

He's convicted of the crime.  
He's about to do the time.  
Still, there's a reason why SUV  
graffiti arsonist **Billy Cottrell**  
is about to get . . .

BURNED

A bright but quirky Caltech student is about to be sentenced for helping damage 125 gas-guzzlers during a midnight vandalism spree in 2003. Psychologists think they may know why he was there—something the jury that convicted him did not. By Vince Beiser



THERE ARE A LOT OF STORIES ABOUT BILLY COTTRELL.

They're pretty much all true, though the details sometimes get a bit exaggerated.

Cottrell himself, now 24, likes to tell the one about how he escaped from the juvenile boot camp where his exasperated parents sent him when he was 14. It was way out in the Idaho desert, in the middle of winter, and the staff took away the teenagers' boots at night. One counselor bragged that the place was as escape-proof as prison. Just to prove him wrong, Cottrell bolted. Wearing only boot liners, he walked through 17 miles of rock and scrub in the freezing cold to the nearest town.

His mother prefers to tell how Cottrell, after finally scraping together the credits to finish high school with a dismal GPA, wrote an application essay so compelling that the elite University of Chicago accepted him—and later awarded him its top math and physics honors.

Beverly Reid O'Connell, a federal prosecutor in Los Angeles, has a story about Cottrell, too. In November, she told a jury that on the night of Aug. 22, 2003, Cottrell set fire to a small fleet of SUVs and Hummers, destroying millions of dollars' worth of property.

There's a critical piece of Cottrell's life story, though, that no one—including Cottrell—knew until his trial. He has Asperger's syndrome, a form of autism that almost certainly is part of what makes him so brilliant and so erratic. But the jury never heard that piece. And now facing an April 18 sentencing, Cottrell's future hangs in the balance.

**ASPERGER'S SYNDROME**—A NEUROLOGICALLY BASED developmental disorder named after the Austrian pediatrician who first recognized it in 1944—often is a strange sort of double-edged sword. It impairs a person's ability to interact with others, but often comes coupled with powerful, if narrowly focused, intellectual gifts. People who are born with it generally just seem odd, not obviously impaired. As a result, it often goes undiagnosed. Estimates of

its prevalence in America range from two in every 10,000 people to one in 250.

Its most obvious symptoms crop up in social interactions. People with Asperger's tend to not understand facial expressions, body language and other nonverbal communications, and thus take statements literally, missing implied meanings and subtexts. They often lack empathy, blurting out truthful but unvarnished statements. Once set in a course of action, they are slow to process new information that suggests they should change what they are doing. And they typically fixate on very specific interests—anything from baseball stats to movies to refrigerators. For the main character in "The Curious Incident of the Dog in the Night-Time," Mark Haddon's 2003 hit novel, it was mathematics, especially prime numbers.

"You look at a picture of Billy in the first grade, and you just say to yourself, 'This kid is going to get beat up,'" says Michael Mayock, one of Cottrell's lawyers. Peering out at the world through thick glasses that eclipsed half his face, Cottrell never fit in with the other kids growing up in Concord, N.C. He was too smart, for one thing. He started reading Carl Sagan's books about the universe at age 7, recalls his mother, Heidi Schwiebert. She and her then-husband, anesthesiologist William Cottrell, bought their son as many science books as they did toys.

Cottrell also never understood how to behave with other kids—or anyone, for that matter. He spoke too loudly, interrupted conversations with fact-laden monologues and talked back to teachers whenever he thought he knew more than they did, which was often. "He was a social retard," Schwiebert sighs. As a result, Cottrell was shunned and picked on as a child. Other kids would grab his books and throw them around the cafeteria as he sat reading alone at lunchtime. When his mother picked him up after school, she would find him sitting alone on the monkey bars, watching the other kids play.

Things got no better when Cottrell moved to Gainesville, Fla., with his mother and two younger siblings after his parents split up. "I'd always get into arguments with the teachers.

They would be complete idiots about it, and I'd get in trouble," Cottrell says over a visiting room phone in the San Bernardino County Jail, a hulking pile of gray concrete where he is being held until his sentencing.

