

the Nuclear Resister

“A Chronicle of Hope”

No. 196

December 28, 2020

Prison Sentences for Five Kings Bay Plowshares Activists

While a global pandemic rages and prisons emerge as industrial super-spreaders of the coronavirus, a judge in Brunswick, Georgia has ordered five more of the Kings Bay Plowshares to serve time in federal lock-ups. The group of seven Catholic peace activists took nonviolent direct action for nuclear disarmament in April 2018 on the 50th anniversary of Dr. Martin Luther King, Jr.’s assassination. Their arrests inside the Trident nuclear submarine base at Kings Bay, Georgia were the latest of over 100 such biblically-inspired plowshares actions taken globally since 1980.

Martha Hennessy and Carmen Trotta reported to federal prisons on December 14. The next day, Fr. Steve Kelly, S.J., already in jail since the day of their arrests, was taken in chains by U.S. marshals to begin a multi-stop, cross-country odyssey to face a federal probation violation hearing in Washington state.

They join a confined population of federal prisoners, at least 20% of whom have already been diagnosed with COVID-19 — four times the rate in the general population. According to a new study by the Marshall Project, “the spread of the virus behind bars shows no sign of slowing.”*

In the first of five separate hearings in recent months before Judge Lisa Godbey Wood, Fr. Kelly was sentenced on October 15 to 33 months in prison plus \$310 in fees, \$33,503.51 shared restitution and three years of supervised probation.

The next day, Patrick O’Neill was sentenced to 14 months in prison, plus the same fees, restitution and probation. He is ordered to report to the Elkton federal prison in Lisbon, Ohio on January 14.

In November, Judge Wood sentenced Carmen Trotta to 14 months, gave Clare Grady a term of 12 months plus one day, and handed Martha Hennessy a 10 month prison term. Clare Grady is to turn herself in at the federal prison for women in Alderson, West Virginia on February 12. Each also received the same fees, restitution and probation as part of their sentence.

The seven were convicted in October, 2019 on charges of misdemeanor trespass and three felonies for destruction of property, depredation and conspiracy. Tardy completion of presentencing reports and then the pandemic delayed their inevitable sentencing while the defendants asserted their right to appear in court in person. After multiple postponements, six were re-scheduled for sentencing on October 15 and 16.

Fr. Kelly, already jailed in Brunswick, and Patrick O’Neill, who lives six hours away from the court in North Carolina, appeared in court in person on those dates. The court enforced temperature checks, social distancing and face masks for the proceedings. Officials also provided a phone number for supporters to listen to the hearings as they’d done last June when Elizabeth McAlister was sentenced to time served via video link from her home.

The other defendants all live farther away in New York, Vermont and Connecticut. Citing state and federal health guidelines, Mark Colville, Grady, Hennessy and Trotta asked for another continuance. In granting their motions, the court observed, “They cite travel concerns and their age in this time of COVID-19 as justifying a fifth continuance. Their arguments are undercut by their own travel requests during the presentencing period. While the Court will allow these last four defendants their fifth continuance, their sentencing hearings will proceed” in November.

Colville asked for reconsideration, detailing the COVID travel restrictions and self-quarantine recommendations in Georgia, his home state of Connecticut and states in-between. He also documented his current primary caretaker responsibilities for a young relative receiving dialysis while awaiting a kidney transplant. He now has a February 19 sentencing date.

Each of the five hearings began with Judge Wood acknowledging a stack of letters “seven or eight inches high” that she’d received on behalf of the defendant. She



Martha Hennessy participates in her online sentencing hearing on November 13, from her late grandmother Dorothy Day’s room at the New York City Catholic Worker. Codefendant Carmen Trotta observes.

had read and considered them all, she assured each of them. Moving into the substance, the judge conducted a paragraph-by-paragraph review of the objections the defendant had made to their presentencing report. On some points, defendants or their attorney made oral arguments to supplement the written motions. Wood overruled nearly every objection.

But on a few specifics related to prior convictions and calculating a sentence range, she conceded the defendant had a point to consider, which she did in her final judgements.

While his co-defendants each took advantage of their right to address the court before sentencing, **Steve Kelly**, who also chose not to testify at their trial, instead made his relationship to the court clear in writing, submitting a “Presentencing Declaration of Pro Se Defendant’s Conscientious Objection to and Non-compliance with Any and All Post-incarceration Conditions” (reprinted on page 4). He declared himself “a political prisoner of conscience for Christ... [who] will in conscience refuse any fines and restitution.”

Kelly briefly engaged the court in its review of his presentencing report, but soon abstained from objections to the legal recital.

Dennis Apel, a Catholic Worker from California, travelled to Georgia to testify as Kelly’s character witness. (His statement is also reprinted on page 4.) Kelly asked him a few questions to establish the nature of their relationship, and then Apel addressed the court.

He identified Kelly’s motivation as a “prophetic mission” and delivered a critique of “the typical U.S. courtroom where the ‘law’ is treated as God while justice takes a back seat.” Judge Wood responded directly to discourage court employees from taking personal umbrage. Besides, she said, the strength and fairness of

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TRIAL OF JORDANIAN ANTI-NUCLEAR ACTIVIST BEGINS

A year and a half after being arrested and jailed for a week over a Facebook post, the trial of the prominent Jordanian anti-nuclear and environmental activist Basel Burgan began in September with sessions stretched over several weeks.

Burgan, who runs the successful family pharmacy business his father started nearly 70 years ago, is charged with cyber crimes and spreading rumors “that damaged a government institution.” (*the Nuclear Resister*, #191) Unless the case is dismissed, and barring additional delay due to the pandemic, a verdict by next spring could lead to a sentence of 6–24 months in prison.

The case against the activist businessman began on January 4, 2019, when Saleh Ghbain, a Jordanian scientist working in the U.S. who had formerly worked as a consultant to the Jordanian Atomic Energy Commission (JAEC), released a document on Facebook. He said the document proved that the Research Nuclear Reactor (RNR), recently constructed at the Jordan University of Science and Technology, has “cracks in its design and is leaking radiation.”

In Jordan, Burgan shared the report on Facebook, commenting that “if the leaked radiation is high, then it is a health problem.... We need all security agencies to check this issue.”

On January 7, the JAEC released a statement explaining that the leaked document referred to a test that was conducted in March, 2018 to check if the new reactor building is well sealed and its air circulation contained. Many spots leaking air were discovered, but the JAEC said it had not reported any radiation leaks. After reading the JAEC statement that identified the controversial document as a genuine test report, Burgan deleted his first Facebook post on January 8 and published a new post stating, “Thank God there is no radiation at the RNR.”

But by then the JAEC had already filed a complaint under Article 75 of the Communications Law, alleging Burgan had “spread false information that leads to concern and affects a public institution,” and that posting his concerns on Facebook had also violated Article 15 of

the Cyber Crimes Law.

When he was summoned by police two months later and immediately jailed, many environmental, civil society and grassroots organizations quickly expressed public support. They were joined by members of Parliament in calling for Burgan’s immediate release. After six days in jail, he was released on \$7,000 bail.

In court this fall, testimony has so far only been taken from witnesses called by the JAEC.

As evidence of the court’s bias in the proceedings, Judge Mohammad Tarawneh responded harshly when Burgan’s lawyer asked that the clerk of the court correct a written report of witness testimony. “Why are you reacting this way? You should concentrate on the elements of your client’s crime,” he demanded.

Burgan’s lawyer, Ms. Hala Ahed, immediately asked the judge, “Your Honor, do you think the crime is already fixed or proven?”

The judge became angry and raised his voice, telling her “not to put words to my mouth!”



Public pressure in Jordan helped to get Basel Burgan free on bond pending trial. Now, international support is needed to help release him from the criminal charges that threaten to stop his environmental and anti-nuclear advocacy. The JAEC has failed to show by the testimony of its witnesses in court that it was “damaged” in any negative way, except for receiving phone calls from some Jordanian officials, due to the Facebook posts.

Individuals and non-governmental organizations are asked to please write to the Jordanian Prime Minister’s office to express concern over the prosecution of Basel Burgan and demand the charges against him be dismissed. Write via email to info@pm.gov.jo or fax to +962-6-464-2520, or by postal mail to: Prime Ministry of Jordan, P.O. Box 80, Amman 11180, Jordan.

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the system is indicated by the treatment Mr. Apel received in her court.

In pronouncing sentence, Wood acknowledged that Kelly's criminal history was "more storied" than his co-defendants, and that she would take into consideration his age and his "many good works", as well as his written declaration about supervised release.

She also addressed the “risk of death” to themselves and military personnel that she affirmed as an aggravating factor in all of the pre-sentencing reports, increasing the range of possible sentences.

“You are turning a blind eye towards your crime if you continue to deny no one was placed in danger when you enter a place against warnings of deadly force,” she said, a message she would repeat to each of the defendants before sentencing.

The next day, **Patrick O'Neill** was joined in court by family members, including two who testified on his behalf. His uncle Dennis O'Donnell, a Trump-supporting veteran and retired policeman who helped raise Patrick after the death of his father at age 5, also testified by video from his home. The uncle's deep pride and admiration for O'Neill and his family was effusive.

After O'Neill's eldest daughter Bernadette shared her testimony, Judge Wood asked if she thought there should be consequences for her dad's actions. "I guess there already have been consequences," she observed. (Bernadette's testimony is reprinted on page 5.)

Then his son Timmy, a student at the University of North Carolina, delivered an inspired, extemporaneous endorsement of his father that held the judge and prosecutor in rapt attention. Judge Wood then challenged the young man, asking, “Is it possible to go too far to protest nuclear weapons?”

No, he replied, not compared to the trillions spent on war.

U.S. Attorney Greg Gilluly followed Timmy O'Neill with the government's litany of his father's crimes and the reasons why he should be sent to prison. But it seemed to some observers in court and those listening from afar on their phones, that the prosecutor's fire had been snuffed out.

O'Neill then delivered his own lengthy allocation (reprinted on page 5) before Judge Wood pronounced his sentence.

She told him, “You have a lot to put on the good side. And that must be counted for during sentencing. But ... we are all bound by the laws of this country ... there are consequences.” His sentence of 14 months in prison fell at the bottom of the recommended range.

Four weeks later, on November 12, **Carmen Trotta** and Clare Grady were sentenced in separate hearings via video link from their homes in New York City and Ithaca, New York, and on November 13, Martha Hennessy was sentenced via video from her late grandmother Dorothy Day's room at the New York City Catholic Worker house.

In a morning hearing, Judge Wood affirmed Trotta's objection to the presentencing report's characterization of his criminal history and reduced its impact on the recommended sentence. He has only four previous convictions, all misdemeanors resulting from political demonstrations.

Three character witnesses testified about Trotta's devotion to his work at St. Joseph House Catholic Worker in lower Manhattan and his long history of nonviolent actions against war and U.S. foreign policy. Bud Courtney, another long-time volunteer at the New York City Catholic Worker, said, "His compassion is somewhat legendary."

Kathy Kelly, co-founder of Voices for Creative Nonviolence, has known Trotta for 25 years. She spoke of his international solidarity with victims of war from Afghanistan to Yemen.

Trotta's older brother Louis, an attorney, credited his younger brother for providing much-needed care for two years for their elderly father, who recently died at age 93.

“He’s internalized anything he’s ever been taught about what’s good and right,” Louis Trotta testified. “His coaches taught him to give 110%, and his teachers taught him about human rights, and his faith taught him about being his brother’s keeper. He internalizes that in a way that most people don’t. I think that should be taken under consideration.”

In his own address to the court (reprinted on page 7) Trotta focused on his evolution as an activist, noting as he had in objecting to the presentencing report that, “all of my arrests were deliberate, nonviolent responses to the concerns of my conscience, which I hold to be a divine gift. It is not merely a divine gift to me. It is to everyone. It is what makes a human.”

His sentence of 14 months in prison was a downward departure from the recommendation.

That afternoon, a three-hour hearing concluded with **Clare Grady** being sentenced to one year and one day in prison, a distinction that qualifies her for the statutory good time credit due to those sentenced to more than one year in federal prison. This was also below the suggested range in her case.

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As we write this, 2020 is drawing to a close. Mail is moving slowly. Our old printer closed, and picking it up at the new printer will be a 5-6 hour round trip to the plant in north Phoenix. We have no idea when this issue will reach your mailbox, but we're doing what we can to get it to you as soon as possible!

We're pleased to be able to expand this issue to 12 pages, devoting much of it to many of the powerful statements from the recent sentencing hearings for five of the Kings Bay Plowshares. With Martha and Carmen now spending their first weeks in prison, Patrick and Clare beginning their time in January and February, and Steve in transit by federal marshals across the country, we take the words from Hebrews 13:3 to heart: "Remember the prisoners, as though in prison with them."

Thank you to the Nuclear Free Future Foundation for honoring us with their 2020 award in the Education category! Congratulations to the other 2020 winners: Canadian Ray Acheson, director of Reaching Critical Will (in the Solution category); journalist Fedor Maryasov and lawyer Andrey Talevlin from Russia (in the Resistance category); and Native American activist and New Mexico Democrat, U.S. Rep. Deb Haaland (an honorary award for Special Recognition). And congratulations to Rep. Haaland, who was recently nominated to be the next Secretary of the Interior! If confirmed by the Senate, Haaland will be the first Native American cabinet secretary. It's certainly past time.

Back on July 7, 2017, a majority of the nations of the world adopted a landmark global agreement to outlaw nuclear weapons — The Treaty on the Prohibition of Nuclear Weapons.

Just four months after that vote in the U.N., Sr. Carol Gilbert and Sr. Ardeth Platte came to Tucson to give a presentation about the Treaty at our local library. The following day, we went to the Raytheon missile plant to deliver a copy of the Treaty. The security officer at the gatehouse wouldn't take it - wouldn't even touch it. After delivering copies of the Treaty to public officials, military bases and corporate offices, it was the first time the persistent sisters had been refused. During our visit, we shared ideas and strategized about what further actions we could take when the Treaty was ratified by 50 nations and

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Thanks to Ruth for proofreading assistance. Due to the pandemic, we still miss the conversations with and help from our friends while mailing each issue ourselves. Many thanks to those who have subscribed, renewed their subscription and/or made a donation in 2020!

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YOU CAN HELP!

Please send news, updates and donations! Mail us (or e-mail or phone) new action reports, updates, jail information, statements, graphics, photos & clippings about local actions. Thanks!

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Please inquire about multiple copies of the current issue for free distribution at conferences, workshops, trainings, etc.

THE NUCLEAR RESISTER ON MICROFILM

The Nuclear Resister is available on microfilm as part of the Alternative Press Collection (1986 - present) and the Alternative Press Center Supplement of the Underground Press Collection (1980 - 1985) offered by the ProQuest Company, 789 E. Eisenhower Pkwy., Ann Arbor, MI 48106 or online at proquest.com.

