Best writes in *Neo-McCarthyism, the Patriot Act, and the New Surveillance Culture*. The vast majority of animal rights advocates do not commit vandalism to bring attention to animal suffering. But even if they did, there are already property damage laws with penalties proportionate to the crime.

More often, activists like Kim Berardi are jailed for contempt when they refuse to divulge information about other activists or state their political philosophy. Berardi, subpoenaed to appear before a federal grand jury in Seattle on July 1, was sent to the Sea-Tac Federal Detention Center on charges federal agents decline to explain.

Activists who fight on *any* front ought to support fellow activists and challenge the government's grip on fundamental liberties.

SHAC 7 IMPRISONED

After criminalizing formerly legal methods of protest, a judge issued prison sentences in federal court (2006):

- Kevin Kjonas: 72 months
- Jacob Conroy: 48 months
- Darius Fullmer: 12 months, 1 day
- Lauren Gazzola: 52 months
- Andrew Stepanian: 36 months
- Joshua Harper: 36 months

The court ordered all (penniless) defendants to pay \$1,000,001 in restitution. Each defendant received 3 years of supervised release after prison, (with conditions they not violate any laws) and be subjected to government computer monitoring.

- SHAC-USA APPEALS, UPDATES, PRISON SUPPORT: <http://shac7.com>
- The SHAC 7, Animal Enterprise Terrorism Act, and the Future of the Green Scare, by Will Potter: greenisthenewred.com/blog/2006/08/15/ar2006-plenary

The Animal Enterprise Terrorism Act Of 2006 (AETA)

expands Animal Enterprise Protection Act 1992 and Animal Enterprise Terrorism Act 2002 with disproportionate penalties for "an offense involving a **nonviolent physical obstruction of an animal enterprise**... that may result in loss of profits but does not result in bodily injury..." For example: Boycotts, civil disobedience, undercover investigations...that lead to an animal industry's loss of \$10,000 in revenues can be punished by steep fines, jail time...and label activists "terrorists."



SHAC-USA Updates + Prison Support:
<http://shac7.com>

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