

# **EXHIBIT 63**

\*\*\* CMU MAR REVIEW \*\*\*  
PROTECTED - MCGOWAN - NOT TO BE RETAINED BY PLAINTIFF

DATE: April 7, 2008

CURRENT FACILITY: SST

CUSTODY: IN

NAME: MCGOWAN, DANIEL

REG NO: 63794-053

S/L: LOW

DEFENDANT  
DEPOSITION EXHIBIT  
184  
DATE: 2/6/14 CLS

TELEPHONE OR MAIL ABUSE I. R.(S): NONE

CIM ASSIGN: [REDACTED]

COMMENTS

CORRECTIONAL PROGRAMS: Daniel McGowan's current offense includes Conspiracy to Commit Arson, Destruction of Energy Facility & Arson, Attempted Arson. He is a member of a group called, "The Family." "The Family," is associated with both the Earth Liberation Front (ELF) and Animal Liberation Front (ALF) groups. Both groups are considered domestic terrorist organizations. McGowan was involved in researching targets, preparing communications, and building timing devices. The group is known to have committed 16 arsons resulting in property damage in excess of 20 million dollars, between 1996-2001. He is a care level 1 with a projected release date of 06-05-2013, and maintains STG assignments [REDACTED]

CORRECTIONAL PROGRAMS ADMINISTRATOR: Based on the fact that the "The Family," committed numerous acts of arson, destruction of an Energy facility, use of explosives and terrorist affiliation, I recommend transfer to MAR CMU.

B. Potts B. Potts, Acting 4/08/08

CORRECTIONAL SERVICES ADMINISTRATOR: Concur. Based on affiliations and past history. Recommend MAR CMU. CLS

EXECUTIVE ASSISTANT: Based on the aforementioned, I concur w/ the recommendation of MAR CMU placement of [REDACTED].

DEPUTY REGIONAL DIRECTOR: Based on the intimate knowledge with other domestic terrorist organizations & leads me to conclude that CMU is appropriate.

REGIONAL DIRECTOR:

Approved  
[Signature]  
CMU.  
[Signature]  
[Signature]

528.24 \*  
PAGE 001 OF 001

UPDATE INMATE REMARKS

\* 04-28-2008  
10:22:30

REGISTER NO: 63794-053  
PROTECTED - MCGOWAN - NOT TO BE RETAINED BY PLAINTIFF  
NAME: MCGOWAN

DANIEL G

FUNCTION	SEQ	REMARK
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REMARKS: 0205 - 7/10/07 DSC/RA DESIG SST.  
REMARKS: 0210 - 04/28/08 NCR/MEN/EP CLEARED FOR TRANSFER IN SST TO MAX CMU