ABOUT *THE NUCLEAR RESISTER*

Since 1980, *the Nuclear Resister* has provided comprehensive reporting on arrests for anti-nuclear civil resistance in the United States, with an emphasis on providing support for the women and men jailed for these actions. In 1990, *the Nuclear Resister* also began reporting on anti-war arrests in North America, plus overseas anti-nuclear and anti-war resistance with the same emphasis on prisoner support.

The Nuclear Resister is published about every three months and serves to network this nonviolent resistance movement while acting as a clearinghouse for information about contemporary nonviolent resistance to war and the nuclear threat. We believe that in any significant movement for social change, many committed individuals are imprisoned. Behind bars, they are physically isolated from their supporters and their own resistance activity is limited. Broader awareness of their actions and support for the imprisoned activist are essential to the movement for a peaceful, nuclear-free future.

Each issue provides the names and jail addresses of currently imprisoned anti-nuclear and anti-war activists. Readers are encouraged to provide active support by writing letters to those behind bars and in other ways requested by the prisoners.

Jack and Felice Cohen-Joppa, Editors

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After 8-1/2 Years, Jay Chase Finally Walks Free

After more than eight years in prison following his entrapment and conviction on multiple charges for protest at the 2012 NATO summit in Chicago, Jared “Jay” Chase was released from an Illinois state prison on November 6. He served his full prison sentence, having refused to co-operate with release to a half-way house one year earlier.

Chase and two other young men were acquitted of state terrorism charges, but convicted of possessing incendiary devices with intent to use, namely four molotov cocktails made with help and materials supplied by undercover police. While awaiting trial, Chase was diagnosed with Huntington’s disease, an incurable hereditary degenerative neurological disorder characteristically affecting movement, cognition and mental health. Prosecutors turned his illness against him at sentencing, arguing that because of a reduced life expectancy Chase was more “dangerous” and unpredictable. Chase received the longest sentence of eight years. More time was added following a conviction for throwing bodily waste at a guard when his medication

Two Years in Prison for Prayer Inside Navy Base

A court on Jeju Island, South Korea, on September 24 announced its verdict and sentence for four opponents of the navy/commercial port construction that destroyed a protected coastal area.

Dr. Song Kang-ho and Ryu Bok-hee were convicted of entering the navy base last March 7 to visit and pray at the last remains of Gureombi, a unique ecological preserve of coastal volcanic rock and freshwater springs that was explosively demolished for the construction on that day, seven years earlier. Two colleagues charged with aiding and abetting the nonviolent protest were acquitted.

Dr. Song has been jailed since late March when he and Ryu answered a summons about their arrest. He was sentenced to two years in prison, while Ryu was sentenced to two years, suspended, plus three years probation.

The Association of Gangjeong Villagers Against the Jeju Navy Base and Gangjeong Peace Network made a joint statement that day: “The South Korean government and navy committed the crimes of scheming to divide Gangjeong Village, and sabotaging and destroying nature which can’t be remade and returned back. Song Kang-ho’s action was just civil disobedience to disclose the illegal navy base to the world[...] Today, we witnessed again how the power of the military-prosecution-judiciary tramples down a person’s conscience. It is miserable. We strongly denounce the Justice Department for ruling Song’s act as illegal and applying military criminal law to his case.”

Addressing the court, Dr. Song spoke of his early years studying for his theology PhD on scholarship in Germany. He visited war zones in Rwanda and Bosnia at the time, and found his life’s work in aiding war refugees.

And he spoke of Gureombi.

Gureombi was a beautiful and holy place. For me, Gureombi was a place to face God through prayer every morning... When I saw Gureombi for the first time, it seemed as if the Ulsan rock of Mt. Seorak sank in the Jeju Sea, and only the upper part of it was spreading like a huge flat. And clear spring waters rose from the vast rock. I could see why people had no choice but to think of Gureombi as a spiritual place to pray and meditate. It was a blessed place where you could freely pray and meditate for days and days while taking in the cool breeze from the sea, while sitting on a warm rock like an ondol [traditional Korean heated floor] where the sun is warm, drinking the clear, clean water that springs from under your feet. To me, the Gureombi Rock was like a huge altar open to the sky. Inside, rare animals and plants such as red-footed horse dung crabs, saplings, lamellars, water-cotton bats and beads were dwelling, and in the sea in front of them, natural corals such as soft corals, sea pines, trumpets, golden trumpets and stone corals... I fought with my whole body to prevent the madness of digging and destroying the beautiful nature of Gureombi and the precious cultural heritage that surrounds it, pouring cement on top of it and burying it. Because we thought we had the responsibility and duty to return this beautiful and holy rock to our descendants as it was inherited from our ancestors. For more information visit savejejunow.org.



Letters of support should be sent to Song Kang-ho (Prisoner No. 219), Jeju Post Office Box 161, Jeju City, Jeju Peace Island, Korea 63166.

was being withheld before trial.

Two supporters met Chase at the prison gate and accompanied his transition out of institutional living. One month later, they report that he is back in Chicago, doing well, being seen by leading Huntington’s disease doctors there and receiving daily care.



Contributions for Chase made at www.gofundme.com/f/jay-chase-of-the-nato3-is-free are being used to 1) get Chase set up with basic necessities, 2) provide medical care, and 3) housing. He will need continuous care to fight this disease. Funds have provided him clothes, a phone, TV, food, and medical care.

Dr. Dhafir Forced to Wear Ankle Monitor

In November, Dr. Rafil Dhafir began the final year of a 22-year federal prison sentence for his charity to the people of his native Iraq in violation of U.S. sanctions imposed between 1991 and 2003. He was released to home confinement under the Bureau of Prison’s COVID compassionate release program. Initially he was required to call into the probation office several times daily, and to be available to receive multiple daily check-in calls as well. But as he passed the one-year remaining mark, probation authorities compelled him to wear an ankle monitor and told him to stop calling in every day.

Illustrating other challenges faced by the newly free, Dhafir has confronted numerous bureaucratic obstacles while trying to get a state ID/driver’s license and receive his Social Security benefits. Months after those benefit checks started up, the agency said it would not issue a replacement card because it somehow wasn’t sure he is a citizen. Dhafir is a naturalized citizen who immigrated to the United States in 1972. Dhafir is also seeking to recover original documents seized along with his charity’s assets when he was arrested in 2003.

Corrections: The last issue should have stated that in a phone call after his release to home confinement, Dhafir gave thanks to “Allah, The Creator whom he worships...” He was misquoted due to an editing error. He also was never associated with Doctors Without Borders, because his overseas relief work was on his own or through Help The Needy, the charity he founded. And while other sources report that telephone conversations in the Communications Management Unit at Terre Haute prison had to be in English, Dhafir said he was never told to speak English only, but that the 15-minute weekly limit on telephone time forced him to do so.

Inside & Out



Please refer to nukeresister.org/inside-out for current addresses before writing.

Name ID# (if needed)
prison or support address
(sentence - in/out date if known)
(action & date)

ANTI-WAR RELATED ACTIONS

Song Kang-ho (Prisoner No. 219)
Jeju Post Office Box 161, Jeju City, Jeju Peace Island, Korea 63166.
(two years – in 3/20/20)
(Convicted of cutting the fence and entering Jeju Navy Base to pray for peace, 3/7/20)

Rafil Dhafir
(22 years – released to home confinement until 11/24/2021)
(Convictions resulting from providing humanitarian and financial aid to Iraqis in violation of U.S. sanctions, 2/05)

JUDGE HOLDS TRIAL DESPITE COVID

Declaring that “justice that is untimely is no justice at all,” a Wisconsin county judge denied individual motions from seven drone warfare resisters to postpone their trespass trial due to the pandemic. As cases in the state spiked on November 16, Juneau County District Court Judge Stacey Smith went forward with their trial and convicted all seven, five in absentia plus two men from Milwaukee who appeared in person. They were fined \$232 each.

A year earlier, during the monthly vigil of the Wisconsin Coalition to Ground the Drones and Stop the Wars, Bonnie Block, Joyce Ellwanger, Bob Graf, Joy First, Jim Murphy, Brian Terrell and Phil Runkel had walked into Volk Field. The Wisconsin Air National Guard base is where troops train to operate the RQ-7 Shadow drone, used to identify targets for larger, armed drones. Before they could approach the gatehouse and ask to deliver their protest message to the commander, they had been arrested.

In moving to postpone “until such a time as travel is considered safe,” the activists cited state health authorities saying “COVID-19 is still spreading across our Wisconsin communities. Staying home is the best way to protect yourself and others from getting sick. We recommend Wisconsinites cancel or postpone all travel, including travel within the state.”

Denying their motions, Judge Smith dismissed the concerns of the defendants, all of whom are in their 60s, 70s and 80s, assuring them that the court’s response is “proactive.” A further request to be tried via video link was also denied.

Defendant and retired attorney Bonnie Block told the court that, “Since I’m 79-years-old, I am at even greater risk both of contracting COVID-19 and of it being fatal. Thus the refusal to postpone the trial until this pandemic is over gives me an untenable and unconscionable choice to appear at the risk of possible death or to give up my constitutional right to a day in court ... Because I have a responsibility to my ... extended family, friends, and fellow citizens to do my bit to prevent further spread of this deadly virus, I cannot appear in Court on November 16, 2020.”

Bob Graf and Phil Runkel appeared for trial. Each took the stand with a prepared statement in their defense, no more than two typewritten pages. So concerned for timely justice was Judge Smith that he insisted they only testify about trespass, and when each man continued to address the realities of drone warfare, personal responsibility and international law, he swiftly cut them off.

While trespass to land is an ordinance violation not punishable by jail time in Wisconsin, failure to pay fines from previous arrests during the campaign has resulted in a five-day jail term for three of the group.

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NUCLEAR RESISTERS
Martha Hennessy 22560-021
FCI Danbury, Route 37, Danbury, CT 06811.
(10 months – in 12/14/20)
Carmen Trotta 22561-021
FCI Otisville, Satellite Camp, POB 1000, Otisville, NY 10963.
(14 months – in 12/14/20)
Stephen Kelly 00816-111
In transit in federal custody.
(33 months - in 4/5/18)
(Kings Bay Plowshares activists convicted of trespass, property damage, depredation and conspiracy at Kings Bay nuclear submarine base in Georgia, 4/5/18)

Leonard Peltier 89637-132
USP Coleman I, POB 1033, Coleman, FL 33521.
(life)
(Framed for murder while defending traditional indigenous from threats including uranium mining on sacred lands, 6/75)

Please note: More federal prisons are now rejecting cards and accepting only white paper letters with blue or black ink and envelopes using no crayon, markers, drawings or stickers.

PREVIOUSLY LISTED/RECENTLY RELEASED: Jared Chase

WRITINGS FROM JAIL

~from Glynn County Jail

Presentencing Declaration of
Pro Se Defendant’s
Conscientious Objection to
and Non-compliance with
Any and All
Post-incarceration Conditions

[This statement was filed with the court before Fr. Steve Kelly’s October 15, 2020 sentencing.]

While still in chains, I, pro se defendant Stephen Michael Kelly, S.J., file this declaration in an attempt to remove any ambiguity and avoid all misunderstanding, come time of sentencing.

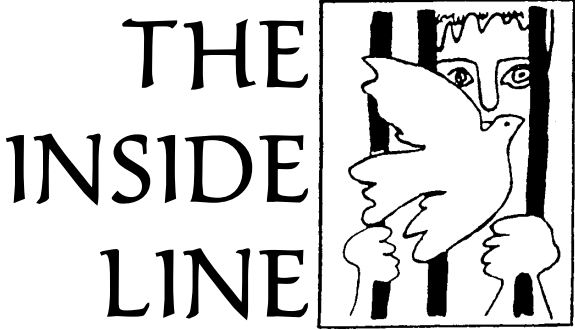
I assert the innocence of the Kings Bay Plowshares. But this statement is my own declaration. Both my conscientious objection and my Religious Freedom Restoration Act testimony are attempts to fulfill the mandate of the Nuremberg Accords. This witness has me confronting and engaged with the omnicidal policies of the U.S. government. Recourse to appeal is futile, pathetic, and dangerous because all the judiciary’s rulings precluded our jury from hearing any defense.



The circuit, appeal, the entire judiciary has thwarted redress that would fulfill the purpose and mandate of the signatories of the Nuremberg Accords. For this reason, I am a political prisoner of conscience for Christ. The judiciary has been unable to see the Isaian

vision as a way out of this spiral of violence. The Isaiah 2:4 vision is an imperative to conversion. The judiciary dangerously legitimizes a nuclear holocaust in following previous rulings. The precedents, when followed, have functioned as a gag order. This court would not allow the jury, the triers of fact, to hear what was recognized in our Religious Freedom Restoration Act evidence; we were at the Trident base to preach against the sin that flourishes in weapons of mass destruction.

Given that situation, my participation in any aspect of supervised release is to comply with and accommodate



the U.S.’ compelling interest of the nuclear weapons agenda. Compelling interest is a euphemism for 1,000’s of Hiroshimas and Nagasakis. And, as in the case of the duty of citizens’ obligation to expose the Nazi concentration camps’ industrial scale genocide in Germany/Europe in the 1930s and 1940s, the Nuremberg Accords were/are both an appraisal and indictment. The nuclear weapons are flying extermination ovens. In conscience, I can’t let any court order or threat restrict me from imitation of the Good Shepherd, Jesus when he placed himself, laying down his life between the wolf, the thief and the flock. In this case, the wolf is the Trident aimed at millions and the thief is the larceny from the poor predicted by Eisenhower in his Oval Office departure.

I answer to a higher authority in that my faith imperative, as outlined in the tenets of the Catechism, missions me to respond to the needs of the poor, oppressed, disenfranchised, in any locality and without any exclusion to those with felony records. I am indigent and itinerant. I will respond, should I be found worthy, led by the Spirit to witness the prophetic vision offered in Isaiah 2:4 by fulfilling its embodiment.

I am aware that imposition of supervised release is a guideline option, not mandatory for this court. I point out that supervised release was not intended for anti-nuclear activists. Consistent with the above, I will in conscience refuse any fines and restitution. This renders probation’s role to oversee collection pointless. In the wake of sentencing, I will be taken in chains to Federal Court, Tacoma, Washington, to answer for the warrant that stemmed from my stating in open court in September 2016 that I refused supervised release. And I suggested to the federal magistrate presiding to translate any term of supervised release into a period of incarceration. This has been consistent in all my previous Plowshares witnesses.

In closing this declaration, if it is not apparent that our nonviolent witness at the Trident base was to save not a few but a multitude of lives, then let this instrument serve to make that an explicit recapitulation of that intention.

