



presents

IF A TREE FALLS: A Story of the Earth Liberation Front

A Documentary Film by Academy Award® Nominated Filmmaker, Marshall Curry



**Directed by Marshall Curry
Co-directed by Sam Cullman**

85mins

www.IfATreeFallsFilm.com

Winner of Documentary Editing Award at the 2011 Sundance Film Festival

Winner of Best Documentary Award at the Nashville Film Festival

Winner of the Environmental Visions Award at the Dallas Film Festival

In Theaters June 22nd, 2011 with National Rollout to Follow

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Synopsis

In December 2005, Daniel McGowan was arrested by Federal agents in a nationwide sweep of radical environmentalists involved with the Earth Liberation Front-- a group the FBI has called America's "number one domestic terrorism threat."

For years, the ELF—operating in separate anonymous cells without any central leadership—had launched spectacular arsons against dozens of businesses they accused of destroying the environment: timber companies, SUV dealerships, wild horse slaughterhouses, and a \$12 million ski lodge at Vail, Colorado.

With the arrest of Daniel and thirteen others, the government had cracked what was probably the largest ELF cell in America and brought down the group responsible for the very first ELF arsons in this country.

IF A TREE FALLS: A STORY OF THE EARTH LIBERATION FRONT tells the remarkable story of the rise and fall of this ELF cell, by focusing on the transformation and radicalization of one of its members.

Part coming-of-age tale, part cops-and-robbers thriller, the film interweaves a verite chronicle of Daniel on house arrest as he faces life in prison, with a dramatic recounting of the events that led to his involvement with the group. And along the way it asks hard questions about environmentalism, activism, and the way we define terrorism.

Drawing from striking archival footage -- much of it never before seen -- and intimate interviews with ELF members, and with the prosecutor and detective who were chasing them, IF A TREE FALLS explores the tumultuous period from 1995 until early 2001 when environmentalists were clashing with timber companies and law enforcement, and the word "terrorism" had not yet been altered by 9/11.

Director's Statement

On a cold December day about five years ago, my wife came home from work and told me that four Federal agents had entered her office and arrested one of her employees—Daniel McGowan—for “eco-terrorism.”

We were shocked. I had met Daniel through my wife, and he did not fit my expectation of what an “eco-terrorist” would be like. He had grown up in Rockaway, Queens, was the son of a N.Y. cop, and had been a business major in college. He doesn't look or talk like a revolutionary-- he's less Che Guevara or Malcolm X than a typical “boy next door”- - someone's little brother or employee or son. And I'm always intrigued when reality cuts against a stereotype.

How had someone like him found himself facing life in prison for terrorism? Was it accurate to use the word “terrorism” to describe property destruction in which no one was hurt? What was this shadowy group, the ELF? How had it formed and why? What could make someone decide that arson was a reasonable response to environmental problems? Sam Cullman (Cinematographer/Co-director) and I decided to find out.

At first we thought it might be a short film, but the more we dug in, the more interesting it became. There's a saying that the deeper you go, the muddier the water gets, and I think this was true for us.

Everywhere we looked, our expectations were challenged. Characters said the opposite of what we expected. People who we thought might be fanatical—on one side or the other—turned out to be thoughtful. Things we thought would be clear, were actually quite complex. And there were no easy heroes or villains.

When I began editing the film with Matt Hamachek, we tried to build those moments of surprise into the film and give the audience the same experience we had – an unsettling ride that shifts your sympathies and leaves you with a more nuanced view of the world.

Right after Daniel's arrest, when we were considering making a film on the ELF, we couldn't believe that no one had ever made one before. But once we began working on it, we discovered one reason why. Getting access was an enormous challenge. Many of the subjects were facing life in prison as we were shooting, and the high stakes made people understandably skittish about going on camera. They had also seen the way that media sensationalized their crimes and branded them terrorists, and they didn't want to risk that happening again. The prosecutor, the detective, and the arson victims were also reluctant to talk with us at first. They didn't want to get sandbagged by a filmmaker with an agenda who would edit their words out of context.

But we were patient (spending four years shooting the film), persistent, and honest with people, and eventually we won their trust. I'm not that interested in movies that just set up straw men to knock down. I'd rather let strong arguments and powerful characters bang up against each other, and see what happens. And I like allowing the audience's sympathy to really shift around during the film—sometimes in a way that makes them uncomfortable.

