



PROFILES IN PYROTERRORISM

By Robert Baird

Night shot of August 2009 California wildfires. Photo: EyeKarma

The
Counter
Terrorist

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The four cases of Raymond Oyler, Brendan Sokaluk, José Padilla, and Daniel San Diego illustrate the complex convergence of crime, terrorism, and wildfire. These profiles provide law enforcement and arson investigators examples of potential future pyroterrorists who may seek to unleash wildfire as a weapon on the population of the United States.



*Fire engine in California.
Photo: John Martinez Pavliga*

In 2007 Raymond Lee Oyler, deliberately set a series of fires in the California countryside over the span of several months. This arson spree culminated with the Esperanza fire, an exceptionally destructive wildfire fed by Santa Ana winds. Three firefighters were killed on the scene and two later died in the hospital. Had those five men been killed by a naturally occurring wildfire, the Esperanza fire would have been considered a tragedy. Instead, it was a case of murder. A California criminal court tried and convicted Oyler of five

counts of first-degree murder, 20 counts of arson, and 17 counts of using an incendiary device for a rash of blazes in the area that year.¹ Oyler was sentenced to death for the destruction caused by the fire he ignited. Oyler's tattooed arms, covered with graphic yellow flames, were identified by a witness and used as testimony against him. The tattoos illustrated to the jury that his inclination toward arson was both premeditated and deliberate. According to Riverside County Superior Court Judge W. Charles Morgan, "Mr. Oyler set on a mission...to

He knew that young men and women would put their lives on the line to protect other people and property and he continued anyway.

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wreak havoc in this county by setting fires by his own design for his own purposes and as proven by the evidence he became more and more proficient... He knew that young men and women would put their lives on the line to protect other people and property and he continued anyway.”² The weapon of these five murders was wildfire. Oyler’s case provides two distinct trends worth noting. First, he was a serial arsonist because he later admitted to lighting various fires over a span of years. Second, as the judge succinctly points out, Mr. Oyler steadily improved his proficiency at unleashing these arson wildfires.

This case is important for law enforcement and arson investigators to seek out trends in arson-induced fires in a given region and potentially project times of vulnerability and indicators of serial pyroterrorists. This concept is akin to the U.S. military’s effort to defeat insurgent networks that emplace improvised explosive devices by projecting trends in an attempt to be preventative. Instead of being reactive, fire management officers and homeland security analysts may evaluate trends and take measures to mitigate times and areas of vulnerability. Researchers Jeff Prestemon and David Butry studied wildland arson as an autoregressive crime and demonstrated that temporal clustering of incidents occurs, “which supports the hypothesis of either serial or copycat fire setting.”³ The researchers further infer that projections may be made for law enforcement and fire managers on which specific areas of vulnerability may be at greater risk during certain times. This provides a template for law enforcement to target given areas where perpetrators may act. The limitation of this type of projection is that unless the number of arson fires is tracked and sought to be reduced, it is very difficult to determine how many

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Beetle-killed forests such as the area pictured above, may be a viable target for “forest jihad”.

Photo: Hustvedt



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fires were prevented. Further research in specific regions is needed, however, the premise of tracking wildfire arson trends, and projecting potential behavior, is relevant and useful.

The second case that profiles a potential pyroterrorist is that of Brendan Sokaluk, a 39-year-old former volunteer firefighter accused of lighting one of several blazes in Australia during the 2009 wildfire season. Overall the season resulted in 189 dead, 1,800 houses destroyed, and 7,000 people homeless.⁴ As arson investigators attempted to build a case against Sokaluk, they were confronted with the difficulty of proving a causal relationship between the location of the acts of arson and the locations of the deaths. Australian investigators revealed that they encountered a great deal of difficulty in proving exactly what damage and deaths Sokaluk was directly responsible for,

because different fires would join and feed others.⁵ Sokaluk’s case illustrates that the more complex the fire, and the more it interacts with other naturally occurring wildfires, the harder it will be to develop a causal link of the deaths in a wildfire to the pyroterrorism defendant. As a result, Sokaluk was only charged with starting fires that resulted in the death of 11 people and limited property damage. The Australian wildfires provide a worst-case scenario for how several large arson wildfires in the United States could wreak havoc in the American wildland urban interface and the challenges in building cases for prosecution.