[At press time, Fr. Steve Kelly, S.J. is in Bureau of Prisons transit to Washington state.]

Testimony of Character
Witness Dennis Apel

I was asked by Fr. Steve Kelly to be a character witness at his sentencing. While I am more than honored to do so, I want to be clear regarding my intent. I am not trying to affect the sentencing. My fantasy would be to have Fr. Steve’s character precipitate a conversion among those present in the courtroom. As anyone who has been involved in this case is aware, if you believe that Steve Kelly is operating from deeply held convictions and a radical faith in the gospels, he is a prophet. If you don’t believe him, he is just an opinionated criminal. As someone who knows Steve well, I assure you that the first assessment is the truth and the second is false.

I am no stranger to the typical U.S. courtroom where the “law” is treated as God while justice takes a back seat; where even the most fundamental morals are ignored for the sake of upholding the system designed to maintain idolatry to the Pentagon; where witnesses are sworn in with the admonition “to speak the truth, the whole truth and nothing but the truth so help you God” and then essentially gagged in front of a jury of their peers through motions *in limine*, denied the ability to speak the truth about why they did what they did, the horrors they are confronting and the spirituality behind their actions. Prosecutors assume the role of protecting the military as if the most powerful military in the history of humankind were not able to protect itself. Prosecutors assume the role of establishing the motives and character of those they designate as criminals and of whom they haven’t the slightest clue regarding their true character or motivations. Nor do they care to learn because, in our system, character and motives are irrelevant. The character of the accused is no more relevant to the purpose of the law than is the will of God. Entire careers and livelihoods are based solely on convictions and sentences. In what kind of system could a person with the spirituality, conviction and love of God’s children that Fr. Steve Kelly has, be dismissed as a criminal and left to languish for two and a half years in a county jail, while his basic message is expunged in the courtroom; the message that the most horrific and abominable weapons designed by human technology, weapons that have and will visit unfathomable horrors on the children of God and likely exterminate God’s creation, are allowed to exist and proliferate while the most basic of reasonable detractors are gagged and put away. As Steve often reminds us, “When the nuclear holocaust comes, it will be completely legal.”

Fr. Steve Kelly is a man of deep faith who speaks truth to power and accepts the consequences. That is his character. Any other assessment of his character is false. I know this because I have known Steve for decades. He has spent more than 10 years of his life behind bars, giving up the warm embrace and camaraderie of loved ones as well as the comforts of a truly-accessible easy life, to instead speak the truth that God sees nuclear weapons as an abomination. I defy anyone in this courtroom to make a case for a God who embraces weapons of indiscriminate destruction and human misery. It’s not complicated. We who accept nuclear weapons are wrong, wrong, wrong. Fr. Steve just says that with his life and body. That is his character. He has taken up his cross to follow Jesus, pure and simple. We dismiss that fact at our own peril.

So, the question before this court is, “What to do with Fr. Steve Kelly; what is the proper punishment? What shall we impose so that he and others of his ilk are deterred? How can we maintain the order and protect the military from those like Fr. Steve who may want to shine a light on a crime infinitely more serious than trespass and vandalism, namely the extermination of the human race?” The answer is, it doesn’t matter the punishment. Steve will accept it and continue his prophetic mission. The question ought not to be how to punish Steve but rather what is it going to take for those who have ears to hear but cannot hear, and eyes to see but cannot see, to give up their idolatry to weapons of mass destruction and turn toward the God of love; to once and for all beat their swords into plowshares and study war no more? My advice to those in this courtroom is to take an honest look at the true character of Fr. Steve Kelly and to try emulate it rather than defile it. Or don’t.



Letters of support should be sent to Martha Hennessy 22560-021, FCI Danbury, Route 37, Danbury, CT 06811; and Carmen Trotta 22561-021, FCI Otisville Satellite Camp, POB 1000, Otisville, NY 10963. Please note: These prisons will not accept cards, only white paper letters with blue or black ink and envelopes using no crayon, markers, drawings or stickers. Include name and return address on all correspondence as it may be separated from its envelope. At press time, Steve Kelly is in transit in Bureau of Prisons custody. Check kingsbayplowshares7.org or nukeresister.org/insideout for updates on prison addresses.

Kings Bay Plowshares, cont.

continued from page 2

Bill Wylie-Kellerman, a retired Methodist minister from Detroit, testified remotely for his friend of more than 30 years. He described her as the plumb-line for her family and the faith communities she is a part of.

Grady’s eldest daughter Leah described growing up “unschooled” and later graduating from Bryn Mawr College. She was inspired and educated by witnessing her mother’s faith in action at Ithaca’s Loaves and Fishes Community Kitchen, and followed her footsteps there for seven years from the age of 18. Asked by Judge Wood how she would feel if her mother were sent to jail, Leah responded, “I’d be worried for her physical health as I am for each of the 2.5 million incarcerated in U.S. prisons.”

Clare Grady’s sentencing statement (reprinted on page 6) elaborated a 12-point litany of why she was compelled to act for disarmament at Kings Bay.

Her attorney Joe Cosgrove reminded the court that Grady posted bond for her release two months after her arrest for health reasons, was then twice treated for melanoma, and also contracted Lyme disease since her arrest. He asked for consideration of an alternative sentence to prison, one that did not risk her life.

While imposing the prison sentence, Wood noted that it was not a downward departure, but simply a variance from the advisory guidelines in consideration of her history and character, the circumstances of the offense, and Grady’s health.

The following day, Martha Hennessy was sentenced via video. Four friends testified on her behalf, including Elizabeth Blum, who met her in their study to become occupational therapists and lives near her in Vermont, and George Horton from Catholic Charities of New York, a long-time witness to her involvement at the Catholic Worker there.

Mary Yelenick, a retired attorney who represents Pax Christi International at the United Nations and helped to draft the Treaty on the Prohibition of Nuclear Weapons, addressed Judge Wood from her informed perspective on both the legal and spiritual dimensions of Hennessy’s action. (Her testimony is reprinted on page 9.)

Hennessy’s final character witness was her spiritual director Sister Marylin Gramas, who said, “I helped Martha be free to sense God’s promptings.”

For Hennessy, Judge Wood also conceded that her criminal history was overstated in the presentencing report, and her sentence of ten months was a downward departure from the guideline recommendation of 18-24 months. Also contributing to the downward departure was Hennessy’s age (65), her work with the New York Catholic Worker community, and the minor amount of damage she personally caused on the submarine base.

For many who observed and listened in to the five hearings, the Court and its Law seemed to exist in a different dimension from the Conscience of the defendants, a skew dimension where not only lines never meet, but entire universes can co-exist in the same space yet never intersect. But perhaps in some quantum way, where energy moves strangely across time and space, that soulless universe of the Court and its Law was yet stirred by Conscience.

In addition to prison time plus the fees, restitution and supervised release, each defendant was also ordered to cooperate with DNA sampling, to not apply for credit, and to submit all requested financial information to their probation officer.

For more information, visit kingsbayplowshares7.org.

* The Marshall Project, 12/18/2020

STATEMENTS FROM THE SENTENCING OF THE KINGS BAY PLOWSHARES

Testimony of Defendant Patrick O’Neill



October 16, 2020

Good afternoon, Judge Wood, Greg Gilluly, all the U.S. Attorneys, Keith and all of the great defense attorneys who have assisted me, and all of the other court personnel.

We are slowly moving toward the end of this long ordeal (at least the courtroom portion of it for me).

As I have repeated in this courtroom before: I don’t come before you today with any claims on the truth, the whole truth and nothing but the truth. So help me, God.

Yes, I am going to tell the truth, but I can’t say for sure that my truth is God’s Truth. And in truth, to me, God’s truth is the only thing that matters.

First, I want to say my hope is to never be vindicated. I hope the world can survive the nuclear arms race, and for global warming to turn out to be NO big deal. I want our children and grandchildren to have a future with as much love, hope and prosperity as most of you and I have enjoyed in our upbringings under First World circumstances.

I want my efforts on April 4, 2018 to essentially be viewed as misguided, foolish and in vain. In essence, I want to be judged wrong — not just by the findings of this court — but by the world. For me to be a failure and a fool would be so much better than the calamity I fear for future generations if the Kings Bay Plowshares’ message turns out to be the horror we fear will come.

For this court, the rule of law is paramount, and terms like “compelling interest” and “risk of death” are in the forefront of the government’s case.

For me, our actions are guided by the words of the prophet Micah, who says in Micah chapter 5, verse 8: What does God require of you? To act justly, to love mercy and to walk humbly with your God.

The seven Kings Bay Plowshares acted with justice to address the abomination that is Trident. We used spray paint to name the idols erected in the missile shrine and swung hammers to smash the idols of weapons of mass destruction. We did not employ violent tactics. We did not act in a threatening manner. We did not resist authorities who encountered us.

Even for those who have pride in our nation’s nuclear arsenal, how can it be that we could actually erect statues in honor of the most horrifying weapons of mass destruction ever developed? This is a form of heretical idolatry.

Although the base commander testified that he would neither confirm nor deny that Trident is a weapon of mass destruction, it is common knowledge that those subs just off the shore of St. Marys are armed with D-5 missiles, perhaps the deadliest weapon ever made.

It is simply indisputable that Trident is part of a system of U.S. warmaking that, if deployed, would spell death for millions, perhaps billions of people. This absolute truth begs the question: How deeply in sin have we humans sunk that we have collectively created weapons that can bring an end to the creative power of a loving God?

That is a question that should not be shrouded by the rule of law, but rather held to accountability by the rule of law. Yet, in this courtroom, the fact that Trident is a diabolical death machine has been deemed irrelevant. The nonviolent fracturing of human law is all that matters here.

Humanity will never abolish war if we live in such deep denial of what we have done, and what we might do to God’s Creation because of Trident. This court, by its refusal to consider the lawlessness of weapons of mass destruction, is essentially declaring the end of the world to be acceptable. If the Trident D-5 missiles are ever launched and millions of people die, including many of you who reside here at the center of Ground Zero, one fact will remain clear: No laws were broken.

Rather than criminals, we are Messengers, just like the abolitionists were in the face of legalized slavery, or pacifists who went to prison rather than kill. And we took a chance, risked our freedom, and were mischaracterized by this court as threats to the safety of the community.

But it’s all a gamble, isn’t it? We gambled by breaking human laws and subjecting ourselves to prosecution and prison, to warn the world that nuclear weapons are the product of human sinfulness.

So, off to jail and prison we go, all seven of us thrice convicted felons. But what about all of you who are the operatives of this government? And what of all of us taxpayers who supply the means for carrying out the plans for war? What can we say of our gamble? What will history show us, a view far from now? Sadly, those who say nothing in the face of evil, are contributing to evil by their collective silence, and the denial of our collective sinfulness.

This U.S. government — all three of its branches — have been wrong before. The disenfranchisement of Native Americans, the kidnapping and enslavement of Africans, the denial of the right to vote and the denigration of women, the internment of Japanese Americans during World War II, the many wars of aggression waged by our nation, the current plight of Latinos and Muslims who are unwelcome in our Land of the Free. What of the courts that often uphold these actions that oppressed people? And what of Congress and the executive branch that passed and approved of the laws that codified and protected injustice?

Testimony of Character Witness Bernadette Naro

Good Afternoon.

I want to begin my testimony today with some of my earliest memories of my dad. When I was four years old, my parents moved from our small house where the three of us lived, into a much larger house to start a Catholic Worker community. The extra rooms in our new house became spaces for people who had nowhere else to turn. Women and children who were in crisis, came to live alongside us. As a kid, growing up in a Catholic Worker was essentially normal — it was really the only experience I knew. But now as an adult, as I raise my own child, and make my own life choices, I am consistently more in awe of what sharing their home and their lives intimately with strangers required of my parents. My parents chose to live in this way because of their commitment to living out their Christian faith — their commitment to sharing all that they have with the poor, and to taking personal responsibility for the problems they saw in our world.

They centered their life around a few questions — Who is Jesus? What was he all about? And especially, what does he require of us? He taught me to dig into these questions as I grew up and considered what to do with my life.

My dad also explored this question as a Sunday school teacher at our church. I remember him asking his students — if Jesus were to come back tomorrow, where do you think we’d find him? My dad’s answer was that we would find Jesus with the poor. With the homeless. Perhaps at the park, waiting in the soup line that my parents organized every Saturday. Or maybe, he was one of the folks my parents invited to join us for dinner on Thanksgiving and Christmas. Right before the big holiday dinners, as my mom put the finishing touches on the food, my dad and I would hop in the minivan and drive downtown to see who was left alone on the streets. Then, my dad would invite them to dinner with us. As you might imagine, we had some interesting characters join us for the holidays as our guests of honor.

I share these stories because they exemplify my dad’s character and what is at the root of it.

Speaking of a character, as a teacher, a large part of my goal is to show my students what it means to be a person of good character. At the Catholic school where I work, we interpret this goal through the lens of our faith. We state that our over arching mission is to form the whole person in the image of Christ. Without question, this is a lofty goal.

I’d like to say to the court today that my dad had the same aim as he raised eight children. One example of how he sought to form us in Christ’s image was his conversations with us about how we should treat each other. I have five sisters and two brothers. When we were younger, and my sister and I would argue, my dad’s approach was to sit me down, stand my sister in front of me and say to me emphatically, “See your sister in front of you? See her? She is the body of Christ…” He would go on to tell me that bearing those things in mind the only way to treat her was with the utmost love and compassion. I share this anecdote today because I think it illustrates how my dad views the world and how my dad lives his life. His life is guided by the question of what it means to be a Christian. Not in words, but as a lived reality.

Today I have a 2-year-old, who I know my dad has spoken about before. It has been a beautiful gift to watch my dad now in the role of grandfather. When I watch him with her, I am reminded of my own childhood. In their interactions, I’m reminded of the ways my dad taught me to behold God’s creation with awe and delight, and of the role we have to fiercely defend anything that threatens to destroy God’s creation.

Surely, the decision to invent, build, deploy and possibly use nuclear weapons will not stand the test of time as good moral choices, just as slavery and the other aforementioned wrongs have now been adjudged by history to have been horrible mistakes.

Often the corrective remedy used to expose examples of lawlessness as an abuse of state authority has been nonviolent direct action. Historically, the Boston Tea Party and Biblically, Jesus cleansing the temple of the moneychangers, both involved damage to property to make a point and to challenge injustice.

I would argue, Yes, this court has a compelling interest, but it’s not in protecting weapons of mass destruction, but rather a compelling interest to protect God’s creation and the people imperiled by Trident from omnicide.