Handsome, fit and white, with big, long-lashed eyes, Cottrell looks almost comically out of place in his orange jumpsuit among the shaved-head gang-bangers and weathered jailbirds flanking him behind a shatterproof window. The din of phone conversations, overlaid with the relentless squalling of visiting infants, reverberates off the ceiling. Cottrell doesn't seem especially troubled, though. He answers questions straightforwardly and in detail, his brow occasionally furrowing in concentration.

Cottrell explains that his early fascination with science evolved into a physics and math obsession. He devoured textbooks like candy, learning so much that his teachers couldn't believe it. In sixth grade, he handed in an extra-credit paper on quantum mechanics. His math teacher gave it an F, accusing Cottrell of plagiarism.



**A**FTER GETTING THAT F, COTTRELL GAVE UP ON SCHOOL, though his love of physics never faltered. "I figured if I couldn't impress the teachers, I would impress the other students," he says with a smug half-grin. And the way to do that, he figured, was not to ace tests, but to break rules.

"He learned that if you go a little crazy, you get a lot of attention and admiration from some people," says his 23-year-old brother, Dustin. "He chose that over rejection. I think he was very wounded early on, and has always been trying to deal with it."

In the eighth grade, Cottrell was suspended for publishing an underground newspaper that described various teachers, as his mother delicately puts it, "doing something anatomically impossible." He got in trouble for showing up in a kilt and in even more trouble for spray-painting "Get an education—drop out of high school!" on the gym wall.

His grades plummeted. At home he was obnoxious, stubborn, relentlessly nasty to his brother and sister. All of which drove his parents to ship him off to the tough-love, Outward Bound-type wilderness school in Idaho from which he took his nighttime hike.

Whether because of his innate distaste for authority or because of his disorder—or, most likely, a combination of the two—Cottrell's irreverent attitude kept him bouncing from school to school. As a senior he returned to public school in Gainesville and supplemented his schedule with advanced math and physics classes at a local community college and the University of Florida.

In his application to the University of Chicago, Cottrell explained his checkered transcript. "I can't really say that I regret my years of rebellion," he wrote. "If there's one thing that trouble does, it allows one the freedom to question the standards and purposes of the institution by which one's status is defined. It has thereby instilled within me a firm resolution to live by my own set of impermeable standards."

In college, Cottrell blossomed. Surrounded by other brainy oddballs, he made friends easily, including his first serious girlfriend. He joined the cross-country team and took up rock climbing. He graduated with the highest honors in both math and physics. In 2002, he was accepted into the top-ranked graduate physics program at Caltech in Pasadena.

On its tiny, bucolic campus, Cottrell was in heaven. "Caltech was the perfect life," he says over the jailhouse phone. "I had the perfect girlfriend, the perfect job [as a teaching assistant], and lots of friends."

Still, he sometimes rankled people. He would carry arguments too far, bluntly dismissing others' opinions. But all through college, Cottrell compensated for his social deficits with madcap stunts. At the University of Chicago, he and a friend would rappel down campus buildings at night, once chalking equations on the clock tower. At Caltech, he stripped naked and streaked across campus when a camera crew from "The Tonight Show" offered students \$5 to do something crazy.

By Cottrell's reckoning, he had only one friend at Caltech whose appetite for adrenalin-inducing pranks matched his: a shaggy-haired physics undergraduate named Tyler Johnson. The two of them would scale buildings to-

gether, affixing "Go Metric!" stickers in hard-to-reach places. Once they doctored a Starbucks sign to give it the predictable expletive.

Johnson also was known for his fiery anarcho-leftist political opinions, according to Cottrell and two other former schoolmates. Johnson stridently denounced America as the cause of most of the world's problems, says Scott Payne, a friend of Johnson's roommate. And Cottrell's friend Jesse Bloom remembers Johnson speaking admiringly about radical activists who had burned down some buildings in the name of protecting the environment.

One day, Johnson came up with a new idea. This is where Cottrell's serious troubles began.