G0005 TRANSACTION SUCCESSFULLY COMPLETED - CONTINUE PROCESSING IF DESIRED

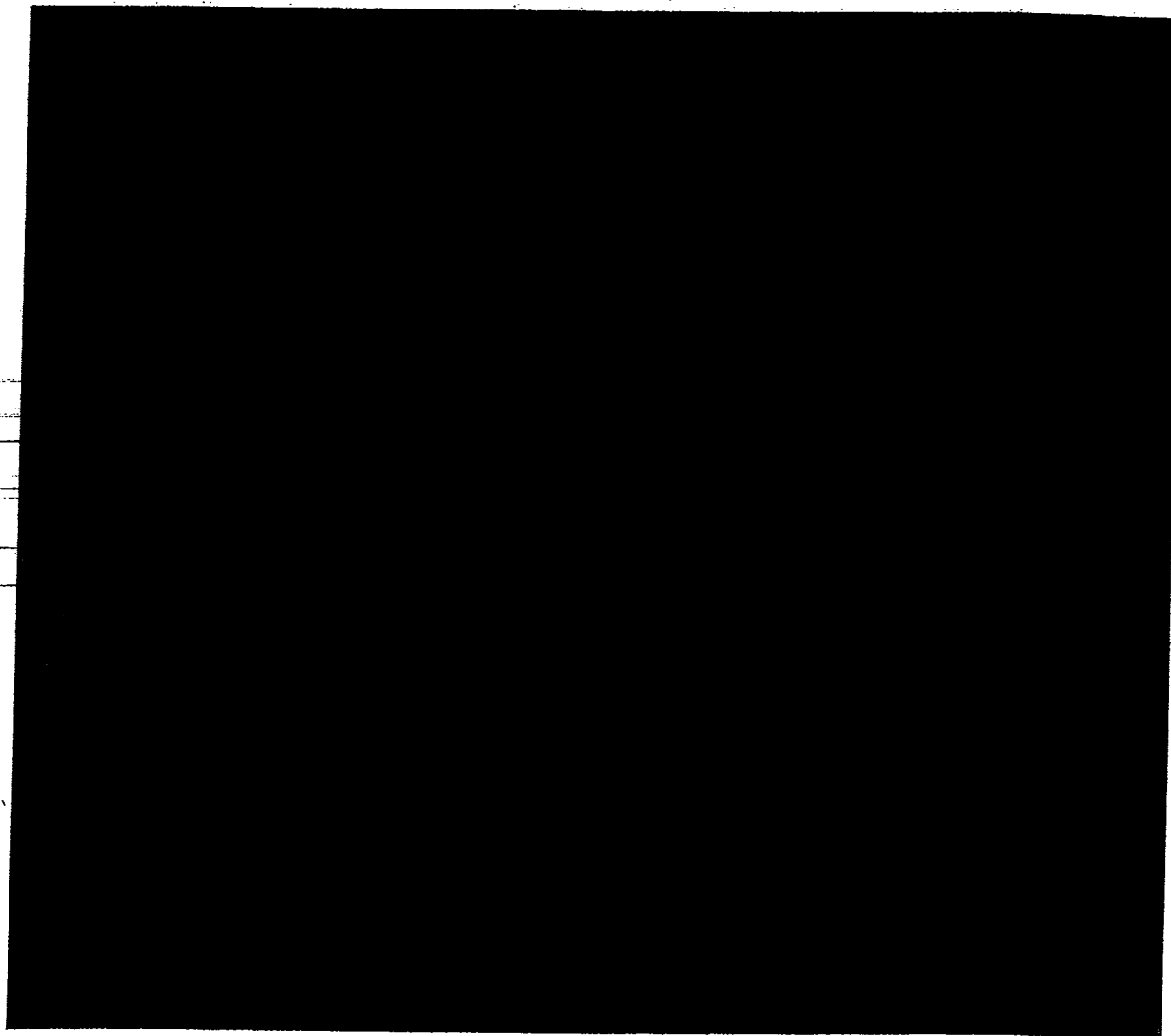
PROTECTED - MCGOWAN - NOT TO BE RETAINED BY PLAINTIFF

██████████ 535\*08 \*  
PAGE 002 \*

FEDERAL BUREAU OF PRISONS  
CIM CLEARANCE AND SEPARATEE DATA

\* 04-28-2008  
\* 09:57:24

REGISTER NO: 63794-053 NAME: MCGOWAN



G0002 MORE PAGES TO FOLLOW . . .

4

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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FOIA Exempt

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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](http://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](http://www.directaction.info/index.htm)

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

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

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- ▶ 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

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

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

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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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FOIA Exempt



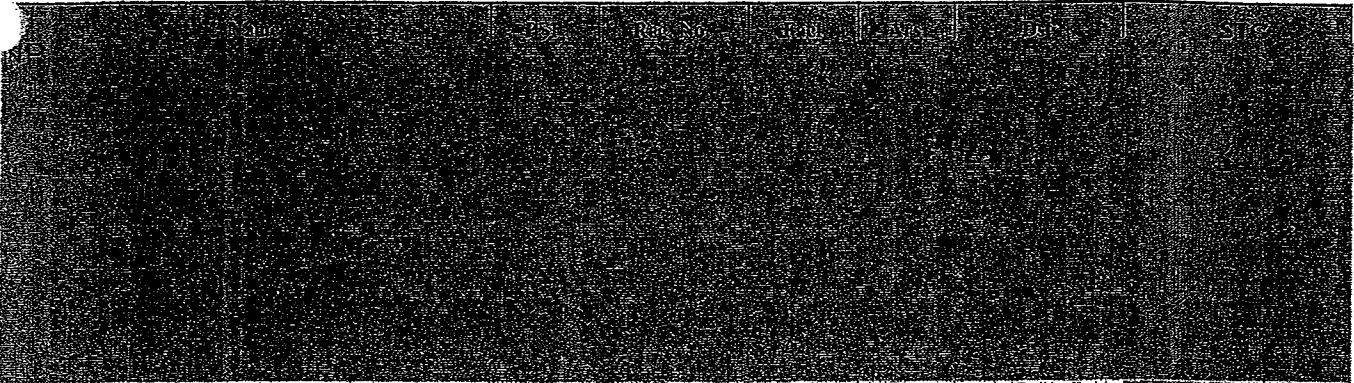
# **McGowan Presentence Report Filed Under Seal**