I think the message we brought to Kings Bay and to this court is painful to hear, and unthinkable to contemplate. It is easier for this court to focus on our fracturing of the law — human law — than to consider the madness of Trident, a weapon that is illegal under international law, which is supposed to be recognized as the supreme law of the land.

In fact, our government has violated many vital laws regarding nuclear weapons, the Nuclear Proliferation Treaty clearly, among many others. But there is also good news. The Treaty on the Prohibition of Nuclear Weapons any day now WILL be International Law. As of this week, 47 nations have ratified the treaty. Only three more nations are needed for global ratification that will mean there is NO doubt that we will have this new International Law on the books in the very near future.

That’s why you, Judge Wood, in perhaps the only time you expressed your personal opinion during the trial, said Trident is probably not unlawful. The United States’ refusal to recognize international law does not make international law irrelevant.

Then came the amazing Religious Freedom Restoration Act conclusion of this court that we seven engaged in: “prophetic, sacramental, symbolic denuclearization.”

This court also concluded that we are “religious” actors with “sincerely held religious beliefs” and that the practice of our beliefs were burdened by this court’s sanctions. Clearly, the U.S. Attorney and the probation office do not agree with these findings, because all those facts were swept off the table by her honor’s conclusion that the compelling interest this court has in protecting the sanctity of naval station Kings Bay was paramount in this case.

Giving agency to Trident submarines and their cargo of nuclear weapons of mass destruction carried the day over our sincere religious intentions. So our jury never heard any evidence about the Religious Freedom Restoration Act.

Following our conviction, our fate was turned over to the local probation office, which continued the hard line against us.

The probation officers calculating our guidelines dug deep to find aggravating factors — also known as enhancements — to make sure our guidelines were as severe as possible. The so-called “risk of death” enhancement — unprecedented in 40 years of Plowshares federal prosecutions — was a key enhancement that pushed the guidelines higher for all of us.

At the same time, a key mitigating factor — our unprecedented effort of “acceptance of responsibility”– (Carmen and I wore cameras that recorded everything we did, and all of which provided the government with all the evidence it needed to prosecute us fully and convict us easily) was not factored into our sentencing guidelines.

In addition, we carried with us a signed copy of our indictment of the base for war crimes, which included our collective conspiratorial intent that made our convictions on the charge of conspiracy an open and shut case for the government.

Yet none of this comprehensive and unprecedented acceptance of responsibility and de facto admission of guilt was considered by the probation office as mitigating. Judge Wood agreed.

In my specific case, I am the father of a daughter, Mary Evelyn, who has Down syndrome. The fact that my wife, Mary, and I serve as volunteer hospital chaplains and have devoted years of our lives to working with, housing, and feeding the poor, did not seem to matter to this probation office as it ramped up our guidelines.

My recommended guidelines are very high despite my “criminal history” of a felony conviction 36 years ago and only nonviolent misdemeanors, none of which any judge I’ve stood before for the last 35 years has given me an active jail sentence, except when I’ve asked for it in lieu of paying a fine.

So all of my misdemeanor civil disobedience cases,

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STATEMENTS FROM THE SENTENCING OF THE KINGS BAY PLOWSHARES

Testimony of Defendant Clare Grady



Good afternoon, Judge Wood, Mr. Knoche, and Mr. Gilluly, and greetings to all the women and men who work in the courtroom there in Georgia. Also, greetings to all those who are listening in to these sentencing hearings on your phones. Your presence as attendees and witnesses to this procedure, as we work together to seek Justice, is essential. Without your participation we might lose sight of the nature of a government of the People, for the People, and by the People. I come before the court today ready for sentencing. May my words and spirit today be rooted in truth with love, the two elements of nonviolence. I have come up with about 12 things that I would like to share today at my sentencing hearing.

1. I am a mother. I can't think of anything that has shaped me more than being a mother. The awe of bearing my children, birthing, nursing and attending them as they grew and continue to grow, was and continues to be the biggest blessing in my life.

2. I have a big family, with siblings, in-laws, nieces, nephews, and great nieces and nephews, each of them, all of them precious and dear to me.

3. I love the Bible and all efforts to come together to live the call to LOVE ONE ANOTHER.

4. I love people... it's a family thing... many of us are in hospitality in one form or another, or service, of cars, health care, elder care, farming or teaching: music and dance, advocacy... it's all about people... it's all about well-being... it's all about joy... and, it's about justice.

5. I love gardening, growing food and flowers, being outside, working in the soil, working in the community garden alongside other gardeners, many of them from other lands, where they never lost the wisdom of gardening with grandmas and grandpas, and children and grandchildren. It is music to my ears to hear my neighbors working and laughing and tending to each other, as they tend to the garden, while speaking in their native tongues.

6. I love Loaves and Fishes, the community kitchen here in Ithaca where I live. I began cooking and eating at Loaves in the late '80s, and eventually became a kitchen coordinator for many years during my children's childhood. The delicious meals made from the shared abundance in our community and the spirit with which it is shared has been life-changing for me. The ministry is not just to care for those without food, but to provide a place where those of us with food can break bread together, share lives, share resources, and build community. Recognizing our common need for a common table. It is a place that offers blessing to all of us who enter the doors, and offers each of us the possibility to be part of the beloved community.

7. I love the mission statement of Loaves and Fishes from Matthew 25. I especially hold the part that says, "Whatsoever we do to the least, that we do to Jesus." The Bible passage tells us a little about the least, that they are those without food, drink, clothes, those without health care, without welcome, and the imprisoned. I add to this list of the "least", those who are being killed, **ESPECIALLY THOSE BEING KILLED IN OUR NAME**. Because when we kill others and harm others, we do that to Jesus. I believe it is a Christian calling to withdraw consent, interrupt our consent, from killing in our name. To do so is an act of Love, an act of justice, a sacred act that brings us into right relationship with God and neighbor.

This is what brings me before this court today for sentencing. It is the consequence of my choice to join friends to undertake an action of sacramental, nonviolent, symbolic disarmament because the Trident at Kings Bay is killing and harming **IN MY NAME**. To be clear, these weapons are not private property. They belong to the people of the United States. They belong to me, to you, to us. These weapons kill and cause harm in our name, and with our money.

This omniscidal weapon doesn't just kill IF it is launched, it kills every day. Indigenous people are, and continue to be, some of the first victims of nuclear weapons. The mining, refining, testing and dumping of radioactive material for nuclear weapons **ALL** happens on Native Land. The trillions of dollars spent on nuclear weapons is resource **STOLEN** from the planet and her people. It would be valuable to calculate or even contemplate that harm. The late Sister Rosalie Bertell devoted her work as a scientist and epidemiologist to

raising public awareness about the destruction of the biosphere and human gene pool, especially by low-level radiation. As a result of her decades of study of the data, Rosalie estimated that millions of people worldwide have died from low-level radiation since the dawn of the Nuclear Age and the release of ionizing radiation. And, as Daniel Ellsberg says in his book that we brought to Kings Bay, "Nuclear weapons are used the same way a cocked gun is used, even if it is never fired. If you hold it to someone's head, **YOU ARE USING THAT GUN!**" Every judge in the land knows that.

It is because we know all this that we are moved by conscience and by our religion to take responsibility to withdraw our consent, to disarm, to shine the light of truth upon this violence.

8. I hold great value in due process. I put great value in hearing the truth, the whole truth, and hearing more than one side. I especially want to know what is being left out. I must say, that my experience in our case, is that the Supreme Laws of the land have been left out. Article VI, section 2 of our U.S. Constitution states that every treaty, pact, and protocol that is signed and ratified becomes the Supreme Laws of the Land. The Bible says that Law is here to serve humanity, not the other way around. And as we know, if we are honest, Law has to catch up in recognizing the humanity of all people. Only after great struggle by the people who have been left out has Law evolved to include them. Law is not monolithic. Law evolves as human consciousness evolves.

As for these Supreme Laws of our land, the treaties that guide us in matters of war and peace, this is what I know. After two world wars in the last century that saw the killing of millions and millions of people, we joined in deciding that it is illegal to kill civilians. It is illegal to use weapons that do not distinguish between combatants and non-combatants. It is illegal to use weapons that poison the air, water, and land. It is illegal to strike first. It is illegal to wage a war of aggression. Nuclear weapons are weapons of mass destruction. They violate each and every one of these treaties. Going one step further, it was decided after WWII that citizens are responsible for the crimes of their government.

This legal development resonates with spiritual truths with the same mandate that I have already mentioned.

9. I want you to know that I believe in the Golden Rule. Yes! If someone came to my place of work to take responsibility for the crimes within there that were being committed in their name and they brought with them no weapons, no threats, no hostility. If someone came to my place of work and did exactly what I did, and sat peacefully taking responsibility for their action, I would be very moved. Moved to wonder. Moved to question. Moved to listen and maybe even learn what such an act was all about.

10. I do not like jail. I do not like being treated as less than human. I do not like being yelled at all day long. I do not like being cold, being hungry, being tired, and overworked. I do not like being separated from my family, from the natural world, to not feel the earth beneath my feet, the sun over my head, the wind on my face. I do not like the violence of being warehoused with fellow women, who need healing and not further harm. I am really scared of being in prison during COVID. I can say with certainty that I have never seen a jail or a prison where you could practice the social distancing that we are told could save our lives during this pandemic. It only adds alarm that I'm 62, I have had melanoma twice in the past three years and have been living with the lingering effects of being infected with a tick-borne illness. My immune system is not what it used to be.

11. It turns out though, I learn quite a bit by being on the receiving end of harm, especially harm being done in my name, such as prisons for example.

I have had some profound awakenings in prison. One that seems important to tell often is this: that to the extent that those of us privileged by this system take responsibility for the big crimes of killing millions and stealing trillions, we will stop scapegoating those on the receiving end of those crimes, those living the legacy of enslavement, of poverty, of genocide.

It's a bitter thing to be on the receiving end of such things or to even have the teeniest taste of them. But I notice, and I do believe that we will have greater possibilities for justice when we include the voices and experience of those on the receiving end of our big crimes.

As for the crimes of nuclear weapons.... I would like to lift up the voices and experiences of the Hibakusha, the survivors of the bombing of Hiroshima and Nagasaki. Listen to Setsuko Thurlow, a well-known survivor, a leading voice and organizer in the International Campaign to Abolish Nuclear Weapons (ICAN). Setsuko gave an acceptance speech for ICAN as it was awarded the Nobel Peace Prize in 2017, three and a half months after the Treaty on the Prohibition of Nuclear Weapons was adopted in July 2017. Listen to the voices of the women from the Global South who have been working to

promote this treaty, in particular to Elayne Whyte Gómez, the Costa Rican Ambassador to the U.N. who presided over the negotiating conference for the Treaty on the Prohibition of Nuclear Weapons.

Listen to the voices of the indigenous women organizing for the healing of their land and people from the contamination from the nuclear industry. Leona Morgan, from the Navajo Nation, who has been fighting nuclear colonialism since 2007 and co-founded Diné No Nukes and Nuclear Issues Study Group. Leona is also part of the international campaign Don't Nuke the Climate. You can find her work online. It's very accessible. Listen to the voices of the people of the Marshall Islands, who endured 12 years of testing of nearly 70 nuclear and atomic bombs exploded on, in, and above the Islands, vaporizing whole islands, carving craters into its shallow lagoons and exiling hundreds of people from their homes.

Listen also to the voices of the Seneca Women, Agnes Williams and Maria Maybe, organizing to clean the contamination of their water and land from the nuclear waste site where they live on Seneca Land at the western door of Haudenosaunee territory, land labeled a sacrifice zone. There are many more voices... that is just a beginning. Before I move on to #12 on my list, I see that it is important too, to listen to the Bulletin of Atomic Scientists who tell us that we are 100 SECONDS to nuclear midnight. Listen to the Pentagon itself! In its own words from the published document "Vision for 2020," it tells of a vision for the planet where the division between the haves and the have-nots will become ever wider, and in the face of that, the United States needs to come out on TOP. To ensure that end, the Pentagon sees its role in maintaining global dominance by dominating Earth and Space militarily.

THIS is key for me, as I understand the Giant Triplets, identified by the Rev. Dr. Martin Luther King on April 4, 1967. Exactly a year before he was killed, Dr. King delivered his "Beyond Vietnam" speech, wherein he identifies the Giant Triplets of Racism, Militarism, and Extreme Materialism. Each of those is deadly in itself, and TOGETHER those triplets are even more deadly. Today we hear the cries across the land to be free from White Supremacy, to be free from economies of greed while so many go without, and to demilitarize our police and our world. Trust and believe. Militarism is the enforcement mechanism for both white supremacy and global capitalism. It is up to us first-world people of privilege to disarm these weapons that perpetuate these triplets. I choose sacramental, nonviolent, symbolic disarmament.

12. With that, I want you to know that Ithaca, where I live, is Cayuga Land. The Cayuga were forcibly removed from this land in 1779 with the Sullivan-Clinton campaign. It was one of the largest military campaigns waged by the Continental Army, where 4,469 troops covered hundreds of miles of Haudenosaunee Territory with orders to destroy villages, homes, crops, orchards, removing the first nation people from their homeland to make way for settlements for what would become New York, one of the first 13 colonies that formed the United States. This major military offensive changed the landscape where I live here in the Finger Lakes for the next few hundred years, leaving only roadside markers as reminders of the people whose stolen land we live on. In recent years, the Cayuga people are returning to their homeland; they are still a sovereign people. They are still Haudenosaunee, People of the Long House, otherwise known as the Iroquois Confederacy.

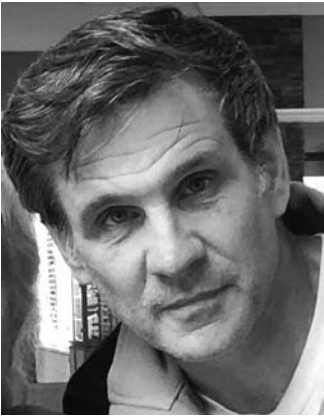
They have much to teach us about democracy, about matriarchy, about right relationship with the creator and creation, the centrality of giving thanks, the necessity of considering the wellbeing of the 7th generation, the wisdom that to be human we should never separate our heads from our hearts. I resonate deeply with the Haudenosaunee belief and trust that "Nothing can go against the Good Mind." It resonates with my trust that ultimately, nothing can go against God's will. To force our will, and go against God's will, has consequence — all of us humans have experience, perhaps every day, of choosing our own will over and above God's will. The consequence varies... but it always goes better for the common good when we do not try to go against God's will. I see the Trident as the ultimate logic of putting self-will above God's will. I see it as a violation of that trust in God, a violation of right relationship with God and neighbor and the least. The Trident is the ultimate manifestation of **FORCING** our will above **GOD'S WILL**, and as the banner I carried said "The Ultimate Logic of Trident is Omnicide," which is the death of all living. This is an unsustainable course... We are either going to continue to clench our need for power and control to the point of death and the death of all living, or we could choose to let go and let God by disarming and restoring relationships. I am hopeful that we will accept responsibility and turn away from risking the death of all living, by many loving, truthful, just, and creative ways.