**I**N EARLY AUGUST OF 2003, COTTRELL E-MAILED SEVERAL friends, announcing that he and others planned to print bumper stickers reading "My SUV Supports Terrorism" and slap them on oversized vehicles to draw attention to America's dependence on foreign oil. The stickers, however, came back with "terrorism" misspelled as "terriorism."

In testimony at his trial in downtown Los Angeles' federal court, this is how Cottrell explained what followed: Around 1 a.m. on Aug. 22, 2003, Johnson and his girlfriend, Michie Oe, knocked on Cottrell's door. Their car had run out of gas a mile away, and they needed a lift. When Cottrell told Johnson about the spelling screw-up, Johnson got angry. But he offered to forget about the \$200 he had invested if Cottrell would come with them and help spray-paint slogans on SUVs.

Cottrell didn't have the money to pay back Johnson, and he wanted to do something memorable for his friend's last night before Johnson left Southern California for grad school. So the three drove to a gas station in Cottrell's red Toyota Camry, filled a couple of detergent bottles with gas and returned to Johnson and Oe's car and poured some into its tank. Then Johnson and Oe loaded two large paper bags containing cans of spray paint into the trunk of Cottrell's car, and they set off.

The first stop was a Mercedes dealership in Arcadia, where the trio slathered eight SUVs with slogans, including "SUV=Terrorism" and "I ♥ pollution." They rolled on to Monrovia, pulling over on a residential street chock-full of SUVs. Cottrell was spraying one vehicle when he heard glass shattering and saw Johnson throw a Molotov cocktail made from a beer bottle through the side window of a Ford Expedition. The car's interior roared up in flames.

"I was kind of shocked and upset when he did this," Cottrell testified. "As we were leaving, we had a debate about it. I told him it was a bad idea. He basically agreed with me and said it wouldn't happen again."

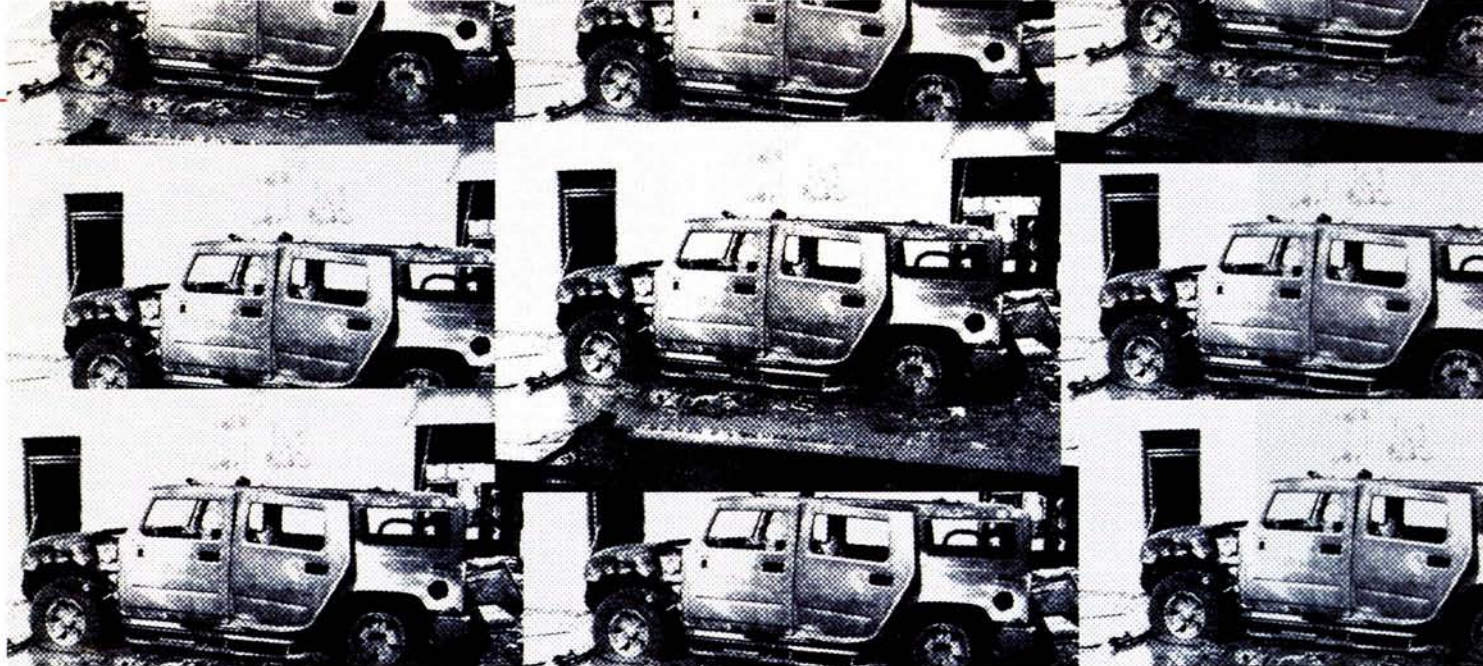
The trio moved on to Duarte, where they sprayed dozens of SUVs at a pair of dealerships. Then, at about 4:30 a.m., they hit the capacious lot of Clippinger Hummer, just off Interstate 10 in West Covina. The spray-painted slogans got wilder—"Fat Lazy Americans," "Earth Murder," "Is Your Penis Really That Small"—and so did Johnson, Cottrell said in court. Once again, as he spritzed slogans, Cottrell looked up to see Johnson trying to fling a Molotov cocktail through a Hummer's side window. The bottle bounced off, though, and hit Cottrell, burning his shirt. "I was mad," Cottrell testified.

