

Jurors told of fire evidence

By Tricia Schwennesen, *Register Guard*, November 18, 2000

Local and federal investigators testified Friday that they found a laundry list of evidence - including wood matchsticks, black industrial-strength thread, camping fuel, sponges, a grocery store receipt and incense sticks - in a search of a storage warehouse that they say link two activists to a pair of Eugene firebombing incidents this spring.

They say Jeffrey Luers and Craig Marshall, self-proclaimed anarchists, started two fires with homemade, time-delayed explosive devices, including one arson attempt at an oil company that could have been catastrophic to the Whiteaker neighborhood. Defense attorneys Ken Morrow and Brian Barnes say the evidence - mostly common household items - does not link their clients to the crimes. Jurors sat through a 20 minute videotape that documented the state of the warehouse at 1395 Cross St., No. 14, and its contents before the search and after the search was completed. Eugene police Detective Terry Willis testified that he found a box of wood matches and thread near a sewing machine in the storage facility. He also said several groups of burned matches tied together with blue or black thread were found.

Three partially filled one-gallon containers of camping fuel and two sponges- similar to what was used to set a fire at a Joe Romania auto dealership - were found at the warehouse, said John Comery, a federal agent from the Bureau of Alcohol, Tobacco and Firearms based in Portland. The search warrant for the warehouse listed gasoline but not camping fuel, Barnes said during his cross-examination on Friday. And the warrant specified to take any sponges found, but Comery took two and left a third sponge of a different type lying on the floor in the warehouse.

"There is a difference isn't there? Or am I just being stupid?" Barnes asked Comery. "So, you seized Coleman fuel or campfire fuel that was not in the search warrant, but where the search warrant says seize sponges you left one behind?" "Yes," Comery answered. The first arson attempt failed when two firebombs filled with gasoline - one set beneath a tanker filled with gasoline and the other placed on the running board of a second tanker containing nothing but fumes - did not detonate at Tyree Oil Inc., 101 Blair Blvd., on May 27.

A second attempt on June 16 destroyed a 2000 Silverado half-ton pickup and damaged two other trucks parked near a fuel line, causing more than \$40,000 in damage at the Joe Romania auto dealership on Franklin Boulevard. Luers, 21, and Marshall, 27, who also were known as "Free" and "Critter" to their acquaintances, have pleaded not guilty to two counts of first-degree arson, first-degree criminal mischief, two counts of both unlawful manufacture and possession of a bomb, and two counts of attempted arson and attempted first-degree criminal mischief. If convicted of first-degree arson, a Measure 11 crime, the two would face a mandatory minimum of 7 1/2 years in prison.