I am now finished.

God have Mercy on us all and Grant us Peace.

STATEMENTS FROM THE SENTENCING OF THE KINGS BAY PLOWSHARES

Testimony of Defendant Carmen Trotta



In my opening declaration to the court, I remarked that I’m a child of the Vietnam War, and my primary reason to go to college was to discover who was telling the truth about the war in Vietnam and the reasons for which we fought it. I’m only like 18-years-old. It was in college, that I first heard Rev. King’s “Beyond Vietnam” speech, and in a way, that was the saddest day of my life.

It also redirected my life.

The proof was simple enough. As King explained it, by 1954 the United States was paying for 80 percent of the French effort to recolonize Vietnam. Then and there, I learned that the U.S. has no more noble reason to be there than the colonizers we sought to replace. Then did I begin a journey that has led me to my presence before the court today.

I was told by the prosecution that I have an extensive criminal record, and when I heard this, I was dumbstruck. I didn’t think I had any criminal record, but I did at some point come to understand that I had 20, 30 arrests, but in my mind they were all justified. Every one of my actions has been a reaction to an American war crime.

Moreover, in every instance, my arrests were for acts of nonviolent civil disobedience or civil resistance. Let me say, unambiguously, that in all of my extensive criminal history, I have never raised a hand in anger and violence against another. In court, I had mentioned my concern that the “institutional memory of the court is perverse.”

The court knows where and when I was arrested, what the charges were and what I was sentenced to. But nothing of the context within which I was arrested: and context is everything. We may remember in our own trial, Mark Colville was confronted with the notion that what he had done was like running a red light – a straight forward violation of the law. But there are times when, in a particular context, anyone in their right mind would run a red light, as for instance the several times I rushed my ailing father to the hospital, saving his life.

So as regards war crimes, I’ve run a lot of red lights. To be clear, this criminal has never assaulted anyone, never stolen anything, has never threatened anyone. If convicted of disorderly conduct, it was not for being drunk and urinating in the street. It was for holding a banner in front of the White House and refusing to move… unfortunately the court would not know what the banner said.

Notably, the longest sentence I’ve ever been given, prior to my fifty days for the action at hand, was twelve days. So in short, all of my arrests were deliberate, nonviolent responses to the concerns of my conscience, which I hold to be a divine gift. It is not merely a divine gift to me. It is to everyone. It is what makes a human.

My first incarceration was in 1986 in Des Moines, Iowa. A number of Catholic Workers had joined a larger coalition petitioning then Gov. Branstad to reject a federal request for the state’s National Guard unit to go down to Honduras “to build roads.” In actual fact, they would be building invasion corridors into Nicaragua for the so-called contras, a terrorist militia adopted, funded, trained and advised by the Reagan administration, to overthrow the first democratically elected government in Nicaragua in more than 40 years. Prior to the Sandinista revolution Nicaragua was a U.S. client state, under the despotic control of the Somoza family.

We should all be aware of the fact that the U.S. has almost no history of supporting democracy abroad.

Prior to our action, six states, under public pressure, had refused federal requests to state National Guard units. We were hoping to make Iowa the seventh. We went to the Capitol to meet with the Governor, and he failed to show up. Some 25 of us decided to remain in the office until he appeared. When the building closed for the night, the coalition members decided we would wait overnight. Subsequently, state police entered the office to escort us out. I went limp, and was incarcerated overnight.

Days after the action, congressional legislation was passed making it impossible to deny a federal request for a National Guard unit, unless the governor declared a state of emergency, the so-called Montgomery Amendment.

So, my first arrest was in resistance to an act of American terrorism which came to be known as the Iran Contra scandal. The most active agent of the scandal

was Lt. Col. Oliver North, a decorated Vietnam veteran moved into a secret office within the National Security Council. Behind the back of Congress and in violation of the Boland Amendment of 1985, North solicits money from private donors and various nations and turns a blind eye to money garnered from shipments of crack cocaine, brought into the United States via drug cartels with ties to the contras.

Eventually the scandal was exposed. Over a dozen government officials were convicted of crimes. Oliver North was given a three year suspended sentence for being a kingpin in an act of American terrorism which kicked off a ten year war which took the lives of 30,000 people. All of those convicted were pardoned by the next administration. Having never raised a hand in violence, it seems odd to me that I’m destined to serve more prison time than Oliver North.

Another war, indeed a series of wars that I responded to, were related to Iraq. For 30 years now we have been bombing Iraq.

Despite the brutal, dictatorial rule of Saddam Hussein, the people of Iraq managed to create a decent infrastructure. Before U.S. intervention and occupation, Iraq had top of the line hospitals; child mortality rates were comparable to European nations; the populace was supplied with clean, safe water; illiteracy was basically eradicated.

But in 1991, American bombs systematically obliterated that infrastructure. This was compounded by the most deadly regime of economic sanctions in history. Prior to the Iraq war, 70% of the country’s food came from imports. The sanctions forbade U.N. member states from selling any foodstuffs to Iraq, with the exception of “humanitarian circumstances.” More, the bombing destroyed nearly every water treatment plant in the

Patrick O’Neill, cont.

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none of which were crimes of profit, or violent or committed with malice, have led this probation office to conclude that my family should be without my loving presence for more than two years.

Considering the most common word used to describe our prophetic, sacramental act is vandalism, I was taken aback by the harshness of these consequences.

Still, I stand before you today, continuing my legacy of taking full responsibility for my actions on April 4, 2018. In fact, during his closing arguments at the trial, Greg Gilluly noted twice to the jury my comment: “If you do the crime, be prepared to do the time.”

Again, I think we clearly accepted full responsibility for our actions.

From Day 1 of our arraignment, this court has taken a very hard line against the seven of us, and for more than two and one half years now that punitive policy has been unrelenting.

First came a high cash bond, house arrest and ankle monitors; justified by claims that we were a danger to community safety. Requests for loosening those restrictions were mostly denied. Since my release from the Glynn County jail in the spring of 2018, my life has been under the daily management of my probation officer, Woody King, who I personally like and have gotten to know. However, he treats me like a teenager, not an adult.

When Woody stopped by my house as I was taking out the trash, he said, “Mr. O’Neill, you’re supposed to be in your house.”

“I’m just taking out the trash,” I replied.

“Tell Mary to do that,” Woody said. I’m not sure that was the way Magistrate Stan Baker saw my house arrest, but that’s what Woody thought.

When I had my first meeting with Woody and his supervisor, I was told I was allowed to go to Mass on Sunday, but I was not permitted to stay after Mass to share a cup of coffee with my faith community. I was only allowed out for two hours on Sundays.

In addition, my more than two years under supervised house arrest and curfew will not count toward my sentence, despite the fact that I have now spent more than 400 days (that’s 400 24-hour days) confined to my house.

Three times since my release under these strict conditions I have had my children hospitalized outside the Eastern District of N.C., so I was unable to get permission to visit with them because of my home confinement, even though the Chapel Hill hospital was just 35 minutes from my home.

When I told Woody my daughter Brianna was in the hospital with postpartum complications following the birth of my grandson, Luke, Woody said coldly, matter-of-factly, he could not approve the hospital visit. He never said anything kind or comforting about my daughter’s plight or ever asked again about her well being.

Like your families need you, my family needs me.

country. Chlorine, an essential agent in water treatment facilities, was deliberately sanctioned. This was done with the full knowledge that water-borne diseases would result. Cholera and typhoid, previously almost non-existent, spiked dramatically in the next few years.

These were unconscionable policies! Deliberately targeting civilian infrastructure, and men, women and children.

More than 200,000 Iraqis perished by the end of the first Gulf war. The Clinton administration then took the reins, and persistently, if sporadically, continued bombing. In 1996, the U.N. issued a report that 500,000 children below the age of five had died due to the harsh sanctions imposed. Then Secretary of State Madeleine Albright was questioned on this by Leslie Stahl on *60 Minutes*: “We have heard that a half million children have died … I mean, that’s more children than died in Hiroshima. And, you know, is the price worth it?”

Albright responded: “I think this is a very hard choice, but the price – we think the price is worth it.”

Albright never apologized for that statement.

So, this is my great dilemma: the conflict between my love of country and my conscience, and what seems to be the increasing numbness of the nation’s conscience.

It still strikes me to hear the words “all men are created equal,” and the words “certain God-given and inalienable rights.” Rather obviously, we have not lived up to these ideals. But somehow, it is still music in my ear. It is this very conflict that has led me to my actions and to this moment standing before you. I’ve read some of your stuff, Judge Wood, and I know that you have some regard for the protection of dissent. Let us pray for the strength and resilience of one another’s conscience. And I hope you develop a relish for dissent.

The harsh conditions of pre-trial and post-trial release were hard on all 14 of us — Mary and I, our 8 children, two grandchildren and two sons-in law. I think it is clear that all seven of the Kings Bay Plowshares are honorable people who devote our lives to making the world a more peaceful, loving and safe place.

Those who think democracy is working deride our tactics. “Seek out legal options for protesting,” they say, “Write to your Congressional representatives; don’t break the law.” Such advice makes sense to those who think that individual citizens have as much power to effect change as do the corporations that give millions of dollars to legislators who in turn cast their votes for weapons and war, selling their vote to what President Dwight Eisenhower termed the military industrial complex.

Recently, the 2020 War Appropriations Act passed in the Senate, by a margin of 86 to 14. Just nine Democrats, four Republicans and Bernie voted no in this lopsided vote granting \$740 billion to the Pentagon that came during a deadly pandemic that is causing record unemployment, the shuttering of thousands of businesses and millions of Americans facing eviction.

The same U.S. Senate that pundits say has never been more partisan and divided, passed by a wide margin a war budget that is unconscionable during these times of great human needs left unmet.

I am sure my placard holding outside the gates of naval station Kings Bay would not have resulted in one vote being reversed. Those who see the law, which ultimately protects the wealthy, as sacrosanct, have no sense of the urgency of our times.

But the suffering of the poor, burdened by misplaced priorities, a rigged system and the free pass issued to the Pentagon, are urgent matters. Who advocates for them in a society that spends literally trillions of dollars on warmaking, while telling the poor to pull themselves up by their own bootstraps? If your belly is full, you have a roof over your head and disposable income, it is harder for you to empathize with those whom Jesus calls outcasts.

No one in this room today can deny that the theatrical tactics of the Kings Bay Plowshares has gotten your attention and the attention of thousands of people all over the world in a way no letter or phone call to Congress could.

After 35 years of smooth sailing so to speak, the folks in the Pentagon and those operating naval station Kings Bay must now wrestle with the reality that their dangerous warmaking facility that specializes in the plans for mega-death are not above reproach. And to think it is even vulnerable to a band of old people intent on exposing the sinfulness of Trident.

My late father-in-law, Marine Lt. Col. James Rider, a veteran of both the Korean and Vietnam wars, won four purple hearts, two Silver Stars and a Bronze Star and many other service medals. A warrior through and through, Jim Rider had great respect for his daughter and son-in-law. When someone wrote a letter to a newspaper

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STATEMENTS FROM THE SENTENCING OF THE KINGS BAY PLOWSHARES

Patrick O’Neill, cont.

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criticizing my actions, he wrote in reply: “Based on my knowledge of military security, I don’t believe unarmed religious pacifists could gain access to these weapons facilities without the direct aid of the Holy Spirit. Therefore I support them.”

I too, give full credit to the God of Peace for our miraculous effort to smash idols.

Now, as our world is deep in the throes of coronavirus I wonder if I will be assigned to a federal prison for my punishment. A prison where I might be susceptible to a Covid-19 infection. I want to serve my sentence at Federal Prison Camp Butner, just an hour from my home. While the virus seems under control now, to date, 26 inmates and one guard have died from the coronavirus at Butner and 824 inmates have contracted coronavirus.

I am sure that hundreds of men and women have been sentenced to thousands of years in prison in this courtroom. While this work of incarceration pays the bills for many of you here today, I want you to see incarceration from the perspective of the convicted.

For me, walking into this courtroom is agonizing, emotionally horrifying and makes me feel physically sick. A person coming here for sentencing is likely experiencing one of the worst days of his or her life. I’m sure my wife and my eight children are on the edge of their seats right now wondering what you will decide, Judge Wood, and for how long they will have to be separated from their husband and father.

I think anyone involved in this work needs to pay special attention to the humanity of the guilty. Have you kept in touch with any of those you have sent to prison? Have you by chance written to any of those offenders to find out how they are doing in prison? Have you asked about their families left behind? Are you sure none of them have died in custody because of COVID-19?

I say this not to impose guilt, but to address the command of Jesus in Matthew 25 to care for the least of these. Anyone sentenced to prison in this courtroom is automatically consigned to join those Jesus called outcasts. “I was in prison and you visited me,” is one of the commands of Jesus known as a work of mercy. To write to them and express care and love is a spiritual gift to the letter writer. If any of you fine people I have met, and for whom I pray for every day, opt to write to me in prison, I promise to write back.

While this hearing will highlight the many divisions among defense, prosecution, probation, the gallery and the judge, said divisions are mitigated by the commonalities we all share in our human nature. In fact, this is what matters in these times of uncertainty and suffering.

I am a father and a grandfather. Judge Wood, you are a mother who is devoted to your children. Greg, you and Karl are both fathers who love their children ... as much as we love life itself. This is a devotion we share as parents who love the children God has blessed us with. So, in fact, we share a very important common value, one that is at the heart of the teachings in Sacred Scripture: Love of God and Love of Neighbor.

The question we all struggle with is how best to live out our love for God, our children and our neighbors. The seven of us facing sentencing have exposed a tragic flaw — a sin that keeps us from living out some of the most basic elements of Loving One Another ... Trident. How does Trident fit into our lives as a component of our common Christian Faith that calls us to Love Our God, our Children, Our Neighbor? Trident is the Opposite of Love. It is a Machine of Mass Destruction, that robs our neighbors of Love and Hope.

While I have not heard much support for us expressed by this court, my hope is that I have been part of an effort to plant a seed that will sprout and grow in your souls, and eventually bear the fruit of true peace in your hearts. And that all humanity will come together to reject war and Trident and embrace the teachings of Jesus to Love One Another.

Yesterday Greg Gilluly spoke of the school children and workers at Kings Bay who may have been offended when they saw the spray painted messages on the statues of nuclear weapons at the missile shrine — words such as idol, repent, Love Your Enemies, or workers who saw blood on the sidewalk and crime scene tape on a door.