He said he immediately headed back to his car and sat there while the fires Johnson and Oe were starting lighted up the dealership. Fourteen Hummers and an adjacent parts building were torched. All told, the anti-SUV spree damaged about 125 vehicles and inflicted nearly \$5 million in property damage.

Of all the dumb things Cottrell and his companions did that night, one of the dumbest was emblazoning "ELF" on a number of cars. Those are the initials of the Earth Liberation Front, an amorphous eco-radical group that in recent years has claimed credit for burning housing developments, car dealerships and a ski resort. The federal government calls the ELF, along with the Animal Liberation Front, "the most active criminal extremist elements in the United States." Invoking the ELF brought the FBI into the case within hours.

Ironically, an FBI mistake led to Cottrell's capture. Three weeks after the arson spree, agents arrested a peace activist named Josh Connole. Reporters covering the case received a series of pseudonymous e-mails saying that

*Vince Beiser last wrote for the magazine about a rabbi based in Tijuana.*



The plan was to spray-paint slogans on SUVs denouncing America's dependence on foreign oil.

the FBI had the wrong man, and offering exclusive details of the crime. FBI agents eventually traced the e-mails to Caltech computers, and to Billy Cottrell's log-on.

Cottrell had not exactly been clever about covering his tracks. People knew about his plans for the bumper-sticker escapade. After news of the fires broke, he dropped hints. "There was a point when Billy recognized he could get a lot of attention by talking about the night of the arsons," Bloom says. "He never told me he'd done it, but he definitely alluded to the idea that he'd been involved."

In due course, agents arrested Cottrell at his girlfriend's apartment on March 9. By that time, Johnson and Oe had vanished. The FBI believes they have fled the country. Assistant U.S. Atty. Beverly Reid O'Connell's team charged Cottrell with conspiracy to commit arson, seven counts of arson and one count of using a destructive device in a crime of violence—a charge that carries a mandatory minimum sentence of 30 years to life. O'Connell declined to comment for this story.



THE PROSECUTION'S POSITION WAS SIMPLE: COTTRELL WAS A fire-starting eco-terrorist who planned and executed the arsons along with the other two. His lawyers had a more complicated case to make. Yes, they said, he had spray-painted the SUVs, and he was there when the fires were started. But, they insisted, he didn't act in advance and took no part in them. Cottrell, they said, had been duped into becoming an accomplice to arson, and was now the victim of friends who abandoned him and of a government desperate to put away anyone it could label a "terrorist."

