

# Justin Solondz Torches a Movement

## An infamous UW arson and the environmental movement it blew up.

By Nina Shapiro

published: June 20, 2012



Solondz.

Kevin P. Casey



Briana Waters at her 2008 trial.

**One day last July**, FBI agent Ted Halla flew to Beijing to meet a man who had eluded authorities for a decade. In person, Justin Solondz wasn't what Halla was expecting. Wearing khakis and a black shirt, the 31-year-old fugitive was smaller and leaner than he'd imagined. Solondz's light-brown hair—which once hung to his shoulders, and which, with his beard and handsome face, conspired to make him appear Jesus-like—now took the form of a buzz cut.

He spoke Chinese—badly in Solondz's view, impressively in Halla's. When he spoke English, he did so with a thick accent that to the agent's ears sounded British, even though he knew his fugitive had grown up on America's East Coast.

Perhaps most surprising was Solondz's demeanor. "Of all the people I've ever arrested, I've probably never been greeted as warmly," says Halla.

Solondz, it seemed, was ready to move on with his life. And no wonder. He had spent the previous two years in a Chinese prison where, according to a court memo submitted by his lawyer, he was sometimes chained inside a glass-enclosed cell and fed only when he met his daily quota of shelled peas.

While being transferred into U.S. custody may have come as a relief, it also came at the cost of being held accountable for one of the most notorious crimes in Pacific Northwest history. In 2001, Solondz and four other environmental activists set fire to the University of Washington's Center for Urban Horticulture as a protest against genetic engineering.

The targeting of an esteemed academic institution—carried out on the same day as a related arson at an Oregon tree farm—made national news. It propelled a major law-enforcement effort to catch the saboteurs, dubbed "Operation Backfire," and a fierce debate about the meaning of terrorism. Authorities labeled the

Larry Davis/ZUMA Press/Newscom



FBI agents sift through the charred remains of the University of Washington's Center for Urban Horticulture in Seattle.

Courtesy of Toby Bradshaw



Only after the UW arson has Bradshaw actually engaged in genetic engineering.

arsonists terrorists, a term the press turned into the catchier "eco-terrorists," while activists warned of a "green scare" and argued that property crimes did not constitute terrorism—an argument that had particular resonance after 9/11.

Now that the feds had Solondz, the last of the UW arsonists still free, the case could finally close. He had already been fingered by his former cohorts, including an ex-girlfriend, Briana Waters, who'd promised to cooperate with Solondz's prosecution as part of a plea deal. In March, after accepting his own plea bargain, Solondz received a seven-year prison sentence. On June 22, Waters will learn her own fate at a scheduled sentencing.

On websites devoted to radical activism, Waters is now labeled a "snitch" and Solondz a "political prisoner." Yet one of the most stinging indictments of their fiery political statement can be found in Solondz's own legal papers. The crime was "stunning" in its "political tone-deafness," reads his sentencing memorandum. "The actual goal of making a notable public statement in favor of the environment morphed into the polar-

opposite consequence of completely discrediting the local activist fringes of the environmental movement."

Indeed, the underground cell to which Solondz belonged—affiliated with both the Earth and Animal Liberation fronts—intended the blazing double whammy to be an inspiration for a groundswell of similar so-called "direct actions." Instead, the fire marked the beginning of the underground movement's downfall.

**Growing up** in New Jersey, Solondz was an arty and athletic honors student, with what one old school friend called in court documents an "effortless popularity and social grace." Accepted into such prestigious institutions as the University of Chicago and the Rhode Island School of Design, Solondz ultimately chose to attend Evergreen State College in Olympia, then as now famous for its freewheeling curriculum and activist-minded student body.

According to Kim Marks, a fellow student, Solondz seemed to thrive in his new home. "He had a passion for life, just a lot of positive energy," says Marks, who now runs an eco-friendly sex shop in Portland. One time, she remembers, Solondz decided he wanted to learn how to can food, starting with applesauce, so he went door to door asking for the fruit. "He ended up with a wheelbarrow full of apples," she says. "He didn't just make a little applesauce. He made a lot of applesauce."

Solondz's passion soon found a home in Olympia's activist community, to which Marks also belonged. It was only a few years after the passage of controversial legislation that allowed

timber sales in areas previously off-limits. Environmentalists were incensed. "There was completely lawless logging happening in the Northwest," says Marks, who claims loggers were deliberately setting fire to forests so the trees could be declared "salvage."