IF A TREE FALLS is a film that asks questions more than it answers them. And by the end of it, I think the audience is left not with a single, easily directed feeling of outrage – though there is plenty of outrage in the story. But instead they are left with an uneasy sense that things are more complicated than they seem from the surface.

“Where Are They Now” Updates

At the end of the film, Daniel was placed in a special “Communication Management Unit” (CMU) built to hold terrorists in Marion, Illinois. Prisoners there are allowed one 15-minute phone call per week and one visit per month which takes place through a glass partition.

In March 2010, the Center for Constitutional Rights initiated a lawsuit on behalf of Daniel and other inmates at the CMU where he was being held. The lawsuit challenged the policies and conditions at the CMUs.

In February 2011, Daniel was moved from Marion to the CMU in Terre Haute, Indiana.

At around the same time our production requested permission to interview Daniel in prison, but the request was denied by the Bureau of Prisons, which said “an interview would interfere with the safety and security needs of the institution.”

Not all of the ELF participants who received the “Terrorism Enhancement” were placed in CMUs, and the Bureau of Prisons has never explained how it decides who should be assigned to such a unit.

Daniel will be eligible for release on June 5, 2013.

Suzanne Savoie spent nearly four years in prison. For three of those years, she was not allowed to go outside at all. She was recently released to a halfway house. And Jake Ferguson, remains out of prison, on probation.

After twenty years as an Assistant U.S. Attorney, Kirk Engdall will be retiring in July.

Detective Greg Harvey is now focused on criminal street gangs, but he explains that he is “still involved with domestic terrorism cases as they come up.”

Today, anonymous, autonomous cells of the Earth Liberation Front continue to operate in the United States and around the world, though with much less frequency than in years past.

Reactions to the Film from Both Sides

"Its presentation of the issues were incredibly well balanced and thought provoking... The film remained fair and faithful to all the subjects of the film and clearly demonstrated the complexity of the issues. I believe viewing the film would prompt law enforcement personnel and those who exercise civil disobedience to think beyond moments of confrontation and that the film will engender a greater awareness and a better understanding between police and protesters."

- Kirk Engdall, Assistant US Attorney, prosecution in the ELF case

"If a Tree Falls offers a rare and intimate view, not just into the personal lives of Daniel McGowan and his family as he faces the prospects of a future behind bars, but also into the thoughts, emotions and actions that spearhead the fiery underground struggle to defend the Earth. The film creates a formerly non-existent safe space, where the audience is able to get an honest glimpse into drastically conflicting viewpoints on the issues of environmentalism, terrorism, revolution and repression, and walk away with our own individual opinions, though perhaps better informed. It's a very respectful and fair portrayal of a very polarized and criminally-charged issue, where the subjects' humanness takes center stage."

- Leslie James Pickering, former spokesperson for the Earth Liberation Front Press Office

Background: Notable Moments in the Environmental Movement

-1892. John Muir co-founds the Sierra Club. Over the course of his life, Muir would successfully lobby Congress and the White House to protect Yosemite and Sequoia National Parks.

-1972. The environmental and anti-nuclear organization, Don't Make a Wave Committee, changes its name to Greenpeace. The group popularizes the use of "direct action" by sailing into nuclear test zones, disrupting whaling efforts and occupying coal facilities. In one landmark case, Greenpeace activists paint a message on a 500-foot smokestack at a British coal power station. They are acquitted when they argue in court that their actions were legally justified because they would help prevent climate change, which would cause far more damage around the world. In 1985 French intelligence services plant a bomb on the *Greenpeace* ship, *The Rainbow Warrior*, to prevent it from interfering with French nuclear testing. The ship is destroyed and one crew-member is killed in the attack; the agents plead guilty and serve just over two years in prison.

-1975. Edward Abbey publishes *The Monkey Wrench Gang*, a novel about four friends who decide to sabotage polluters and developers using vandalism—or "monkey wrenching." The book becomes an inspiration to frustrated environmentalists and popularizes the term (and concept) of "monkey-wrenching."

-1980. Dave Forman, Mike Roselle, and disaffected members of the mainstream environmental movement found Earth First! (The exclamation point is part of the group's proper name.) The group is more of a philosophy than an organization, and has no formal membership roles or leadership. They take as their slogan, "No Compromise in Defense of Mother Earth," and in 1985, Dave Foreman publishes *Ecodefense: a Field Guide to Monkeywrenching* which explains how to disable logging equipment and sabotage development projects.