That position, though, entails answering a tricky question: If Cottrell really did object to arson, why did he continue on with Johnson and Oe after they torched that first SUV? Michael Mayoock and Cottrell's other lawyer, Marvin Rudnick, believe they found the answer in their pre-trial preparation. Struck by some of Cottrell's odd conversational manners, Rudnick called in a psychologist. Gary Mesibov diagnosed Cottrell with Asperger's syndrome. The prosecution then called its own expert—who agreed. It was the first time Cottrell had been diagnosed with the condition that shaped his life.

In his diagnostic report, Mesibov wrote that Cottrell's condition "makes it hard for him to accurately gauge others' intentions and makes him very slow to react if he does eventually figure out that this understanding of a social situation was in error. [He] also has much more difficulty than the average young adult of his age and ability in changing directions in a situation involving others, even if he is eventually able to figure out he is following the wrong course or that the consequences of what he is doing would be detrimental."

In short: Because of his disorder, it is possible that Cottrell believed

Johnson when he said he wasn't going to lob any more Molotovs, and processed the information suggesting otherwise too slowly to realize he should leave.

Two other Asperger's experts—Susan Moreno, president of an international Asperger's support group, and Dennis Debbaudt, a consultant who trains police in dealing with autistic people—agreed that this explanation is entirely plausible.

The fact that Cottrell has the condition doesn't necessarily mean that he's innocent, but it does mean that his story, which is hard to swallow, is considerably more credible than the jurors knew. That's because the jury never heard from the experts. In fact, they heard no evidence about Asperger's at all. Judge R. Gary Klausner granted O'Connell's motion to bar the presentation of any evidence of Cottrell's condition, calling it irrelevant.

To make matters worse, Cottrell came across as arrogant on the stand, occasionally talking back to the judge. His eyes wandered as he spoke. The prosecution pounced on all of this, telling the jury it was "the behavior of a liar."

It's also the behavior of a person with Asperger's. But, of course, the jurors were never told that. After less than a day's deliberation, they declared Cottrell guilty of all charges except the most serious one: using a destructive device in the first fire-setting.

"There was little or no evidence that he perpetrated the first arson," explains Tim Allen, a retired businessman who served on the jury. "But after that fire was set, he got back in the car. A reasonable person wouldn't have continued on with them after they'd torched one SUV if he didn't want to be part of it."

Cottrell was no environmental activist. He never joined any groups, attended demonstrations or even talked much about issues. SUVs do bug him, though. He sees them as smog-spewing symbols of a wasteful American culture that is hurting the planet. Vandalizing SUVs also appealed to Cottrell, he says unabashedly, because "I thought it would be something fun and exciting."

Still, given his predicament, you'd expect Cottrell to say that he considers burning other people's cars morally unconscionable. But during the course of two jailhouse conversations, he sticks to a nuanced statement of his principles. "I was against burning the first SUV because it was a privately owned car," he says. "You can't blame individuals—it's the corporations that sell them the cars. If you start attacking private citizens, they'll just get pissed off. Bumper-stickering would have sent a clear message."

Torching a Hummer dealership, however, doesn't bother him on a moral level. "You have to evaluate what the implications will be, what public debate will ensue. I don't necessarily think it was a good thing, but I'm not going to say it was bad," he says. The fires were simply bad tactics, he says, "too loud, too dangerous, too unexpected."

Regardless of what he really believes,

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## Billy Cottrell

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surely Cottrell realizes that he could help his case by saying he condemns arson across the board, right? "Yeah, my lawyers keep telling me I should say it's terrible," he replies. "But I want to be honest. I don't want to say one thing to my friends, and another to a reporter. I'd just feel bad about myself."

Each of Cottrell's seven arson convictions carries a minimum sentence of five years. His lawyers hope the judge will allow them to run concurrently. Otherwise, Cottrell faces decades behind bars at his upcoming sentencing. Either way, he's in for a long stretch while they mount an appeal for a new trial—one in which they can present evidence about the condition that both helped mold Cottrell into the kind of person who would spray-paint SUVs in the middle of the night, and that also may have left him unable to get out when the joyride turned into a serious crime spree.

"Billy was convicted of the second round of arsons because the question was whether more arson was reasonably foreseeable to the average person. But he's not the average person," Mayock says. "The question should have been whether it was foreseeable to a person with Asperger's." ■