That perceived travesty, and the overall call to save what remained of old-growth forests, turned the Northwest into a mecca for young activists. Marks moved up from California when she was 18, living first in Eugene. Leslie Pickering, who later became a press officer for the Earth Liberation Front, also left California for Oregon as a teen, and found a lot of like-minded people when he arrived. Anti-logging blockades and tree-sits were so common, he says, that "you could pick and choose between a half-dozen protests an hour's drive from Portland."

While not quite as intense as in neighboring Oregon, forest battles were heating up in Washington too. Marks says an Olympia-based group known as the Cascadia Defense Network began holding protests, focusing on logging in the nearby Gifford Pinchot National Forest. Solondz joined the group, as did Waters.

Solondz and Waters, four years his senior, had become a striking and seemingly well-matched couple. She had flowing blond hair, and like him was arty and an East Coast transplant. Hailing from the Philadelphia suburbs, she played the violin, studied film, and was a passionate idealist.

Jim Dawson, Solondz's onetime roommate at Evergreen and now campaign director for the liberal activist group Fuse, recalls spending hours talking with his friend about "how to create social change." Together they worked on what Dawson says were successful campaigns to start composting and recycling programs at Evergreen, while Waters participated in campus animal-rights and environmental groups for which she held vegan potlucks.

In 1999, when Waters was a senior, the Network decided to hold a tree-sit on Watch Mountain, located outside the tiny Lewis County town of Randle. Thick with towering Douglas firs, the scenic area was due to be turned over to Plum Creek Timber in a land exchange with the U.S. Forest Service. The activists intended to stop the deal.

Not just participants, Solondz and Waters also filmed the entire half-year protest, which Waters eventually turned into a documentary and senior project. The film, *Watch*, captures the dozen or so young tree-sitters hoisting plywood platforms up among the branches. More remarkably, it also chronicles the protest's growing support among townsfolk, many of whom were from logging families.

"We don't want your kind of business here any more," one resident intoned at a town meeting captured on tape. The forests around Randle had already been heavily logged, leaving clear-cut eyesores, and some blamed Plum Creek for landslides on other parcels of land where it had worked.

The cultivation of townsfolk was deliberate. Marks recalls how she and other activists set out an information table in front of the local grocery store, knocked on doors to explain their cause, and volunteered at the town food bank to generate goodwill. Local residents responded by bringing food and firewood to the tree-sitters. According to Marks, one church even donated a pew for the activists to sit on when they weren't in the trees.

"This was a unique and unprecedented effort," says Dave Werntz, science and conservation director for prominent environmental organization Conservation Northwest. It marked the first time, he says, that environmental activists had been able to ally themselves with a blue-collar community. More significant, "it did ultimately lead to the end of old-growth logging in Washington state."

Having lost the PR war, Plum Creek negotiated a settlement, agreeing to take Watch Mountain out of the deal. It was November and a foot of snow had fallen, along with some trees. Speaking directly to Waters' camera, Solondz said it seemed as if nature was "reclaiming the land." He added, "I felt really good that we had helped that right to continue."

The mainstream environmental community applauded. In fact, inspired by the success, Werntz says, environmentalists took its spirit of collaboration one step further and made a surprising discovery when they began negotiating directly with timber companies. "The timber industry was saying we don't want old growth any more. We've already retooled," says Werntz. Having logged most of the region's old growth, companies had put equipment in their mills suitable for cutting younger, thinner trees.

But if Randle was a victory, it soon lost its shine. "The tragedy is that that history is now tainted by the reckless behavior of some of the folks involved," says Werntz. "Somehow these guys got off-track and missed the relevance of one of the most important things that's happened in the environmental movement." Instead of pursuing the kind of collaboration that won the day, he says, Solondz and Waters "did exactly the opposite: vigilantism."

To Marks, though, the takeaway was very different. The timber companies "didn't come to the table willingly . . . what worked was leverage." The activists, not all love and music, had also put further pressure on Plum Creek by occupying their Seattle offices and shouting "Whatever it takes!"

Solondz and Waters apparently thought it was going to take a lot more.

**As it happened**, the Watch Mountain tree village was dismantled one day before one of the most galvanizing events in local activist history: the World Trade Organization protests in Seattle. Many of the tree-sitters drove up to participate peaceably, including Solondz and Waters, while other activists staged a more destructive protest. The common perception was that the perpetrators were anarchists, many hailing from Eugene. Some were. But they also were part of a growing underground movement that, in the words of a communiqué written soon after, "strategically and specifically" engaged in "direct action against corporate interests."