**"The Family"**  
PROTECTED - MCGOWAN

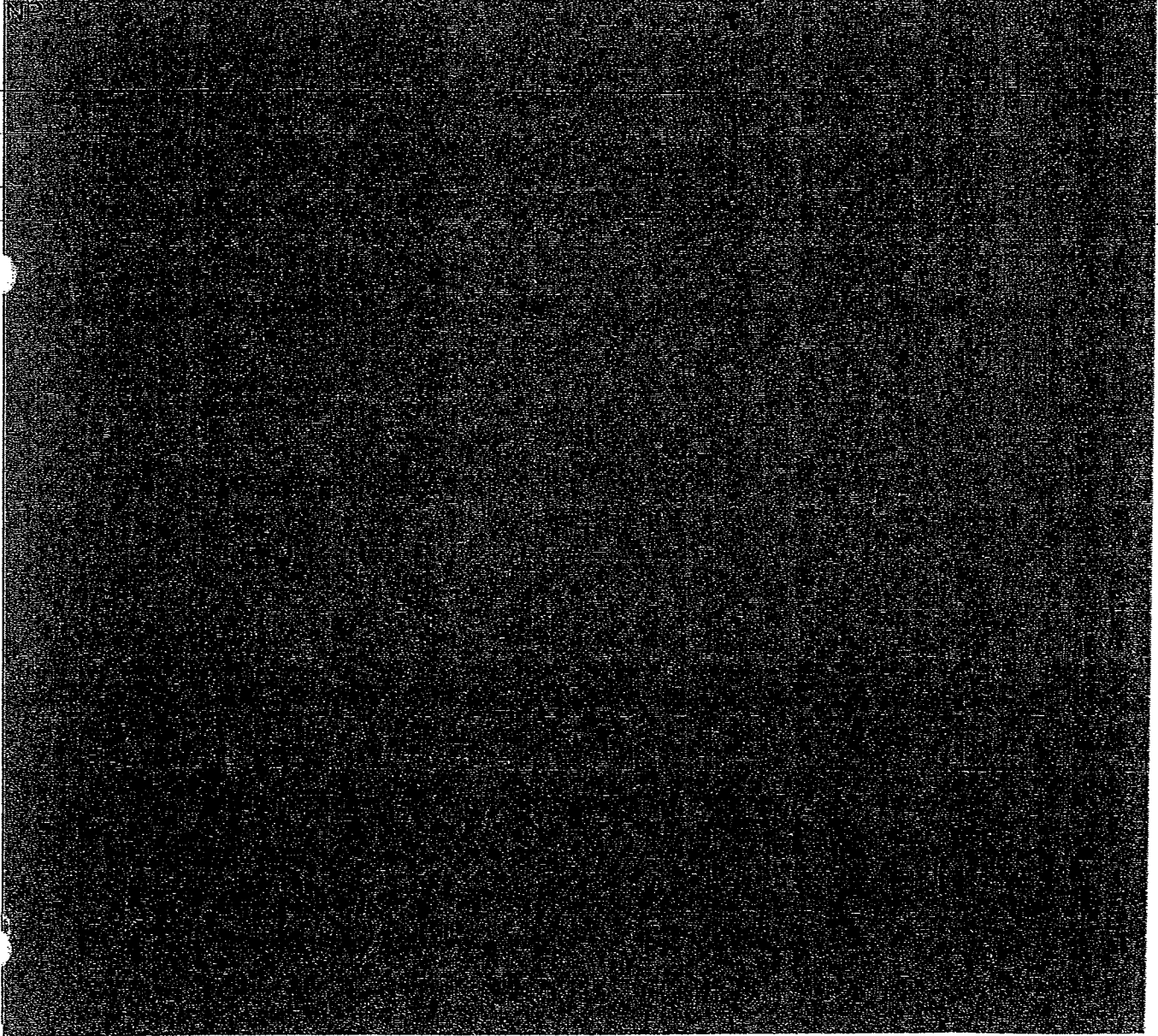
Updated: February 21, 2007

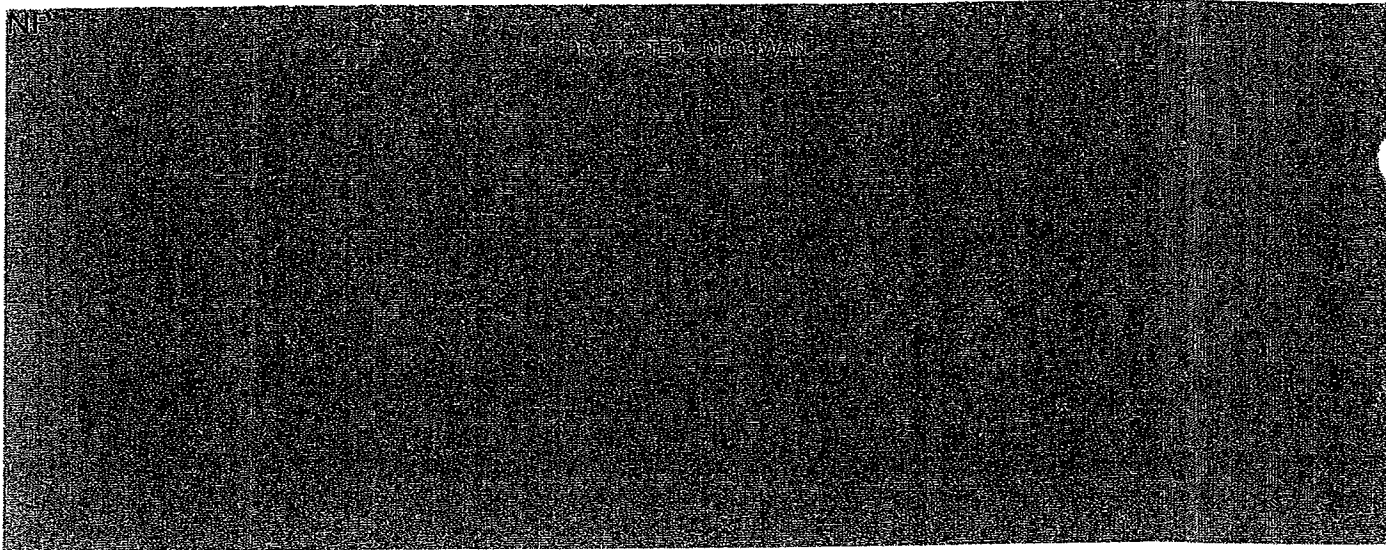
Green Cooperated

~~Yellow: Guilty Plea, non-cooperation~~



McGowan, Daniel Gerard	✓	63794 053	SST	A Dec	SST
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U.S. Department of Justice  
Federal Bureau of Prisons

Correctional Programs Division

Counter Terrorism Unit



October 5, 2007

MEMORANDUM FOR ALL CONCERNED

FROM: //s//  
Leslie S. Smith, Chief

SUBJECT: CIM Separations for Members of "The Family," a Domestic  
Terrorist Group

"The Family" is a group of persons associated with the extremist Earth Liberation Front (ELF) and Animal Liberation Front (ALF), who committed acts of domestic terrorism. Primarily, this group functioned between 1996 and 2001, though many members continued their criminal activity until the time of their arrest in late 2005. 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.

Several members of the organization wrote material, specifically for ELF, regarding the use of incendiary devices and methods for conducting "direct actions," or acts of arson, sabotage, etc., without detection. The group used coded communications during the commission of the offenses; recruited others into the group; espoused 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 plans without detection. At one point in time the FBI considered the ALF/ELF the number one domestic terrorist threat.



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BOP CMU003791

