



Tim DeChristopher, the young man who bid on federal oil and gas leases as [a form of protest](#) against global warming, [was sentenced yesterday](#) to 2 years in prison, 3 additional years on probation, and a \$10,000 fine. DeChristopher was convicted in March of placing false bids at a federal auction, after his attempt to assert a necessity defense [was rejected](#).

There's no question that DeChristopher was properly convicted. [I explained earlier](#) that the necessity defense is a long shot in climate protest cases in general, and especially so in this one, where the leasing decision was far removed from any greenhouse gas emissions. And those who practice civil disobedience should be prepared to take the consequences. But I continue to think, as I also explained earlier, that this was a good case for prosecutorial discretion in the direction of leniency. DeChristopher did violate the law, but he didn't put any people at risk or cause widespread disruption of government or private activity, as other climate protesters have done. Mostly, he embarrassed the Department of Interior by showing how loosely they monitor these multi-million-dollar lease sales. It's too bad the government can't sufficiently take a reasonably harmless joke to at least have gone along with the probation officer's [recommendation of a lighter sentence](#). According to the Guardian, [the U.S. sought to put DeChristopher away for 4.5 years](#), a sentence which in my view would have been out of all proportion to the seriousness of the offense.

Needless to say, reasonable minds can differ on this one. Brigham Daniels, at Environmental Law Prof Blog, [opines that the sentence was warranted](#).