Those "direct actions" had been going on for years. In 1995, underground activists firebombed a Eugene ice-cream producer called Dutch Girl Dairy. The facility saw its trucks spray-painted with the slogans "ALF," "Go Vegan," and "Dairy = Death." A year later, arson destroyed a U.S. Forest Service station in Detroit, Ore., about 100 miles northeast of Eugene. The arsonists left spray-painted messages there too: "Earth Liberation Front" and "Stop Raping Our Forests."

"That was the first time in U.S. history that you see arson attributed to the ELF," says Agent

Halla, who worked on Operation Backfire from the FBI's Seattle office. "Prior to that, the ELF was only in Europe."

In 1998, two simultaneous arsons in Olympia, a precursor to the double whammy at UW and the Oregon tree farm, also made U.S. history. Fires at the federal Forest Land Management Center and an Animal Damage Control facility were the first for which the ALF and ELF issued a joint statement. "This war on wildlife and nature must end!" it read.

The perpetrators were a fluid group. Authorities say its members called themselves "the Family," but in court testimony they themselves rarely mention this, using nicknames like "Crazy Dan," "Capitol Hill Girl," and "Country Boy."

Some had met at another big logging protest at Oregon's Warner Creek, where activists blockaded a logging road throughout the winter of 1995 and well into the following year. Others came together during the WTO protests. Still others joined later, introduced to the group by a friend or lover. Eugene Police Detective Greg Harvey, a key player in Operation Backfire, says that among his colleagues "a lot of people realized how far love will go."

Yet the group defied generalization, both in who belonged and why they had joined. "There was no pattern," Harvey says. "That was the amazing thing." One member, Jake Ferguson, was homeless for a time and living "out of a dumpster," Harvey says. Another, Jonathan Paul, brother of *Baywatch* star Alexandra Paul, had lots of money at his disposal. Jennifer Kolar—who had dated Paul and, later, another alleged cell member who worked as a Microsoft programmer—held a master's in astrophysics, was a high-tech executive in Seattle, and raced yachts for fun.

Not much is known about exactly how Solondz and Waters hooked up with "the Family," a cell of roughly 20 members. But a leading figure lived right in their backyard. William Rodgers, also known as "Avalon," was an Olympia resident. Charismatic and a decade older than most other participants, Harvey says, he was considered an "upper statesman." He had participated in the Warner Creek blockade and the WTO vandalism, and had written several manuals for would-be saboteurs that had become Internet classics, including *Setting Fires with Electrical Timers: An Earth Liberation Front Guide*.

Rodgers recruited a number of the cell's members. And in April 2001, according to government documents and Solondz's and Waters' own concise accounts in their plea agreements, he asked both if they would take part in an arson. She was 25. He was 21.

They had known Rodgers at least a year, according to their plea agreements. But if they had been members of Rodgers' cell prior to that day in April, they had been marginal ones. Neither had attended any of the five so-called "book-club" meetings at which the cell had made plans—secret affairs in five different states, one devoted to making firebombs, another to e-mail encryption methods.

Solondz, though, may have participated in one prior action. Another member, testifying in Waters' 2008 trial under the terms of a plea bargain, said she, Solondz, and six to eight others had sneaked onto a Monsanto farm in eastern Washington in August 2000. Wearing only black, the group accidentally vandalized a barley field before destroying their intended target: five acres of genetically engineered canola plants, which they pulled out of the ground like

weeds.

The near-mistake was telling. For all their proficiency with methods of sabotage—and Halla says what distinguished the cell was how good they became at arson—the activists could sometimes be clueless about who and what they were targeting. This flaw was never more apparent than when Solondz and Waters carried out their most significant act of destruction.

**Genetic engineering** didn't register as a burning concern for everyone in the cell. But according to Kolar, the high-tech executive, a couple of people pushed it. "This group as a whole had agreed on trying to pick a single topic to focus on that we thought might be winnable, and genetic engineering was decided to be that topic," she said while testifying at Waters' trial as part of her plea bargain. "There was a fair amount of public sympathy against it."

What the group needed next was a target. Kolar went on to describe how she was approached by a member of the cell early in 2001 with an idea for an action at UW. He took her on a bike ride to the Center for Urban Horticulture. "He didn't have a whole lot of information at the time," Kolar recalled. "He mentioned Bradshaw was a researcher there doing genetic engineering."