José Padilla, the third case study, is a convicted terrorist who has shown the desire to unleash wildfire to cause destruction to terrorize the American people in an urban environment. Padilla was born in the United States and

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"Imagine if, after all the losses caused by such an event, a jihadist organization were to claim responsibility for [starting] the forest fires... You can hardly begin to imagine the level of the fear that would take hold of people in the United States, in Europe, in Russia, and in Australia."

travelled in 2001 to Pakistan to meet with Kahlid Shaikh Mohammed and other senior al-Qaeda leaders. While with al-Qaeda, Padilla was recruited to conduct terrorist acts in the United States. He was initially suspected of plotting to detonate a "dirty bomb," but was ultimately convicted of a plot of "blowing up apartment buildings (using natural gas)... [in] as many as twenty simultaneous explosions, probably in New York."⁶ Padilla, a known gang member in Chicago, is an example of how future jihadists may be recruited from US citizens who have, and can exploit, ties to U.S. criminal networks for illicit funding, illegal weapons, false credentials, and safe havens.

The second concept that Padilla's case introduces is "forest jihad." Jonathan Figchel, senior researcher at The Terrorism Studies Group, has studied the concept of forest jihad for more than a decade and states that it is critical for responders and analysts to understand that militant jihadists have considered setting forest fires as a form of economic warfare, identified targets, and discussed appropriate manpower for more than a decade. Figchel concludes that, "The so-called 'Forest Jihad' is being championed by Islamic scholars and Osama bin Laden's terror strategists who believe setting fire to dry woodlands will produce maximum damage at minimum risk."⁷ The forest jihad concept was also openly discussed in the book *Knights Under the Prophet's Banner* by bin Laden's associate, Ayman al-Zawahiri, who encouraged

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*Tanker 70 and 100 reloading at Hemet-Ryan Airport, California.
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jihadists to “move the battle to the enemy’s ground to burn the hands of those who ignite fire in our countries.”⁸ In December 2007 a message posted online at aljazeeraatalk.net said, “Imagine if, after all the losses caused by such an event, a jihadist organization were to claim responsibility for [starting] the forest fires... You can hardly begin to imagine the level of the fear that would take hold of people in the United States, in Europe, in Russia, and in Australia.” This post was signed by Abu Thar Al-Kuwaiti on behalf of a group called the Al-Ikhlās Islamic Network.⁹ The forest jihad concept was also tracked by Adam Dolnik, director of research at the University of Wollongong’s Centre for Transnational Crime Prevention. He noted that postings on jihadist websites during 2009 called for simplified terrorist attacks to counteract failures of more

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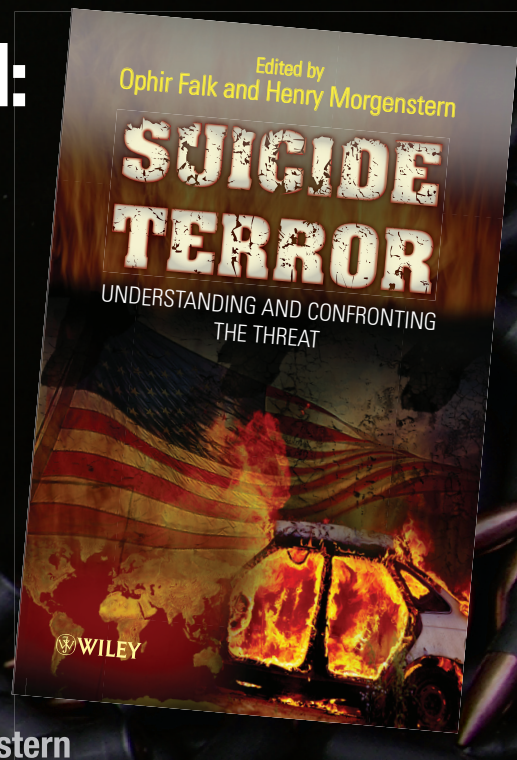
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First responders to a suspected arson fire may not expect to be the targets of a terrorist, but they are susceptible to attack while focusing on fire suppression and incident management.