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CIM Separations for Members of "The Family," a Domestic Terrorist Group

[REDACTED]

There has been extensive media coverage of this case. As well, detailed and specific reporting can be found on the internet and in publications by the environmental activist community and frequently by eco-radical groups who have published pictures, testimony transcripts and specific threats towards members of The Family who have cooperated in this case.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

FOI Exempt

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

Counter Terrorism Unit



November 14, 2007

MEMORANDUM FOR LINDA SANDERS, WARDEN  
FCC LOMPOC

DWIGHT L. FONDREN, WARDEN  
FCI SANDSTONE

ROBERT J. PALMQUIST, WARDEN  
FDC SEATAC

SCOTT A. MIDDLEBROOKS, WARDEN  
FCI MARIANNA

FROM: //s//  
Leslie S. Smith, Chief

SUBJECT: Recommendation for Limited Computer Access

Several members of "The Family," a domestic terrorist group associated with the Earth Liberation Front (ELF) and Animal Liberation Front (ALF), have entered BOP custody and been designated to your institutions. This group used sophisticated tactics to conceal their identities, plan their crimes, prevent evidence from being left at crime scenes and communicated utilizing codes and encrypted messages. Communications, including those written and processed by computers, used sophisticated methods of encryption and encoding to prevent compromise by persons outside of the group. Some of the members had extensive computer training and held jobs requiring advanced knowledge.