That would be Toby Bradshaw, a plant biologist whose name had also come up during one of the cell's book-club meetings. But the evolving plot against him was apparently discussed by only a few people. Lacey Phillabaum, another cell member who at one point had edited the *Earth First! Journal* in Eugene, testified that she was approached on a Thursday in May, just 10 days before the arson, with an invitation to participate, and was initially not given any details other than that she would be driving north.

Phillabaum headed to Olympia that weekend with other cell members in a drive soundtracked by the alternative group Elastica. At a Denny's, she testified, she met the four others involved in the arson: Rodgers, Kolar, Waters, and Solondz.

Phillabaum said they stayed at Waters' house, where details of the plan began to take shape. In a garage that had been turned into a "clean room," with plastic draped over the walls to keep them clear of fingerprints, Solondz told them about the new and improved firebombs he had designed, which used dumpster-dived water bladders to hold the devices rather than the less-portable buckets used by previous arsonists. Later that weekend, Kolar, who had just taken a class at Seattle Stained Glass, told the group how she intended to score a window of Bradshaw's office with a technique that would keep the glass from shattering.

The crew returned to Olympia the following weekend. Phillabaum testified that at one point she and Waters went into the clean room, ostensibly to finish building the firebombs. "My feeling was that it was a method of getting our hands dirty so that we were as implicated as other people were in the crime," she said. To Phillabaum, the devices looked like alarm clocks with wires sticking out of them, nestled in "sandwich-sized" Tupperware containers which held the fuel.

Late that Sunday night, Phillabaum, Rodgers, Waters, and Solondz drove to Seattle. Meeting



Kolar, their first stop was the Greenlake Bar & Grill, where they tried to establish an alibi. Then they headed for campus, parking on a dead-end street near the Center for Urban Horticulture.

Solondz, according to his plea agreement, stayed with the car. Waters, according to hers, also stayed behind in the bushes to serve as a lookout. The other three crew members walked down a grassy slope to the building, where Kolar went to work on Bradshaw's office window, which, despite her plan, ended up shattering.

After the firebombs were set, the crew hurried back into the car, which Solondz soon scraped against another that was double-parked on a residential street. "There was panic," Phillabaum recalled. They pulled over. For a few short minutes, everyone listened to their plan unfolding on a radio scanner. They heard a firefighter talk about how he was on the roof above the fire. Being a science building, he was worried there might be chemicals down below. "It was terrifying to hear him in this dangerous situation," Phillabaum later recalled. Rodgers, on the other hand, "seemed excited."

With Rodgers now behind the wheel, the crew dropped off Kolar and stopped at a park, where they waited until rush hour so that they could blend in with traffic for the drive back to Olympia. Phillabaum said she eventually ended up in a rented cabin in the woods, where she met the cell members who had carried out the twin arson at the Oregon tree farm. After a couple of hours of sleep, they sat down and crafted a note, their explanation to the world of why they thought the deliberately set blaze had been necessary.

"Bradshaw . . . continues to unleash mutant genes into the environment that is [sic] certain to cause irreversible harm to forest ecosystems . . . As long as universities continue to pursue this reckless 'science,' they run the risk of suffering severe losses. Our message remains clear, we are determined to stop genetic engineering."

**Bradshaw got a call** at 6 a.m. Monday from a colleague who told him the horticulture center was on fire. By the time he arrived, however, the "towering inferno" that authorities later described in court briefs was gone, thanks to hours of work on the part of firefighters.

The damage, eventually estimated at \$6 million, was extensive. A library of rare horticultural manuscripts dating back to the 16th century had been ravaged. A variety of researchers lost work, including, according to Bradshaw, a colleague's slides of Mt. St. Helens after the 1980 volcanic eruption.

In contrast, Bradshaw, a blunt and irascible 55-year-old, says the fire "had no affect at all on my research. Zero." The poplar trees Bradshaw was growing and studying weren't in the building, and he'd backed up all his data on tapes. His losses amounted to a few books and papers, even though, as his blown-out office window revealed, "It was pretty clear I was the target."

It was also pretty clear that the arsonists had made a big mistake. It was true, as his detractors liked to point out, that Bradshaw got a lot of his funding from timber companies. And those timber companies were interested in his research in part because they potentially could have used the results to genetically engineer new kinds of trees. But, as the press immediately

announced, contrary to what the activists believed, Bradshaw was not in fact doing genetic engineering. He was instead growing hybrid poplars using traditional cross-breeding methods.