complex operations.¹⁰

Educating leadership is critical to understanding the threats. An example of a pilot program is the coordination of the New York City Fire Department with the Combating Terrorism Center at the U.S. Military Academy, West Point, New York, to educate fire and emergency personnel. Fire managers must integrate closely with law enforcement personnel in prevention and threat understanding. Beyond local police, it is also important to integrate with the FBI's regional Joint Terrorism Task Force (JTTF). A cooperative regional terrorism early warning center increases the capability to prevent pyroterrorist attacks by timely sharing of information. Fire behavior analysts and arson investigators should establish reporting links to these centers in the event arson wildfire cases follow any discernable pattern. Some fire managers, responsible for high-threat regions, may

go as far as the FDNY, which installed the electronic technology to receive classified information in the FDNY Operations Center.¹¹ By more closely integrating with law enforcement at a variety of levels or attending homeland security training, fire managers can be aware of likely terrorism indicators and early warnings. Phoenix, Scottsdale, and Rural/Metro Fire Departments in cooperation with the Phoenix JTTF provides an example of success in integration that led to the apprehension of a pyroterrorist who set fire to luxury homes to reduce urban sprawl.¹²

The final profile in pyroterrorism is the case of Daniel Andreas San Diego. San Diego illustrates the potential for perpetrators to be wanted domestic terrorists who desire to commit pyroterrorism within the United States against an array of wildland and urban targets. San Diego has the unique

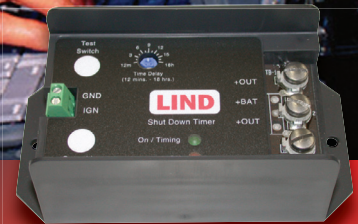


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distinction of being the first domestic terrorist on the FBI's Most Wanted List. His body is tattooed with grizzly renderings of arson destruction to both woodlands and urban areas. San Diego is alleged to have set two bombs in the same vicinity, the second set to detonate an hour after the first, apparently intending to murder first responders. While his first attempt was discovered by clearing the area before the detonation, San Diego showed intent to kill with his devices and is still at large.¹³ While San Diego is known to be a dedicated vegan, he still seeks to harm humans to further his animal rights agenda. Incident commanders must be aware that terrorists regularly target first responders for multiplied benefit.

First responders to a suspected arson fire may not expect to be the targets of a terrorist, but they are susceptible to attack while focusing on fire suppression