But perhaps the action of the seven of us have and will continue to produce other outcomes. Maybe some of the school children asked their parents questions about what they saw. Maybe the dinner table conversation was full of questions from children about why these people spray painted Bible quotes on the statues?

Maybe school teachers in Camden and Glynn Counties used our witness as a opportunity to have class discussions about dissent as a valuable component of a democracy. Maybe the children asked questions about

Trident submarines that had never been asked before.

Judge Wood and Mr. Gilluly, you’re both parents. Perhaps your involvement in our case will have a lasting educational impact on your children. I think you brought some members of your family to our trial, Mr. Gilluly. Maybe somewhere in Brunswick a child is asking his mother: “Mom, why do we have statues of bombs and missiles at the Navy Base?” “Those people who spray painted said they were idols.” Or perhaps a child asked her father: “Dad, why do we have Trident submarines? And what would happen if those nuclear missiles were actually used? Wouldn’t a lot of people die?”

And what about the churches in Camden and Glynn Counties. Were there some preachers who courageously made the effort to discuss what our action meant in the context of Jesus who said love your enemies, put away the sword?

Maybe there have been and will be Sunday school classes that had or will have discussion about the theological issues we raised at Kings Bay. Judge Wood, yesterday you mentioned the many people who risk their lives to defend our freedom. But, military service is more complicated than the very honorable willingness to give one’s life for a cause.

My father Terrence O’Neill was a Navy veteran during the Korean War and my Marine father-in-law needed inpatient treatment for PTSD in his late 60s.

We also ask of the soldiers to kill on command, to take the lives of other young men and women who they don’t know, who we call enemies. That’s a lot to ask of our young people. Still, so many of us see war as a necessary evil... but is it? Perhaps some children might inquire about why we carried a banner with Martin Luther King’s image and words. Maybe they googled King to discover his references to the triplets of evil: Racism, extreme materialism and militarism. Maybe they read his 1967 quote, “The greatest purveyor of violence in the world is my own country.” Maybe someone is asking why people the court said engaged in prophetic, sacramental and symbolic denuclearization are being dealt with so harshly? Yes, in addition to the shock that Mr. Gilluly cites, there may be far more important benefits that happen because of our action. Dissent — even if it involves breaking the law — can be a transformational event. That’s certainly my hope.

I want to end with a reflection my wife wrote and shared with our children.

There is a scene in Thorton Wilder’s play, *Our Town*, in which young Emily who has died in childbirth begs to be allowed to go back to see one day of her life. Though advised against it, she chooses the day of her twelfth birthday, an unimportant day, she says.

Yet once she witnesses that “unimportant day” she is struck by how we plow through life, unaware of the many levels of being and feeling that go on all around us. She asks the stage manager “Does anyone ever realize life while they live it... every, every minute?”

“No,” he says, “Saints and poets maybe... they do some.”

Looking back at my then-17-year-old self in a photo, I felt like Emily. Tan, thin, smiling, my whole life stretched out ahead of me. I am happy in a cloud of unknowing, posed for the future without realizing that life is lived in those day-to-day moments that we so easily take for granted.

I have a friend whose e-mail address is: Beherenow. Although I’ve never told him, I often contemplate what a wise command he sends each time he sends an email.

Be here now. Through all those days and years of my life so many memories crowd my mind and my heart. Yet here I am, grumbling through school shopping with my three youngest children. Still spending my mental energy on preparing for another day rather than on living the one we have been gifted.

I look at my 17-year-old self and I see my daughter, about to turn 17, and my son, 18 and “on his own”, away at college. I remember them as babies, as toddlers, as middle schoolers. Not only them, but all of our children who have been making their way through life with us and especially those who have now headed out on their own.

The incredible sweetness of being together for a time, just being, together.

So, here we are, all together on this day. We got thrown into your life, Judge Wood. You didn’t ask. We didn’t ask, but we are here together on this day, in this moment in time. While I have not heard much support for us expressed by this court, my hope is that I have been part of an effort to plant a seed that will sprout and grow in your souls, and eventually bear the fruit of true peace in your hearts. And that all humanity will come together to reject war and Trident and embrace the teachings of Jesus to Love One Another.

Thank You and God Bless You.

Testimony of Defendant Martha Hennessy

Dear Judge Wood,

I have thought long and hard and prayed about how to convey the reality of my nonviolent, sacramental action against nuclear weapons at Kings Bay Naval Base. I stand here as a result of my religious conviction that calls me to point out that nuclear weapons are illegal and to uphold the rule of law in the U.S. Constitution, Article 6, Section 2: “This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.”

In the months before I was born in July 1955, Operation Teapot conducted 14 open air tests from February to April. I carry the nuclear contamination in my body.

I am attempting to help transform the fundamental values of public life. I am willing to suffer for the common good and for our sin of not loving our brothers and sisters, a condition that leads to war. War stems from our unwillingness to love one another as Christ has loved us. This is what the Bomb represents to me. And the great scandal is that the vast majority of these weapons are in the hands of white Christians, the United States and Russia. I am sorry that my faith has prodded me to take such action, putting my family and community through hardships these past few years. But faith requires hardship as we see with Christ on the Cross. In my remorse over the misunderstanding over our peaceful messaging at the naval base, I continue to reflect on the meaning of it. My discernment continues even with this sentencing statement. I am remorseful that we have created nuclear bombs and it was very difficult for me to enter that military base. I am sorry to have embarrassed the personnel. I have no plans of repeating another Plowshares disarmament, even as such an action has called me to demonstrate my love for humanity. I feel I have done my part to the best of my ability; I have brought my grievance to my government. Our testimony during trial has had a profound impact on many Catholics despite the fact that we were not allowed expert witnesses or any meaningful defense. We are to live by example, to be indignant over the rejection of God’s love. We spurn God’s love and misplace it when we rely on nuclear weapons to force our will on the globe.

Every freedom of expression, right of assembly, and petition of grievance that I have participated in over the years was nonviolent and purposed for the upholding of the rule of law. The issues I have addressed include torture used on prisoners at Guantanamo, and the killing of civilians with drones. I have taken personal responsibility to advocate for changing questionably moral behaviors on the part of the U.S. military to the extent that I am able. The breaking of an unjust law such as the secrecy and protection of our nuclear weapons system was prompted by my conscience. I have used my free will and primacy of conscience to choose obedience to the protection of every living thing. I have attempted to practice the “councils of perfection”, that is in reference to the teachings of Christ, to do more than the minimum, to aim for Christian perfection, as much as that can be obtained here upon earth.

My participation in community, care of the poor, and my Catholic faith led to my discernment process for participating in nuclear disarmament. It is our obligation to speak out when we feel our faith is being violated when we are forced to accept, pay for, and worship the nuclear arsenal and its intended use against other nations, cities, and people despite the treaties that work to prevent such a holocaust. Last year Pope Francis visited the Japanese cities of Hiroshima and Nagasaki and called for the abolition of nuclear weapons. He stated, “The use of nuclear weapons is immoral, which is why it must be added to the Catechism of the Catholic Church. Not only their use, but also possessing them: because an accident or the madness of some government leader, one person’s madness can destroy humanity.” This year marks the 75th anniversary of dropping the bomb. We remain

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unaccountable for our war crimes.

Dear Judge, I hope you can have a change of heart and begin to understand what is at stake here for those who are on the losing end of our economic system. I have attempted to lead a moral and productive life in my volunteer work, professional career of occupational therapy, scripture study, and care of my family. I am willing to go to prison as penance for our collective sins of practicing violence, war making, and forcing deprivation against the vast majority of people in this world. God delights in EVERY human birth here on earth and expects us to protect all life. All human beings are members or potential members of the mystical body of Christ.

We must also take into consideration the Treaty on the Prohibition of Nuclear Weapons that has now been ratified by 50 countries and will become law as of January 22, 2021. Nuclear weapons are outlawed. Will our country disregard this rule of law? There actually is no law protecting the nuclear bombs. During the trial one of our jurors asked the question, “Are there nuclear weapons on the base?” The facts of that question went unanswered.

I don’t want our action to be trivialized, to be reduced to “breaking and entering” when my efforts are to bring a message of love and sanity to the world. Our nonviolent, sacramental action was found by the court to be a religious exercise. I quote from my declaration regarding my faith-based action:

“Going to the Trident nuclear submarine and missile base is similar to Jesus taking direct action against the moneychangers in the Temple.

‘Take these out of here and stop making my Father’s house a market-place.’ (John 2:16). Our nuclear arsenal is a theft from the hungry; it is economically and environmentally bankrupt, and legally and morally indefensible. Jesus preached to the poor and most of the world’s population remains poor. My Christian faith instructs me not to rely on these deadly weapons but to make visible and practice our dependence on God and love for one another. Despite my fear I entered the military base as an act of faith, hope, and love.”

I have no criminal intent; I want to help prevent another nuclear holocaust. The spirit of the law contained in international treaties for disarmament is very clear, to prevent mass murder on an incomprehensible scale. The Bulletin of Atomic Scientist’s Doomsday clock is set at 100 seconds to midnight. I see my grandchildren’s faces in that clock. We must all do our part to uphold the rule of law. I am called as a Christian to serve others. Practicing the works of mercy in caring for the poor is a spiritual discipline. My opposition to war comes from the Gospel of Life that peace is a good to be pursued out of respect for human life. Today’s wars cannot protect the lives of civilians, and nuclear war cannot practice proportionality. In the 1980s, German judges blocked the roads to nuclear weapons sites the U.S. has located there. They were trying to atone for the lack of having taken a stronger stand against Hitler 40 years previously.

I pray for mercy from this court and from you, Judge Wood. I beg for the soul of Christianity to be saved from the seductions of Empire, and to allow for the flowering of our kinship of faith. In these times of dire economic conditions for millions of U.S. citizens, we can no longer afford to feed this massive war machine.

Here I share words from Japanese survivors of the atom bomb:

A six-year-old boy remembers Hiroshima: “Near the bridge there were a whole lot of dead people. There were some who were burned black and died, and there were others with huge burns who died with their skins bursting. Sometimes there were ones who came to us asking for a drink of water. They were bleeding from their faces and from their mouths and they had glass sticking in their bodies. And the bridge itself was burning furiously. The details and the scenes were just like Hell.”

A fifth grade girl: “Everybody in the shelter was crying out loud. Those voices... they weren’t cries, they were moans that penetrated to the marrow of my bones and made my hair stand on end... I do not know how many times I called begging that they would cut off my burned arms and legs.”

And a young woman: “We gathered the dead bodies and made big mountains of the dead and put oil on them and burned them. And people who were unconscious woke up in the piles of the dead when they found themselves burning and came running out.”

As a Christian I can’t bear inflicting this kind of pain and injustice on innocent people. As St. Paul stated in Acts 22, “I am on trial for hope in the resurrection of the dead.”

We must pay attention to the primacy of the Spiritual. We must recognize the spirit of the law. Our manifesto is the Sermon on the Mount, which means we will try to be peacemakers. Thank you.

Testimony of Character Witness Mary Yelenick

Good afternoon, Your Honor.

My name is Mary Yelenick. I am a member of the Bar, and practiced law for nearly 40 years – first as a judicial law clerk, and later as a law firm litigation partner.

I am presently the NGO Main Representative at the United Nations for Pax Christi International, a global Catholic movement for peace and nonviolence.

I am offering this sentencing statement on behalf of Martha Hennessy: a woman whom I respect greatly – and who I believe is an example of the kind of person we need more of, if we as a human race are to survive.

Most of us are paralyzed by fear, or feel powerless to act, in the face of the very real threat of global extinction by nuclear weapons. The scope and specter of this cataclysm looming over the heads of each one of us assembled here today has rendered most of us mute.

Yet there are, thank God, truth-tellers among us, who are not afraid to speak, and to act. Martha Hennessy is one of those brave, selfless, clear-eyed people. She understands, as Pope Francis continues to warn, and which Ronald Reagan emphasized in his 1984 State of the Union Address, that “a nuclear war can never be won.”

Martha Hennessy knows that as long as we remain silent about that basic truth, we – all of us – risk extinction.

As a farmer in Vermont, Martha Hennessy cares for the Earth, and for its inhabitants. She cherishes, fosters, and preserves life. She recognizes the soil, and plant and animal life, as being integral to the health and well-being of the whole. She understands the inter-connectedness of all organisms, of all life. And she understands that our actions – both as individuals, and as nations – have consequences for all generations, and for all beings, on the planet.

Martha Hennessy has consistently demonstrated – through her life, her actions, and her choices – her deep commitment to peace, and to life. She has sacrificed her own personal comfort to safeguard the futures of everyone – including all of us participating in this proceeding today.

Her life is rooted in her strong faith, and in her biological and spiritual heritage. Martha grew up in the presence of her remarkable grandmother, Dorothy Day – a woman who has been nominated for sainthood in the Catholic Church.

So you might say that recognizing, and speaking, unpopular truths is in Martha’s blood.

Martha has devoted years of her life working, as her grandmother did, among the poor, the hungry, and the homeless – at the Catholic Worker house in New York City. But she not only attends to the needs of the poor, but also to the souls and consciences of the comfortable. Over the years, I have attended numerous public presentations by Martha – including to civic groups, large church congregations, and at the United Nations – in which Martha enlightened and challenged all of us on issues of peace and nonviolence – and reminded us of our obligations to each other.

Martha is a deep thinker. I am sure that this Court has observed that Martha is exceedingly thoughtful, always pausing to collect her thoughts before speaking. She speaks respectfully, carefully, and in a quiet voice. She is patient. She tries, always, to listen to, and understand, others’ points of view. She models respect for others.

Martha’s writings are filled with references to spiritual teachings about what we owe each other, and what is expected of us if we are not only to honor our Creator but also the sanctity of creation itself. Martha’s goal, and her lifetime, demonstrable personal commitment, is to nurture, to protect, and to preserve that creation.

Martha Hennessy’s lifetime fidelity to a life of peace and nonviolence has been manifested in many, many ways over the years. Several years ago, I spent long days with Martha and others in a seven-day fast and vigil near the Isaiah Wall across from the United Nations complex in New York – in the plaza that bears the injunction from the Book of Isaiah that we must “turn our swords into plowshares.” For a full week, Martha fasted; walked quietly in procession, holding up signs and pictures of the haunting faces of starving, emaciated children; spoke and listened carefully to passersby; and prayed publicly and peacefully for an end to the cruel slaughter of children in Yemen.

Martha also traveled to the Korean peninsula a few years ago, as part of the effort to support the peaceful reunification of people in the South with their families and countrypeople in the North – a division that resulted, as has so much suffering in the world, from global power struggles in which our own country wields its nuclear arsenal as a threat.

Martha derives her conviction from principles of the Christian faith, in which God sacrificed his own body, and shed his own blood.