At the time, he was, in his words, a "basic researcher" who simply wanted to understand how plants work. Which isn't to say he has a problem with genetic engineering. In perhaps the greatest irony of the arson's aftermath, Bradshaw says that now he does it "all the time."

Today, Bradshaw studies the genetic difference between scarlet and pink monkey flowers, for which he traded poplars years ago—not because of the arson, he says, but because they're much easier to study. The trees have a growing cycle of four years; the flowers, only 90 days. And while he still cross-breeds, he also uses genetic engineering to speed up what would otherwise be the time-consuming process of verifying his work. As he puts it, to check that one of his assumptions is right, he "just pops [the gene] right in."

**Bradshaw and his flowers** hardly conjure up Frankensteinian notions of "risky science." Yet plenty of people continue to believe that genetic engineering is just that. Public sentiment has grown more suspicious since the UW arsonists judged it a winnable cause, even as the technology's use has become more pervasive.

Michael Hansen, senior staff scientist at the Consumers Union, the organization that publishes *Consumer Reports*, points to what he calls a "huge expansion" in the use of pesticides brought by the technology. That's because agribusiness genetically engineers crops to make them resistant to herbicides. A movement to label transgenic foods resulted in a dozen legislative bills across the country over the past year, including one which failed in Washington.

Yet that movement is very much above-ground. In contrast, despite the occasional arson or animal "release" at a fur farm, the underground movement is, as Pickering puts it, "at a weak point."

In the Northwest, the movement's decline began shortly after the UW arson. Pickering left Portland in the summer of 2002 to pursue a master's in history and journalism and start a radical bookstore in Buffalo, N.Y. At the time of his exodus, he says, "the scene was blowing up. Everyone was moving out. It was very apparent there was a massive crackdown."

A task force of local and federal officials began to question activists. Eventually, authorities pressured one, the formerly homeless Ferguson, into wearing a wire and traveling around the country to capture his former cell members on tape. The feds made their first arrests in December 2005, netting six people including Rodgers, the respected elder statesman, who later suffocated himself in an Arizona prison. A month later authorities indicted six more cell members. The majority of the UW arsonists remained free, although not for long.

As alleged terrorists, the activists faced life sentences in maximum-security prisons—an exponentially stiffer punishment than most arsonists received in the federal system. One by one, many of the defendants agreed to plea bargains under which they testified against people they had sworn never to rat out.

As the defendants began to talk, authorities learned of other participants. The following year, the FBI indicted Solondz, Waters, Kolar, and Phillabaum. By then Solondz was traveling



abroad, stopping initially in Italy for a family wedding. He eventually made his way to China, where he was arrested for making hash out of wild marijuana in the mountainous province where he'd been hiding out.

It wasn't just the crackdown that upended the underground scene, though. Its members began to bicker over frayed relationships. Waters, for one, thought Phillabaum had slept with Solondz and broke up with him for a time because of it, according to her testimony at trial. And, Pickering recalls, some wanted to step things up by harming people, not just property.

Others, at least according to their later protestations, felt that they had already gone too far. Says Solondz's sentencing memorandum: "For Mr. Solondz the arson was a major wake-up call. He shared responsibility for a major environmental 'action,' but felt absolutely stunned at the tragic, destructive outcome and regretted it almost immediately. He has never been able to justify the group's action to himself or anyone else. In the months following the arson, he broke off his social relationships with most people in the environmental underground. He began questioning his own sense of self-righteousness and turned more inward and introspective."

That introspective bent continued through Solondz's incarceration in China. In their letters to the judge, family members wrote of the many books they sent him, until he asked for no more so that he could concentrate on learning Chinese. An aunt included a letter from Solondz in which he described what he hoped to study during his coming stint in American prisons—"the boring but significant" gaps in his philosophy reading, including the works of Kant, Hegel, and Heidegger.

"But at the same time," he added, "I am probably more curious and open than I have ever been." He seemed that way to Halla too. On their 15-hour flight from China to the States, Solondz eagerly flipped through the newsmagazines Halla had brought for his arrestee. He wanted to know more about what he'd missed while he was in his Chinese black hole, like the killing of Osama bin Laden. He also expressed concern about a fellow prisoner who was Ethiopian. Solondz believed the man was being treated especially harshly, and wanted to try to contact his family.

Solondz struck Halla as thoughtful, exceedingly well-read, and "complex." In their conversations, Halla says, "you would not get a simple answer. He would stop and analyze everything.

"I don't think even he understands himself yet," says the agent. "He's a work in progress."

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