-1990. A bomb explodes in the car of prominent Earth First! activists, Judy Bari and Darryl Cherney. The FBI publicly accuses Bari of having been transporting the bomb for terrorism, which she denies, pointing to numerous death threats she had received for her environmental work. In 2002 a jury orders the FBI and Oakland police to pay Bari's estate \$4.4 million for false arrest and violation of her First and Fourth Amendment rights.

-1996. Feeling that the tactics of Earth First! were not effective or radical enough, Jake Ferguson and friends commit the first Earth Liberation Front arsons in the United States at two Oregon ranger stations. The ELF looks to its sibling movement, the Animal Liberation Front (ALF), for inspiration and guidelines: 1) Cause as much economic damage as possible; 2) Use the actions to educate the public 3) Take all precautions to make sure no life is harmed in the actions. Many of the fires in the following years would be claimed in the name of both the ELF and the ALF.

As the ELF actions spread during the 90s and early 2000s, they were condemned by activists from the Sierra Club, Greenpeace, and even Earth First!.

Filmmaker Bios

Marshall Curry

Director, Producer, Editor, Writer

Marshall Curry got his start shooting, directing, and editing the documentary, STREET FIGHT, which followed Cory Booker's first run for mayor of Newark, NJ and was nominated for an Academy Award and an Emmy.

The critically praised film was called "extraordinary" by David Denby (The New Yorker), "vastly entertaining" by John Anderson (Variety), and "filmmaking of the first order" by Scott Foundas (L.A. Weekly).

After STREET FIGHT, Curry was the Director and Producer, as well as one of the Directors of Photography and Editors of the feature documentary, RACING DREAMS.

RACING DREAMS follows two boys and a girl who dream of one day racing in NASCAR, and the film won numerous awards including the 2009 Tribeca Film Festival Award for Best Documentary. RACING DREAMS was called "The best movie of the year," by Scott Feinberg (The L.A. Times – "The Envelope") and "Absorbing... one of the rare documentaries you leave wishing it was a little longer," by Stephen Holden (New York Times).

Dreamworks is currently adapting it for a fictional remake.

Both STREET FIGHT and RACING DREAMS are included in the top 30 of *Rotten Tomatoes'* list of Best Reviewed Documentaries.

In 2005 Marshall was selected by Filmmaker Magazine as one of "25 New Faces of Independent Film", and he was awarded the International Documentary Association (IDA) Jacqueline Donnet Filmmaker Award. In 2007 he received the International Trailblazer Award at MIPDOC in Cannes.

He has appeared as a guest on television and radio numerous times, including NPR's Morning Edition, ABC's Nightline, PBS's The Tavis Smiley Show, and others. He has been a guest lecturer at Harvard, Duke, NYU, and other colleges, and he has served on juries for the International Documentary Association, Hot Docs Film Festival, Full Frame Documentary Festival and the Tribeca Film Festival.

He is a graduate of Swarthmore College where he studied Comparative Religion and was a Eugene Lang Scholar. He was also a Jane Addams Fellow at Indiana University's Center on Philanthropy, where he wrote about the history, philosophy, and economics of non-profits.

Sam Cullman

Co-Director, Producer, Cinematographer

Sam Cullman is currently producing and shooting a documentary about the War on Drugs in America, directed by Eugene Jarecki, and is starting post-production on BLACK CHEROKEE, a short he co-directed with Benjamin Rosen about a self-taught New York City street artist.

Cullman's camera credits have included Eugene Jarecki's WHY WE FIGHT (2005), which won the Sundance Grand Jury Prize in documentary; director Rob VanAlkemade and producer Morgan Spurlock's WHAT WOULD JESUS BUY? (2007); directors David Redmon and Ashley Sabin's KAMP KATRINA (2007); Jonathan Stack's LOCKUP: INSIDE ANGOLA (2008) and THE FARM: 10 DOWN (2009), both follow-ups to Stacks' THE FARM: ANGOLA, USA (1998).

His cinematography on KING CORN (2006), a Peabody award-winning documentary for ITVS, was noted for its "handsome lensing" by Dennis Harvey (Variety) and was dubbed "visually arresting" by Ann Hornaday (The Washington Post). Cullman's camerawork will be featured in the forthcoming 2011 documentary feature releases, REAGAN by Eugene Jarecki, and WATCHERS OF THE SKY by Edet Belzberg.