“Do this,” Jesus directed, “in memory of me.”

And Martha did. In a deeply symbolic, sacramental action, blood was spilled at the Kings Bay nuclear weapons naval facility in the hope that the sight of that blood would be a wake-up call, and a stark reminder, of the blood that once coursed through the veins of the hundreds of thousands of moms, dads, and children killed (and still being harmed through irradiation damage) by our nation’s nuclear weapons in Hiroshima, and in Nagasaki, and in the course of our nation’s nuclear testing in the Marshall Islands and elsewhere in the South Pacific.

That spilling of blood is also a reminder of the certainty – far greater than any “risk of death” – that blood will gush from the bodies of billions more – human blood; animal blood; the life force of the earth itself – if nuclear weapons are not eliminated.

And in keeping with her Christian faith, and her knowledge of the horrific consequences of nuclear weapons, Martha has not only spilled blood, but is now offering for others her very body, in sacrifice: exchanging her own freedom in an effort to save the lives of others.

Two final thoughts, Your Honor: As an attorney with decades of experience practicing law, I recognize that adherence to “law” provides predictability and stability, in a society. But I also recognize that, over the course of our history, a number of things that we now recognize as vile, and deeply immoral – such as, in our nation’s history, the enslavement of human beings – were once deemed “legal.”

So, too, nuclear weapons – which have incinerated newborn babies (and their young mothers, clutching them as they ran); vaporized elderly people as they stumbled in panic; and pulverized screaming schoolchildren into blackened, pulsating blobs of burned skin – are deemed “legal” in this country.

But the global Treaty on the Prohibition of Nuclear Weapons – under which nuclear weapons will formally, on January 22, be deemed illegal under international law – makes clear the condemnation by the world of the diabolical weapons of mass destruction that glide ominously through the waters of Kings Bay.

None of us – in this courtroom, this county, this nation, this small, closely-connected planet – can escape the necessary consequences of what is happening in Brunswick.

“Sentencing guidelines” cannot help us evade our own moral responsibility. Those guidelines could not have, and do not, contemplate this time of global pandemic – when consigning Martha Hennessy to prison presents a very real risk of being a death sentence. Does that stark parallel to the biblical narrative trouble our consciences?

Martha Hennessy has accepted – and exercised – her own moral responsibility, trying to protect all of us from mass death. It is WE who have ignored and abdicated that moral responsibility – still refusing to admit (including to the trusting Brunswick jury who did ask the question, receiving no real answer) that yes, there DOES reside, in Brunswick, a nuclear arsenal capable of ending all life on earth.

It is only a question of when – not whether – that nuclear arsenal will be used: intentionally, or by accident or mistake, or through cyber-sabotage, or theft.

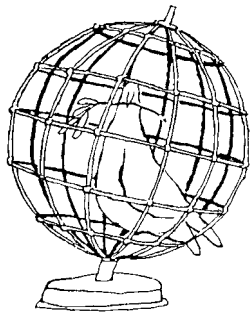
And when that happens:

The final questions that dying children everywhere – not only here in Brunswick, but all across the planet – will be asking their parents – as they and their parents scream in agony, consumed by raging fire; or withering away from radiation; or inexorably reduced to skeletal remains from global starvation, with nuclear dust clouds blocking the sun’s rays – is “why didn’t somebody stop this, while we still had a chance to stop it?”

And the response – the final agonized whispers of parents dying horrific deaths in Brunswick, Georgia, and all across the globe – the last human sounds before the extinction of all life on this small, fragile, beloved planet – will be:

“Some people DID try to stop this. But we prosecuted them. And we locked them away.”





Russia

Editor’s note: We share this year’s Nuclear Free Future Award with Russian anti-nuclear activists Andrey Televlin and Fedor Maryasov. Their award was in the Resistance category, and the persecution of social and environmental activists by Russian authorities is ongoing. Their stories and many more are told in a recent publication of the Russian Social Ecological Union (RSEU)/Friends of the Earth Russia titled “Anti–nuclear resistance in Russia: problems, protests, reprisals.” The full report is available for download at bit.ly/Rosatom. These are highlights from that report, and more.

Since the passage of controversial security legislation in 2012, Russia now requires extensive reporting from registered civil society groups to demonstrate that they are not criminal “foreign agents” receiving material support from outside Russia. Failure to file the reports is a crime itself. In the years since, at least 30 such groups, most of them with environmental, civil and human rights missions, have been forced to shut down under the weight of fines and cost of legal defense, and/or have seen their leaders flee into exile to avoid malicious prosecution and imprisonment. As of November, a Justice Ministry registry listed at least 68 current foreign agents, many among more than 70 groups that are challenging the designation in cases before the European Court of Human Rights.

The anti-nuclear exiles include:

— Nataliya Mironova, who left in 2013, was leading the Movement for Nuclear Safety, one of the first organizations to raise the problem of radiation pollution in the Ural region. Beginning in 1989 when the Soviet Union collapsed, the Movement was engaged in raising awareness, social protection of the affected population, and publishing dozens of reports. After unprecedented pressure and persecution, Mironova was forced to emigrate to the United States in 2013.

— Nadezhda Kutepova, who fled with her children in 2015 after being accused of “industrial espionage.” The organization she led, Planet of Hope, interviewed thousands of affected residents, and as a lawyer she won more than 70 cases in defense of victims of Mayak, the notorious nuclear reprocessing plant in the Chelyabinsk region that blew up in 1957. The organization survived arbitrary inspections in 2004 and 2009, but was labeled a foreign agent in 2015 and closed in 2018.

— Alexandra Korolyova, who sought asylum in Germany in 2019. She was leading one of Russia’s oldest environmental groups, Ekozaschita! (Ecodefence!), which was declared a foreign agent in 2014, and chose not to cooperate with the new reporting requirements. The group was fined and Korolyova faced criminal charges for nonpayment. Supporters believe the move was a reaction to the group’s campaign against construction of a nuclear plant in the Kaliningrad region, where Ekozaschita! is based.

This year’s Nuclear Free Future Award (NFFA) winner Andrey Televlin hasn’t had to leave, but is considered a foreign agent for his legal work representing the public and Russian NGOs who oppose Russian plans to import massive amounts of radioactive waste from abroad for reprocessing. For organizing and participating in nonviolent actions, Talevlin has been arrested several times but still holds on to his job as an associate professor for ecological land law.

NFFA resistance co-laureate Fedor Maryasov is an independent journalist in Zheleznogorsk (formerly Krasnoyarsk-26), in the Krasnoyarsk region of Siberia. It’s a closed nuclear town that was founded in the 1950s to produce weapons-grade plutonium. Even today it can only be entered with a special pass. Now Rosatom, the Russian state nuclear authority, plans to build a national repository for high–level radioactive waste near there. A site has been selected on the banks of Siberia’s largest river, the Yenisei, only 40 kilometers from the city. Environmental activists consider this project, if implemented, to be a crime against future generations and in violation of numerous Russian laws. Activists are also concerned that waste from Ukraine, Hungary and Bulgaria (and in the future from Belarus, Turkey, Bangladesh and other countries) could be transported there as well.

When first announced, public participation in the decision was zero and critical voices were not wanted. In 2013, Maryasov circulated a petition against it, gathering 117,000 signatures.

That year he also produced the documentary film “Digging Our Own Grave” together with the NGO Green

INTERNATIONAL NOTES

England

Before dawn on December 11, a coalition of Extinction Rebellion (XR) groups blockaded the vast Ministry of Defence operations center in north Bristol, England. The protest was carried out in accord with the latest COVID health mandates, and organizers said a safety risk assessment was available for the police to review.

Around forty activists from XR Bristol, Christian Climate Action, XR Peace and others unloaded wooden towers and a tripod to seal off all three vehicle entrances. Banners were strung across the roads and people clipped their arms into lock-on tubes.

The date chosen was the fifth anniversary of the Paris Agreement pledging to keep climate change below 1.5 degrees Celsius.

Asked by police why they took action, Michael Truesdale of XR Bristol told them, “Five years ago, the Paris Agreement gave me hope. It was a lie. We have stopped nothing. Our scientists are telling us that the 1.5° limit we imagined at that summit is now a pipe dream, and we should prepare for a 4° rise in global temperatures. At that point, or sooner, society would collapse as the oceans rise, soil dries and total war envelops the planet. The Climate Crisis will create war, whilst war is also contributing to the climate crisis. Both from the massive direct emissions – the U.S. military being the largest polluter in the world, and as a barrier to positive international relations. We must break the cycle.”

The blockade drew attention to what the protesters describe as the government’s “dangerously inadequate response” to the climate emergency. The government has just committed £24 billion to military spending over the next 4 years, yet only £16 billion to their Climate Plan.

Reverend Sue Parfitt of Christian Climate Action said, “Time is running out. We have to take extreme measures.

World. In 2014, he published the nuclear-critical report “The Siberian Gambit”, bringing together all the activities of the mining and chemical industries in Zheleznogorsk from 1950 to the present. The report uncovered violations that were then published in the mass media with the names of those officials and scientists responsible for covering up critical information.

Green World is an organization opposed to nuclear projects in the Baltic Sea region based in Sosnovy Bor, Leningrad region, a city dominated by the nuclear industry and closed to outsiders.

Rather than be met with cooperation, the organization and its activists had, from the beginning, experienced pressure from the authorities and the nuclear industry. Activists faced dismissal, lawsuits and even attempts on their lives. It was forced to disband in 2015 after being labeled a foreign agent.

In 2016, Maryasov was charged with inciting hatred against nuclear industry workers as a social group. The criminal case threatening five years imprisonment for Maryasov was based on 125 press articles and posts on social networks about nuclear topics. The activist’s apartment was searched and his computer seized. The federal security service also gave him an official warning against treason. Only wide publicity in the media and the active support of human rights lawyers have thus far prevented further criminal prosecution of the activist.

In the Kurgan region, Rosatom’s subsidiary company, Dalur, has been mining uranium using the borehole leeching method. This involves drilling thousands of wells and the injection of a million tons of sulfuric acid over 20-30 years. Local farming communities fear an environmental disaster because the uranium deposit is located in a floodplain of the Tobol River basin, a recognized strategic reserve of fresh water. Several times, activists have tried to start a referendum and demand an independent environmental review, but so far, have met only refusals from the local officials.

Lyubov Kudryashova is an environmental activist, entrepreneur and mother of three sons. In 2017, she was involved in a case against the Russian Federation over its refusal to conduct an environmental impact assessment before selling a license to develop the mine. That year, she also co-founded the Public Monitoring Fund for the Environmental Condition and the Population Welfare with the regional branch of the Communist Party of the Russian Federation. One month later, a judge of the Kurgan Regional Court issued an order giving the Russian Federal Security Service (FSB) authority to wiretap her telephone.

The Fund publishes information on the possible environmental damage resulting from Dalur’s mining activity. Kudryashova writes: “Shortly after the completion of the case in the Supreme Court of



photo by Rowland Dye

Extinction Rebellion activists block the entrance to a military operations center, spotlighting how warmaking is changing the global climate.

The reason we’re here is because the military’s emissions produce an enormous amount of toxins and it’s warming the planet. I don’t believe the answer to the ‘aggravated threats to international peace and security’ is to develop more sophisticated weapons. We have to spend the money that’s needed on climate action. If we fail on this, the results will be unimaginable suffering.”

Sita Ruskin of Bristol Extinction Rebellion said, “We’re here to say to our government: spend our money on combatting climate change – not on putting weapons into combat. Failing to take action on climate change is what will fuel war. It’s predicted that conflicts could increase by 10% to 20% for every half degree Fahrenheit increase in global temperatures.”

Police moved in to clear protesters by late morning. Quaker Gaie Delap and Reverend Parfitt were arrested for obstruction of the highway and released later in the day. There was traffic disruption around the site for the rest of the day.

For more information, visit xrpeace.org.

the Russian Federation and the registration of the environmental fund, a hidden judgment of another court was rendered that allowed the FSB to begin wiretapping my phone and, I believe, begin to look for fictitious crimes in order to stop my work.”

So it was that on January 29, 2019, armed men led by a FSB captain broke into her family’s home and spent the day searching it. That summer the FSB got a local court to involuntarily commit Kudryashova to the Kurgan District Psychiatric Hospital for most of the month of July. She was kept from speaking with family or others outside without permission of the agency.

Then in March 2020, the FSB charged Kudryashova with 12 counts of “public justification of terrorism using the Internet” based on a specious forensic analysis of posts on the social network VKontakte, which, according to Kudryashova, never belonged to her page. The actual source of those posts remains unknown because the protocol and the DVD-R capturing those posts show evidence of fabrication and forgery.

Prosecutors say she advocated for violent overthrow of the constitutional order by re-posting memes with such phrases as, “The fate of Russia is determined by each of us, what you personally or I do, then Russia will. A correct position can only be revolutionary” and “If the nation is convinced that the ruling power in the state is directed not at the development of its cultural, economic and other needs, but, on the contrary, at trampling them, then it is not only the right, but also the duty of the nation to overthrow that power and establish one corresponding to the national interests of the people.”

The charges come under jurisdiction of the Central District Military Court of Yekaterinburg, where Kudryashova’s trial began last summer and is expected to continue for two or three more months.

Agora International Human Rights Group and the Memorial civil rights society in Russia have provided an attorney and other support for Kudryashova.



Letters in support of Lyubov Kudryashova and seeking dismissal of the charges against her should be addressed to the chair of the court collegium examining the case, Judge Sergei Gladkih, st. Bazhova 85, Yekaterinburg, Russia 62005, or by email to opo.covs.svd@sudrf.ru. Refer to Case №: 2-42/2020, Lyubov Kudryashova.

Her youngest son Lolly posted a petition at <http://chng.it/xHgMmwkPq5> that includes his mother’s summary of the uranium mining project she opposes and the criminal charges she is now facing. While the petition language is in Russian, the instruction for signing is in English.

Ireland

A jury of twelve Irish citizens unanimously found peace activists Colm Roddy and Dave Donnellan not guilty of criminal damage at Shannon Airport over four and a half years ago.

The Dublin Circuit Court jury heard eight days of testimony about the morning of May 25, 2016, when the two men cut a small hole in the fence and entered Shannon Airport to search and investigate U.S. military aircraft that were being refueled on their way to and from U.S. wars of aggression. Before they were arrested, they had also painted crosses on the runway and implored police guarding a U.S. warplane to search it.

