

Athens Messenger coverage of Madeline Ffitch arraignment and support rally:
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Madeline Ffitch, the 31-year-old Millfield resident arrested in June for allegedly blocking the entrance to an injection well site leased by Carper Wells Service, entered a plea of innocence to a felony charge of inducing panic during arraignment in Athens County Common Pleas Court Wednesday morning.

Judge L. Alan Goldsberry agreed to release Ffitch on her own recognizance, but ordered her to refrain from protesting on any oil and gas related issues in Athens County throughout the duration of the case. Goldsberry's decision generated a lot of resentment from Ffitch supporters who filled the small courtroom and spilled into the hallway, and say the court's decision is in direct violation of Ffitch's Constitutional right to demonstrate.

"I think it's shocking and outrageous that this stipulation wasn't opposed because it shows clearly that it's about civil rights, and that her civil rights are being denied," said Athens resident Heather Cantino outside the courtroom after the hearing.

Athens County Assistant Prosecutor Meg Saunders asked the court for a stipulation on the recognizance bond to order Ffitch to refrain from having contact at any place where she could potentially protest against fracking.

"At this point she has been charged with inducing panic, and as the court stated it was on or about June 26, 2012 that she was asked to detach herself from two barrels that were filled with concrete, and to leave the premises. She refused to do so at that time," Saunders explained. "When she was able to do so of her own accord, she was then arrested and caused a public inconvenience as the court indicated that there were costs incurred of \$1,000. She has been arrested twice in the state of Montana for disorderly conduct, and was found guilty at that time."

In response to the court's decision, Ffitch's attorney, Constance Gadell-Newton of Columbus, argued her client was being made an example of to discourage other citizens from voicing their concerns against the gas and oil industry.

"I believe the state is making an example of Ms. Ffitch by charging her with a felony for what should be misdemeanor conduct, if anything," Gadell-Newton said.

Athens County Prosecutor Keller Blackburn said Wednesday afternoon that the charge against Ffitch has nothing to do with the protest of the fracking industry, but everything to do with breaking the law. He argued that every person has a constitutional right to bear arms, yet when someone is under indictment for a crime they cannot have a firearm.

"Ms. Ffitch has a lawful right to protest, but she did so in an unlawful way. A peace officer has a lawful duty to maintain order, and Ms. Ffitch's failure to disperse when asked, and trespassing on private property is an unlawful act of protest," Blackburn said.

When employees reported to work at the injection site at the intersection of Ladd Ridge and Center Stake Road on June 26, they found Ffitch locked to two concrete-filled barrels at the entrance. She stayed locked to the barrels for several hours before voluntarily releasing herself. Deputies from the sheriff's office offered to not charge Ffitch with a felony if she released herself before a special State Highway Patrol team was flown in from Columbus in preparation of removing her from the barrels. However, Ffitch didn't release herself until after the team arrived.

In a brief video posted on YouTube after the hearing, Ffitch said she was protesting the disposal of out-of-state fracking waste in Ohio and expressed concern about the potential for groundwater contamination. She also called upon state regulators to protect citizens. “We’re lucky to live in a country with a celebrated history of non-violent protest. It has a history of principal, and serious dissent from concerned citizens who are willing to take a stand and advocate for their communities,” Ffitch said in the video. “I have faith that a jury of my peers, once they hear all the facts, will find me innocent of this charge.”

Loraine McCosker of the Ohio Sierra Club attended the hearing and said Ffitch’s case is drawing attention to the issue of fracking in Ohio, and the fact that there needs to be more oversight by the state.

“The copy of the indictment talked about the fact that she created an inconvenience, and economic harm, and she was affecting the peace and dignity of the state of Ohio, and right now what’s happening in Ohio is there is no oversight on this material that’s being injected into various communities,” McCosker said following the hearing. “We have, I think, 190 wells throughout the state, so I would say that the state of Ohio is in violation of its own concept of peace and dignity. This will directly impact our economy, the health of our community, and this material has not been tested. They do not know what is being injected into our community, and that’s what this is about.”

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