

The New York Times

Green

A Blog About Energy and the Environment

MARCH 1, 2011, 3:54 PM

Utah Activist Goes on Trial for Disrupting Oil Auction

By *JOHN COLLINS RUDOLF*

NYT_VideoPlayerStart

({playerType:"blog",videoId:"100000000664357",adxPagename:"green.blogs.nytimes.com/video"});

In the waning days of the Bush administration, Tim DeChristopher, a University of Utah economics major and former wilderness guide, [bid on and won](#) nearly \$1.8 million worth of federal oil and gas leases before confessing to federal agents that he had no intention of or ability to pay for them.

Mr. DeChristopher, 27, was charged with two felonies — interfering with an auction and making false statements on bidding forms — for the ruse, which he called an act of civil disobedience motivated by concerns over climate change and the despoiling of public lands by industry. He faces a maximum of 10 years in prison and \$750,000 in fines if convicted.

On Monday, his trial began in Salt Lake City, and hundreds of environmental activists marched on the courthouse and rallied outside, calling for his release.

The federal attorney prosecuting the case said in [opening remarks](#) that Mr. DeChristopher engaged in “a criminal form of activism” in disrupting the auction, The Salt Lake Tribune reported.

Mr. DeChristopher does not dispute the basic elements of the prosecution’s case, but he has rejected plea bargains in favor of a trial, where he hopes to prevail with a defense of his motives behind the crimes.

Yet his allies fear that Judge Dee Benson of United States District Court in Salt Lake City, who is hearing the case, is intent on preventing the jury from weighing the broader social and environmental implications of the case.

Judge Benson has already ruled that Mr. DeChristopher’s attorneys cannot seek acquittal on a “necessity defense,” which would involve arguing that his actions were necessary to stop the greater wrong of man-made climate change or other environmental harm.

“If he’s going to be prosecuted for his political motivations, the jury should be able to hear the full story,” said Logan Froerer, a spokesman for [Peaceful Uprising](#), an environmental group founded by Mr. DeChristopher shortly after his arrest. “They can’t mention climate change at all.”

The defense may also be barred from presenting evidence that the leases for the that parcels Mr. DeChristopher illegally bid on and won — many of which lie near Utah’s scenic Arches and Canyonlands national parks — were themselves later struck down by a federal judge and Obama administration officials as unlawful.

“There was a headlong rush to leasing in the prior administration that led to the kinds of shortcuts we have demonstrated,” Interior Secretary Ken Salazar said in October 2009, after the release of a federal report critical of the lease auctions.

In court filings, federal prosecutors call the ultimate disposition of the leases irrelevant to Mr. DeChristopher’s guilt or innocence — an argument that Judge Benson has found compelling.

“None of that information can be told to the jury on orders of the judge,” Mr. Froerer said.