Irish law permits a “lawful excuse,” such as protecting oneself or another, to a charge of criminal damage. Jurors heard from police interviews with the men at the time of their arrest as well as their live testimony that they acted to uphold Ireland’s official policy of neutrality and prevent their nation being an accomplice to ongoing U.S. war crimes. In a lengthy summation of the evidence presented by several prosecution witnesses and the defendants themselves (who did not call any witnesses on their behalf), Judge Karen O’Connor told the jury that, “You must decide whether they believed their actions to be justified. It does not matter if the belief is justified or not as long as Mr. Roddy and Mr. Donnellan honestly hold the belief... It is not for the defendants to prove that they had lawful excuse,” but rather the prosecution must prove beyond a reasonable doubt that the excuse given by the defendants was not a lawful excuse.

With that instruction, the jury returned a full acquittal in less than two hours.

Speaking after the trial, Colm Roddy said, “The result of this trial gives us no cause for celebration. Our peaceful, nonviolent actions in May 2016 were undertaken to highlight Irish complicity and participation in U.S. wars in the Middle East that have caused the deaths of millions of people in the Middle East, including the deaths of up to one million children since the First Gulf War in 1991.”

Dave Donnellan added, “It is a matter of deep regret to us that this complicity is still ongoing almost daily since 2001.”

In 2003, an Irish jury acquitted the five Pit Stop Ploughshares activists of criminal damage of a recently-repaired U.S. Navy cargo plane at Shannon, and the Court of Criminal Appeal later overturned the conviction of Mary Kelly for damaging the same aircraft five days earlier. American Veterans for Peace Ken Meyers and Tarak Kauff, arrested for criminal damage and trespass after a similar action they took on St. Patrick’s Day, March 17, 2019, await trial next April in the same court.

Press Statement

read by Dave Donnellan
from the steps of the
Dublin Circuit Court

This case was never about justice. It was about punishment and cover up. Punishment for challenging the evil that is happening at Shannon Airport on a daily basis, and an attempt to cover up this reality by portraying peace activists as criminals. In this trial for the first time in four and a half years, we were finally given the opportunity to challenge the evidence against us in open court. In the collapse of this trial what has been exposed is the systematic failures of both the Gardai and the DPP (Director of Public Prosecutions) to uphold local, Irish and international laws at Shannon Airport. Their decision to pursue this case was a political one to punish us for challenging U.S. military use of Shannon Airport. Their decision to prosecute us over a hole in a fence measuring 450mm by 300mm was a shameful waste of national resources.

We went to Shannon Airport to witness to our faith in Jesus Christ and a God of life and love. In Shannon Airport the value of life is being desecrated on a daily basis. The permission given by successive Irish governments to the U.S. military to use Shannon Airport is a clear indication of the priority the Irish government gives to U.S. interests over the lives of Irish citizens and our brothers and sisters in the Middle East and elsewhere. Our faith-based witness at Shannon Airport was an attempt to reestablish the value of human life above all other considerations. The U.S. military has been responsible for the deaths of millions of people all over the world. There should be no place at any Irish airport for such a death dealing machine. It is our fervent wish that Shannon Airport be returned for use as an exclusively civilian airport.

Germany

In December, the court in Cochem, Germany, summoned three more activists for trial on charges resulting from “go-in” actions during summer action camps at the nearby Büchel Air Base. The U.S. nuclear weapons stockpiled there have been the focus of international protest for decades.

On December 7, Dennis DuVall, a U.S. military veteran living in Germany and Dutch citizen Margriet Bos were tried for cutting through a fence and entering the base on July 16, 2019. Both were among several people convicted last summer for a similar action in 2018, and in December they reprised their arguments that German air force training at Büchel Air Base to drop American H-bombs on Russian cities is a crime against humanity, prohibited under existing international and humanitarian law.

DuVall put his arguments in writing because, “Büchel protesters are tired of their oral arguments falling on deaf ears... This makes me wonder what you are thinking: as many times as you have heard our arguments for international and humanitarian law, you must have international law memorized. So what do you think when you read Article 25 of Germany’s Basic Law, that international law takes precedence over the laws, yet is ignored in the courts. Nuclear states violate international law with impunity while Büchel resisters are vigorously prosecuted. Something is wrong here. I think I need to see a psychiatrist. Either I am insane, or the courts are. I want to know which...”

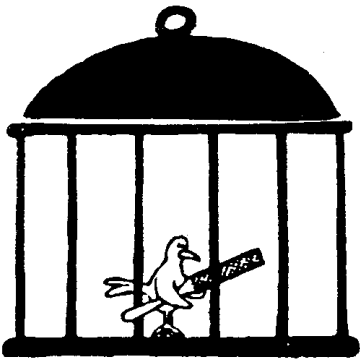
DuVall reports he was found guilty and fined 70 “daily wages.” He and Bos have both said they would not pay.

Susan van der Hijden was summoned from her home in the Netherlands to Cochem for trial on December 17, but she informed the court that she would not travel there during “these corona times... I have taken my actions at Büchel Air Base because I want to protect the earth and the lives of all people on earth. Traveling from one country to another during a pandemic just to defend myself against what I believe in just goes against my desire to protect the planet and people like you.”

DESPITE COVID, CONT.

continued from page 3

Defendants have asked their supporters to “Support Food not Killer Drones” by making contributions to the Juneau County Peace Committee (321 W. State St., Mauston, WI 53948), a local nonprofit organization that has agreed to direct donations to food pantries in one of Wisconsin’s poorest counties.



Update Files

RUSSIA: Greenpeace activist Rashid Alimov, arrested at home last winter after a protest against nuclear waste imports in a St. Petersburg shopping district, had those charges dismissed. Sadly, the 40-year-old husband and father of two young children died of COVID-19 in December...

KOODANKULAM, INDIA: Nine years after widespread popular resistance to construction of a nuclear power plant on the southern tip of Tamil Nadu, upwards of 4,000 cases opened against participants in the protests, many charging sedition, have finally been closed because those booked could not be summoned or for other reasons. Nevertheless, hundreds of area residents, particularly those indicted when they were young, are losing job opportunities because their names still appear on police books. Some were innocent victims of name mix-ups or spent time unjustly in jail years ago, but still had to apply for No Objection Certificates (NOCs) to get passport clearance for working abroad...

KITSAP-BANGOR TRIDENT BASE: Federal trespass charges against four people who crossed the line last March 2 at the nuclear submarine port in Washington state have been dismissed...

WHERE WE’RE AT, CONT.

continued from page 2

entered into force, and what it would mean for the nuclear disarmament movement in the U.S. and around the world.

And now, three years later, thanks to the hard work of the International Campaign to Abolish Nuclear Weapons (ICAN), its partner organizations and activists like Carol and Ardeth throughout the world, Honduras became the 50th nation to ratify the treaty on October 24, triggering the 90-day countdown until the Treaty enters into force on January 22, 2021!

Sadly, Ardeth died peacefully in her sleep just three weeks earlier. A tireless anti-nuclear activist, she had spent more than six years in jails and prisons as a result of numerous nuclear resistance actions. (You can find articles, obituaries and remembrances at www.nukeresister.org)

We had been looking forward to seeing Carol and Ardeth, and many of you, last May at the Stop the New Nuclear Arms Race conference where we planned to explore the important question of what we should do when the Treaty enters into force.

Those of us who had been organizing the conference — staff from Nukewatch, the Oak Ridge Environmental Peace Alliance and the Nuclear Resister — are now hard at work on media, resource development, outreach, and more for January 22, that historic day when the Treaty enters into force.

On January 22, here in Tucson — remembering our friend Ardeth and inspired by her energy and commitment — we will again bring a copy of the Treaty and a large banner reading “Nuclear Weapons are Illegal” to the entrance of Raytheon, and then to the University of Arizona, one of the 50 U.S. universities with nuclear weapons ties identified in ICAN’s Schools of Mass Destruction report.

Please see the back cover of this issue for ideas on how you can mark Entry into Force Day. You’ll also find more suggestions, templates and resources at www.orepa.org, and information at www.nukeresister.org, www.nukewatchinfo.org and www.icanw.org.

When we brainstormed with Ardeth and Carol several years ago, we imagined a united day of actions including civil resistance at U.S. nuclear weapons-related sites. Because of the pandemic, people are now planning small, socially distanced or remote activities. However we can be together, let’s celebrate on January 22, put the nuclear nations and profiteers on notice and look forward to more planning, collaboration, and nonviolent resistance in the months and years ahead!

Very best wishes in the new year, as we continue to work for a sustainable, just, peaceful and nuclear-free world.

Peace,
Felice and Jack

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#196

Calling All Former, Current and Future Nuclear Disarmament Activists — Now that Nuclear Weapons are Outlawed, IT’S TIME TO TAKE ACTION!

On January 22, 2021, people around the world will celebrate the Treaty on the Prohibition of Nuclear Weapons (TPNW) as it enters into force and becomes binding international law –
A major milestone!

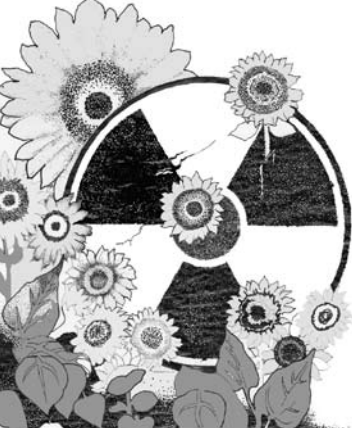
The Oak Ridge Environmental Peace Alliance (OREPA), Nukewatch, the Nuclear Resister and the Alliance for Nuclear Accountability (ANA) invite you to help maximize the global impact of this historic event with a wide variety of actions in public and from home on that day and beyond. Everyone can do something important on January 22, 2021.

As Beatrice Fihn of ICAN, the International Campaign to Abolish Nuclear Weapons, says –
“There will only be one Treaty on the Prohibition of Nuclear Weapons. Ever. And it will only enter into force once. January 22, 2021.”

Making the power and promise of the Treaty real will take more hard work. Legally, the Treaty is in force only in those states that have signed or ratified it. But the Treaty has a moral force as well, and that force is a powerful lever that we can use to press the U.S. government and other nuclear nations to sign and ratify the Treaty.

We expect and hope that the next breakthrough will be when a NATO country signs the Treaty. Or when one of the five European countries that currently host U.S. nuclear weapons (German, Italy, Belgium, Turkey and The Netherlands) demands that the weapons, now illegal, be removed from their soil.

But we cannot wait for that day - we have to create it. We hope that the collaboration we build for January 22 will endure beyond that historic day, that organizations will continue to communicate and plan together, that we will expand our reach and mount campaigns that draw attention to the Treaty and the humanitarian impacts of nuclear weapons. We will force the issue.



And when the Tipping Point day comes, we will be the weight that tips the scales to usher in the Treaty in the United States.

Please join us for a Zoom meeting on Thursday, January 14 at 7 pm EST, to share resources and coordinate action publicity. For registration information, email nukeresister@igc.org.

NUCLEAR BAN TREATY
The Beginning of the End
of Nuclear Weapons
#NuclearBan

PLACES TO ACT

Including many where action planning is already underway: Nuclear weapons factories, military bases, federal buildings, congressional offices, churches, public squares, overpasses, and financial institutions, corporate facilities and academic institutions that are participating in nuclear weapons activities.

Read ICAN’s Schools of Mass Destruction report at www.icanw.org/schools_of_mass_destruction for information on U.S. universities with nuclear weapons ties. And follow the money through Don’t Bank on the Bomb at www.dontbankonthebomb.com.

Please **post your event and look for those planned near you** on the Events map on the ICAN website at www.icanw.org/events.

On the resource page at www.orepa.org, you’ll find a variety of campaigning materials to be used and shared by everyone, no matter where you live. Resources and templates available for downloading, printing and sharing include a banner that declares “NUCLEAR WEAPONS ARE ILLEGAL”, a poster-sized copy of the Treaty, a fact sheet on the Treaty, a flyer titled “What YOU can do...”, samples of letters-to-the-editor and letters to politicians, and an invitation for faith communities to ring bells at noon. More will be added soon, including action to take on social media.

EVERYONE CAN TAKE PART!

If you can connect with a peace group - in your community, your place of worship, on your campus - you can encourage them to become part of this movement; not only to take a stand on the right side of history, but to *make* history.

And if you are on your own, you can still be part of the movement.

A simple letter to the editor puts nuclear weapons and the Treaty before hundreds or thousands of people. A letter to your elected representatives lets them know their constituents care about this issue. You don’t have to be an expert - you just have to care.

WHATEVER YOU DO, PLEASE SHARE IT!

It will inspire others and demonstrate the breadth and depth of our movement. Afterwards, post photos and share a report of the action to the Facebook group Nuclear Ban Treaty EIF or email it to nukeresister@igc.org.

The limits of what we can do are the limits of our imaginations.
And in the end, when future generations ask,
“What did you do to rid the world of nuclear weapons,”
we will smile and say, “Let me tell you about an exciting time...”

the Nuclear Resister

“A Chronicle of Hope”

Prison Sentences for Kings
Bay Plowshares Activists

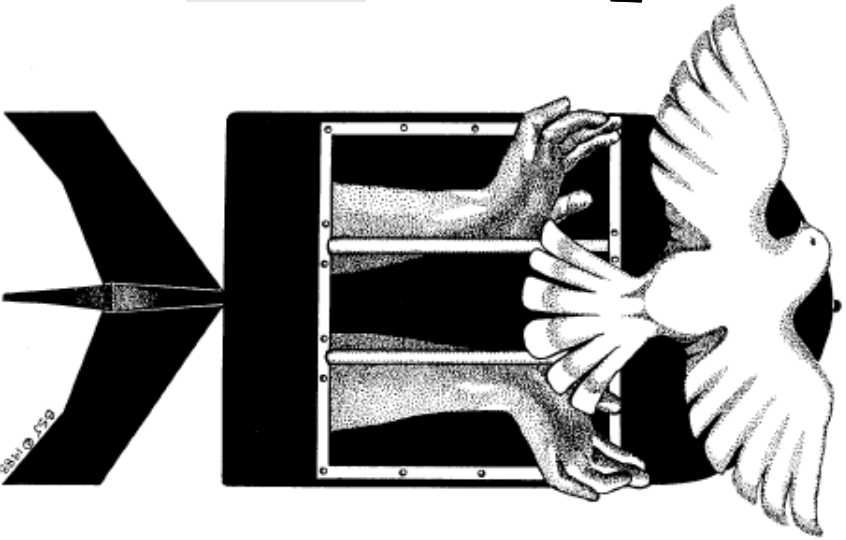
Trial of Jordanian Anti-
Nuclear Activist Begins

NATO Protester Freed
After 8-1/2 Years

Two Years in Prison for
Prayer Inside Naval Base

Russian Uranium Mine
Opponent on Trial

Irish Peace Campaigners
Acquitted



#196 December 28, 2020
INFORMATION
ABOUT AND
SUPPORT FOR
IMPRISONED
ANTI-NUCLEAR
& ANTI-WAR
ACTIVISTS

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