Cullman has also produced and directed a number of short films in collaboration with non-profits and governmental agencies like the New York City Housing Authority and the Ford Foundation. In 2003, Cullman produced, directed, shot and co-edited three profiles for BEYOND THE SPIN, a series for the Service Employees International Union on Democratic Presidential candidates. In 2004, he directed, produced and shot, SELF SERVICE for the Alliance for Quality Services, a short documentary about Sodexo USA's policies and practices. His 2008 doc for the National Center for Children Exposed to Violence and the Yale Child Study Center explored partnerships between police departments and mental health clinicians in cities across the US.

Cullman graduated from Brown University with honors (1999), where he majored in Urban Studies and the Visual Arts, and founded Yellow Cake Films in 2006. He lives and works in Brooklyn, New York.

Matt Hamachek

Editor, Writer

Matthew Hamachek's work has aired on HBO, IFC, PBS, BBC and the Discovery Channel. He began his career, working on the Oscar-nominated documentary STREET FIGHT with Marshall Curry, and went on to collaborate with Curry again on RACING DREAMS which won Best Documentary at the Tribeca Film Festival.

He has worked on a number of other projects including the non-fiction series FILM SCHOOL with Nanette Burstein (AMERICAN TEEN) and THE ONE PERCENT with Jamie Johnson (BORN RICH).

Hamachek recently traveled to Morocco as part of the State Department's American Documentary Showcase to screen RACING DREAMS at universities and cinemas around the country.

He is currently editing Geeta and Ravi Patel's movie, ONE IN A BILLION.

Credits

IF A TREE FALLS is a co-production of Marshall Curry Productions, LLC and the Independent Television Service (ITVS), with funding provided by the Corporation for Public Broadcasting (CPB). In association with Lucky Hat Entertainment, American Documentary (POV), and the BBC.

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Directed and Produced by	Marshall Curry
Co-directed and Produced by	Sam Cullman
Written and Edited by	Matthew Hamachek Marshall Curry
Cinematography by	Sam Cullman
Original Music by Additional Music by	James Baxter The National
Executive Producer: Executive for Lucky Hat Entertainment: Executive Producer for ITVS: Executive Producer for POV: Executive Producer for the BBC:	Stephen Bannatyne Marcia Carver Sally Jo Fifer Simon Kilmurry Nick Fraser
Line Producer Additional Camera	Bill Gallagher Marshall Curry Chris Teague Tim Lewis Bill Gallagher Andy Pratt Skye Fitzgerald
Archival Research Production Research Assistant Editor Transcriptions Post Production Assistant	Steven Loring Julia Landau Tina Grapenthin Liza Mueller Katie Earls Mark Rattelle
Promotion Reel Editor Sound Recording	Eric Daniel Metzgar Marshall Curry Sam Cullman
Sound Editor/Re-recording Mixer	Chad Birmingham

Sound Design
Post Production Sound Facility
Additional Original Music

Paul Hsu
c5, inc.
Nick Stumpf

Motion Graphics
Motion Graphics Assistant
Colorist
Video Post Services
Archival Photography
Photo Editor
Photo Scanning
Oregon Equipment Rental
Still Photo
Poster Design
Legal

Joe Posner
Brittany De Nigris
Charlie Rokosny
Final Frame
Yun Rhee
Yun Rhee
Photo Den, Grants Pass, OR
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Zach Fox
Noah Goldman
Karen Holmes
Rachel Kolb
Mike Ohrenberger
Anne Orrin
Denise Pasquinelli
Ludovic Pronko
Taiki Sugioka
Babette Wielenga

Music:

“Sleep Now In The Fire”
Written by Tom Morello, Brad Wilk, Tim Commerford and Zack De La Rocha
Performed by Rage Against The Machine

“Finale”
From the Motion Picture “The Kingdom”
Written by Danny Elfman
Performed by Danny Elfman

"Hello Hammerheads"
Written by Daniel Snaith
Performed by Caribou

"Today's Empires, Tomorrow's Ashes"
Written, Performed and Published by Propagandhi

“I Got Mine”

Written By Dan Auerbach and Patrick Carney
Performed by The Black Keys

“Ada”

Written by Matthew Berninger and Aaron Dessner
Performed by The National

"Afraid of Everyone"

Written by Matthew Berninger and Aaron Dessner
Performed by The National

“Runaway”

Written by Matthew Berninger and Aaron Dessner
Performed by The National

“Cherry Tree”

Written by Matthew Berninger and Bryce Dessner
Performed by The National