These skills have been reported in the inmates' Pre-Sentence Investigative Reports as well as documented by investigatory law enforcement agents assigned to the criminal investigation. Due to the nature of crimes committed by these individuals and the enhanced skill they possess, the Counter Terrorism Unit (CTU) recommends the below listed inmates are precluded from computer access in which they may compromise institution security, such as work assignments, education programs, etc.

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Recommendation for Limited Computer Access

NOTE: However, at this time, the CTU does not believe use of the TRULINCS inmate e-mail program poses a security risk with these inmates, and as such the CTU has no concerns with allowing these inmates access to and use of TRULINCS.

If you would like further information, please feel free to contact me at [redacted].

[redacted]

McGowan, Daniel 63794-053 SST

[redacted]

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From: David Schiavone  
To: Latham, Michael; Mason, Laura; NCRO/Corr Pgms; NCRO/Corr Svcs  
Date: 3/27/2008 1:43:08 PM  
Subject: CMU Referral: MCGOWAN, Daniel #63794-053

Hi,

I am not sure which department, Correctional Services or Programs, are going to handle the CMU referrals so I am sending this to both.

We will be forwarding a number of referrals today, and possibly the remainder tomorrow, at this time totaling 10. Most referrals will not list an institution, either Terre Haute or Marion, as we will leave that up to NCRO. However, some will list an institution if that particular inmate has a separation at the other facility.

[REDACTED]

The Office of General Counsel (OGC) has reviewed the Attachment A form and the referral packet is attached.

If you have any questions or require additional information, please let me know.

Thanks.

David

David Schiavone  
Senior Intelligence Analyst

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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## NOTICE TO INMATE OF TRANSFER TO COMMUNICATION MANAGEMENT UNIT

U. S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

Inmate Name (Last, First, Middle):	Register Number:
McGowan, Daniel	63794-053
Warden (print and signature):	Institution:
B. A. Bledsoe, Warden	USP Marion, Illinois

NOTICE: This notice informs you of your transfer to a Federal Bureau of Prisons (Bureau) facility that allows greater management of your communication with persons in the community through more effective monitoring of your telephone use, written correspondence, and visiting. Your communication by these methods may be limited as necessary to allow effective monitoring. Your general conditions of confinement in this unit may also be restricted as necessary to provide greater management of your communications. Your transfer to this unit, by itself, will have no effect on the length of your incarceration. You will continue to earn good-conduct sentence credit in accordance with Bureau policy.

Your transfer to this facility under these conditions is based on the following specific information:

Your offense conduct included acts of arson, destruction of an energy facility, attempted arson, and conspiracy to commit arson. You have been identified as a member and leader in the Earth Liberation Front (ELF) and Animal Liberation Front (ALF), groups considered domestic terrorist organizations. Your offense conduct included communicating in code and teaching others how to commit crimes of arson. Your actions had the primary purpose to influence and affect the conduct of government, commerce, private business and others in the civilian population by means of force, violence, sabotage, destruction of property, intimidation and coercion. Your contact with persons in the community requires heightened controls and review.

Based on this information, your transfer to this facility for greater communication management is necessary to the safe, secure, and orderly operation of Bureau institutions, or protection of the public. Your continued designation to this facility will be reviewed regularly by your Unit Team under circumstances providing you notice and an opportunity to be heard, in accordance with the Bureau's policy on Classification and Program Review of Inmates.

**OPPORTUNITY TO APPEAL TRANSFER DECISION** - You may appeal this transfer decision, or any conditions of your confinement, through the Bureau's Administrative Remedy Program, 28 C.F.R. §§ 542.10 through 542.19, and corresponding policy. A member of your Unit Team will provide you with the necessary form upon request.

**INSTRUCTIONS TO STAFF** - Provide the inmate a copy of this form and complete the following information documenting delivery.

Staff Member Name and Position (printed):	Staff Member (signature):	Date Issued:

