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PROTECTED - McGOWAN - NOT TO BE RETAINED BY PLAINTIFF



U.S. Department of Justice
Federal Bureau of Prisons
Correctional Programs Division

Counter Terrorism Unit



March 27, 2008

MEMORANDUM FOR MICHAEL K. NALLEY, REGIONAL DIRECTOR
NORTH CENTRAL REGIONAL OFFICE

FROM: //s//
Leslie S. Smith, Chief, Counter Terrorism Unit

SUBJECT: MAR - Communication Management Unit (CMU) Referral
MCGOWAN, Daniel, Reg. No. 63794-053

1. Rationale for Re-designation:



Inmate McGowan is a member of a group which called themselves, "The Family." This group of approximately 16 persons are associated with the Earth Liberation Front (ELF) and Animal Liberation Front (ALF), groups considered domestic terrorist organizations. The group committed numerous acts of arson, destruction of an energy facility, attempted arson, use of explosives and incendiary devices, interference with interstate commerce, sabotage, intimidation, and other acts of property destruction. Inmate McGowan plead guilty to 5 counts which included Conspiracy to Commit Arson; Destruction of Energy Facility & Arson / Attempted Arson.

Inmate McGowan's communications warrant heightened controls and review due to the fact that he was an organizer of the group; wrote communiques for ALF/ELF actions; used coded communications during the commission of the offenses; participated in recruitment of others into the group; espoused his anti-government beliefs verbally and in written communications; trained others to design and construct incendiary devices and well as how to conduct arson without being caught; and demonstrated the ability to plan, organize and carry out his plans without detection.

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While incarcerated and through social correspondence and articles written for radical publications, inmate McGowan has attempted to unite the radical environmental and animal liberation movements. [REDACTED]

In a letter published on the Portland Independent Media, inmate McGowan described the cooperation with government authorities by his co-defendants and complained about support provided to these cooperating defendants, from the environmental community, for persons who he claimed were responsible for the, "betrayal of (their) friends and allies."

For an interview in the Earth First! Journal, inmate McGowan described "snitches," particularly his co-defendants, and made statements to discourage others from cooperating. He attempted to educate new members to the movement on what he considered errors of the past by cooperators. On direct action, inmate McGowan stated such tactics may not be the best option, but often have the most desired effect and detailed his support for such actions by members of the community. Regarding direct action, inmate McGowan stated: "We need to have serious conversations about whether militancy is truly effective in all situations. Certainly, direct action is a wonderful tool, but from my experience, it may not be the most effective one at all times or in all situations." "In some instances, direct action is the most effective tactic." "Actions that are understood by the public and seen as logical can have a positive impact on pre-existing campaigns and struggles." "Despite the fact that my particular case is over, it's imperative that we discuss tactics and strategies in a way that people can actually hear and listen to what each other is saying."

In an article for Earth First! Journal, inmate McGowan discussed the movement, tactics and cooperators as related to the so-called "Green Scare." Inmate McGowan was critical of cooperating defendants and supportive of direct action: "As things get worse in our society and as our demands for ecological sanity and compassion for animals get ignored, many people inevitably lose faith in polite ways of effecting change and choose more radical methods."

Inmate McGowan argued about whom should be considered a "political prisoner," and indicated the Earth First! Journal does not recognize enough persons within the movement with this status. Specifically, he stated, "These are people who took conscious action to better their communities or fight injustice. Many of them are serving 30+ years and are role models for me - people like David Gilbert, Marilyn Buck, Herman Bell."

In a social letter, inmate McGowan discussed bringing unity to the radical environmental movement by focusing on larger, global issues. Inmate McGowan has

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been publishing his points of view on the internet in an attempt to act as a spokesman for the movement.

Below are some web sites which have published his writings.

Earth First! Journal: www.earthfirstjournal.org

Bite Back is a web site and magazine with a secondary title of DirectAction.info. The site describes itself as, "a 36 page magazine, full of direct action reports, prisoner news, stories and photos." The main page of the web site includes links to reports of direct action, sabotage, vandalism, liberation, prisoner support, photos and videos, from countries around the world. Purportedly "anonymous" reporting of direct actions are listed from countries such as Italy, United Kingdom, United States, Spain, France, Switzerland, Sweden, Austria, Denmark, Germany, and others:
www.directaction.info/index.htm

Portland Independent Media: <http://portland.indymedia.org>

Below are details of the crimes which also demonstrate the actions of inmate McGowan justify his placement in MAR CMU.

- ▶ Daniel McGowan was involved in two arsons. He assisted in setting the incendiary devices; researching targets; helping prepare communiques, and assisting in building timing devices. Case agents indicate Mr. McGowan was instrumental in starting activism against genetic engineering. The arsonists began targeting specific genetic engineering facilities after he became involved in the conspiracy. Agents believe Mr. McGowan was ready to physically harm an Oregon State University (OSU) professor involved in genetic engineering, and spoke of publicizing the address and phone number of a Lane County Judge who sentenced activist Jeffrey Leurs, for an arson Mr. Leurs committed at Romania Chevrolet in Eugene, Oregon.
- ▶ Sentenced under the terrorism guideline enhancement because the felony offenses either involved or were intended to promote a federal crime of terrorism
- ▶ Between 1996 and 2001, the group committed 16 arsons resulting in property damage in excess of \$20,000,000.00
- ▶ The conspirators shared a similar belief opposing the government's and private companies' policies regarding the harvesting of timber and animal rights; which expanded to agencies involved in genetic research
- ▶ The arsons went unsolved because the conspirators avoided detection by carefully planning and researching targets; conducting reconnaissance of targets; completing "dry runs;" wearing gloves, masks and dark clothing to disguise their appearance

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during the crimes and concealing or destroying the evidence

- ▶ The arsons went unsolved because the conspirators avoided detection by attempting to conceal their true identity by using code words and numbers, code names and nicknames; and producing or obtaining false identification documents
 - ▶ The conspirators, as well as others, participated in the "Book Club" which held meetings which were kept secret and members communicated through coded messaging. The purpose of the Book Club was to formalize the training of criminal participants. It has been described as an "arsonist school." It was to train more activists so that there would be a pool of arsonists to draw from for future arsons. The meetings were secretive, and all communication outside the club was made in code.
 - ▶ After many of the arsons, communiques were issued, often assuming responsibility for the arson by either ELF or ALF. Often, the communiques were prepared, at least once using computers at a local library.
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2. **Proposed Transfer Code:** 324 / Program Participation

3. **CIM Assignment:** [REDACTED]

4. **STG Assignment:** [REDACTED]

5. **Release Destination:** New York, Eastern

6. **Medical Status:** Inmate McGowan is a Care Level 1 inmate. There are no medical concerns which would preclude his placement in MAR CMU.

7. **Does Inmate Concur With Transfer:** The inmate's opinion was not solicited.

8. **Additional Pertinent information:** Inmate McGowan is a 33 year old, white, male. He is scheduled for release on 06-05-2013 via Good Conduct Time Release. He is an IN custody inmate with LOW security level. His disciplinary history includes no sanctioned incident reports.

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