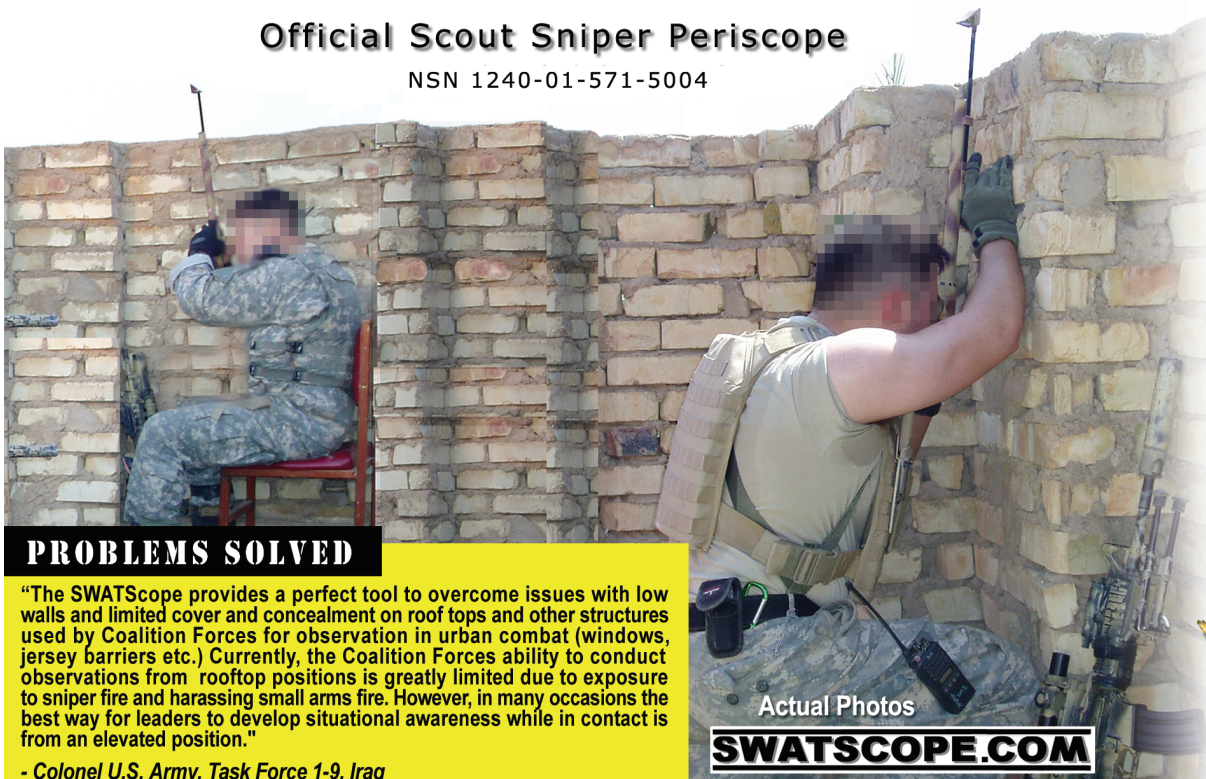


A C-130 Hercules dumps fire retardant to help battle the raging wildfires in Southern California. (U.S. Air Force photo/Tech. Sgt. Roy. A. Santana)

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- Colonel U.S. Army, Task Force 1-9, Iraq

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Active flame front of the Zaca Fire, the second largest fire on record in California. U.S. Forest Service photo by John Newman.

and incident management. Today, the Internet and mass media provide detailed information on the current and projected fire danger ratings with the intent of reducing negligent fires. However, the result is an abundance of information enabling a terrorist cell

to target first responders while law enforcement personnel are busy with evacuation duties.

Additionally, terrorists may block evacuation routes out of fire-threatened areas to create havoc, mayhem, and mass casualties—material ripe for broadcast

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through the national media and effectively increasing the psychological effect of pyroterrorism in the American population. National Type 1 Interagency Incident Management Teams should be considered national assets when dispatched in response to a significant terrorist attack, because they are at risk of being targeted themselves. In the post 9/11 world, incident management should encourage self-protection and integrate with both US Northern Command, and federal and local law enforcement for threat awareness and security.

The US military uses the concept of the force protection officer to address threats to the armed forces in a similar manner. A worthy consideration would be to establish the same function on the incident command and general staff. Those staff officers would liaison with local law enforcement, JTTFs, and officials of the Homeland Security and Defense departments, request regional early warning information from local and federal law enforcement, as well as inform the incident management team. Finally, the force protection officer would also coordinate with the plans section to project potential wildfire threats to critical infrastructure, and alert and coordinate with the Department of Homeland Security and regional critical infrastructure protection agencies.

Finally, it is not reasonable to expect that all the nation's vulnerable areas (urban, forests, and wildland urban interface) could be physically guarded against arsonists bent on massive destruction. All terrorists use violence as a means to coerce governments, alter public opinion, and stir media sensationalism of an event as a sort of violent theater to broadcast their agenda.¹⁴

In the event terrorism is determined, or revealed through other media outlets



*Rancho Bernardo, CA, October 26, 2007. Sifting through their belongings following the devastating fire that destroyed a home.
Photo: Andrea Booher/FEMA*

or the Internet, it is vital that authorities respond with credible counter-messages that reduce public fear and inspire confidence. Incident commanders, local emergency responders, law enforcement, and elected officials must all win the “battle of the narrative” and demonstrate their effectiveness and progress in handling the situation and restoring order while clearly articulating the despicable criminal actions and wanton destruction on the part of the terrorist.

Consequently, law enforcement and homeland security planners at federal, state, and local levels should conduct contingency planning to focus on rapid identification of arson-induced fires. In the event a terrorist group takes claim for a wildfire and its destruction or killing, the incident commander and local,

state, and federal agencies must be fully prepared for an orchestrated multimedia terrorist information blitz meant to reduce confidence in the government response, invoke fear, and incite general civil unrest. Responses may include preplanned public affairs messages and themes that inspire confidence and reduce the perception of weak security. Countering the potential terrorist web posts or videos claiming responsibility for an arson wildfire will be absolutely critical to reducing fear while law enforcement and fire investigators gain time to apprehend perpetrators.

Wildfire has the destructive power to cause tremendous damage and kill on a massive scale as evidenced in the recent Australian bushfires. In this post 9/11 era, we may be weary of how many ways

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we are vulnerable to attack from unseen perpetrators or global jihadists seeking our destruction. Vigilance and readiness to fight arson-induced wildfires already exists. Using this information about new and emerging types of terrorism threats, homeland security planners can anticipate an attack, institute ways to mitigate the severity of the destruction, and protect our population. ●

ABOUT THE AUTHOR

Mr. Baird is a lieutenant colonel and counterinsurgency lead for the Marine Corps Center for Irregular Warfare. He is a former seasonal police officer for Ocean City, Maryland, and has deployed to Iraq and Afghanistan. This article does not represent the views of any governmental agency.

ENDNOTES

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