

the Nuclear Resister

"A Chronicle of Hope"

No. 155

October 17, 2009

Afghanistan Refusers Face Court Martial

Two Fort Hood soldiers, both veterans of the war in Iraq who refused deployment to Afghanistan as a matter of conscience, were court martialed in August. Due to individual circumstances, they received very different sentences.

Specialist **Victor Agosto** weighed his options over several weeks before taking a public stand that involved remaining on duty while flatly refusing to obey illegal and immoral orders. For Agosto, this meant any order leading towards his deployment to Afghanistan. He is not a conscientious objector to all war and he never went absent without leave (AWOL). Agosto's attorney James Branum negotiated a plea agreement in advance of a summary court martial August 5. Agosto pled guilty to disobeying a lawful order in return for a 30-day jail sentence, loss of rank, and an expected other-than-honorable discharge. Agosto was taken into custody at the Bell County Jail and released August 29. A large crowd of supporters greeted Agosto and celebrated his release at the Under the Hood G.I. coffeehouse in Killeen, Texas. His formal discharge from the Army was expected by the end of September.

For Sergeant **Travis Bishop**, Agosto's stand was the inspiration he needed to act on the growing ethical and spiritual discomfort created by the prospect of his imminent deployment to Afghanistan. He learned for the first time that a process exists for emerging conscientious objectors to leave the military. On the eve of his scheduled deployment, Bishop went AWOL briefly to complete his application for discharge as a conscientious objector. The application was rejected, but that decision is being appealed. Meanwhile, Bishop was prosecuted and faced a special court martial August 14 at Ft. Hood.

At trial, the effort to follow his conscience was dismissed by the military prosecutor as "a misguided intellectual journey." James Branum, the attorney also representing Sgt. Bishop, argued that the failure of the Army to instruct Bishop and others about their rights to conscientious objection should be a mitigating factor. The judge said it didn't matter, and the military jury found Bishop guilty of two counts of missing movement, disobeying a lawful order, and going AWOL.

Surprisingly, the army chaplain who met with Bishop for less than an hour before recommending that his application as a conscientious objector be denied was called to testify for the prosecution during the sentencing phase of the proceedings. Contradicting Bishop's character witnesses, the chaplain denounced Bishop's sincerity as a believer and criticized his lack of membership in a local church.

Bishop was sentenced to one year in custody, loss of rank and pay, and a bad conduct discharge. He was sent first to the Bell County Jail before being shipped off to the military brig at Fort Lewis, Washington. In the brig, his visits have been restricted and monitored, and his mail is being returned unopened to senders.

In September, the Army finally accepted Lt. **Ehren Watada's** resignation, and he was discharged October 2 under "other-than-honorable conditions". In 2006, Watada refused orders to fight in Iraq because he believes the war violates international law. His 2007 court martial ended in a mistrial, and a federal court later ruled that Watada could not be retried for refusing orders because that would amount to double jeopardy. Last May, the Army decided not to re-try Watada on the remaining minor counts of conduct unbecoming of an officer. Those charges came in response to public statements Watada made about the war and President Bush after he refused the illegal orders. Since first refusing to serve in Iraq, Watada has been assigned to a desk job at Fort Lewis, Washington, continuing to serve the army long past the discharge date in his original contract.

Watada told the *Honolulu Star-Bulletin* he was "thankful to the people from all walks of life that supported me and agreed with my stand." Watada declined further interviews, and his attorney Kenneth Kagan told reporters

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'NUCLEAR WEAPON HERE' PRUNING HOOKS ACTION

PRIEST JAILED AGAIN FOR MISSILE STRIKE

On the morning of August 6, the 64th anniversary of the atomic bombing of Hiroshima, Carl Kabat used a bolt cutter to snip the heavy wires of a chain link fence, one by one. Just through the fence, the Colorado prairie is pierced by a deep underground silo, capped with a thick slab of reinforced concrete. It conceals a Minuteman III intercontinental ballistic missile with nuclear warheads, poised for The End.

This silo, N-8, rests in the ranchland about 30 miles northeast of Greeley, Colorado. It's one of hundreds of nuclear missile silos still scattered across the American plains.

President Obama had declared "America's commitment and desire to seek the peace and serenity of a world without nuclear weapons," and Kabat was going "to do my little bit," towards that goal, starting with this missile.

Kabat, 75, was also observing the 50th anniversary of his vows into the Missionary Oblates of Mary Immaculate, a Roman Catholic order. His early years as a priest included missionary work overseas amidst great poverty. For the last three decades, his digging at the American roots of the misery he observed abroad has resulted in more years in prison than on the streets.

Kabat first literally struck a blow for nuclear disarmament in September, 1980, at a warhead factory in Pennsylvania. He was one of the Plowshares Eight, who used simple hand tools to enact the biblical mandate of beating swords into plowshares and sparked a continuing series of nonviolent direct actions for disarmament known as Plowshares.

At silo N-8, the priest was dressed as a clown - the disarming garb he's donned for several other similar silo actions since 1994. His appearance confirmed that he's a "fool for Christ," as the apostle Paul wrote about. But this fool knows true crazy.

"I thought, 'What a beautiful place this is except for this damnable thing in the ground that could kill two or three million people,'" he explained to a *New York Times* reporter. "It's insane."



Once he'd cut the wires and pushed an opening through the fence, Kabat hung banners, prayed, and tried to break open the hatch into the silo. Alerted by a remote detection system, Air Force security personnel arrived about 45 minutes later and took Kabat into custody. A Weld County sheriff's deputy was summoned to the scene and arrested Kabat on misdemeanor charges of criminal mischief and trespassing.

Kabat is being held on \$5,000 bond, which he refuses to post. He pled not guilty to both charges, and his trial is scheduled to begin at 8:00 a.m. December 9 in the Weld County Courthouse in Greeley, Colorado. Pretrial hearings are scheduled for November 6, 10, and 23. For more information, contact Bill Sulzman at (719)389-0644 or bsulzman@juno.com.



Letters of support should be sent to Carl Kabat, Weld County Jail, 2110 O Street, Greeley, CO 80631.

Carl Kabat's statement and more Hiroshima/Nagasaki anniversary action reports continue on page 4

Peltier Denied Parole

Leonard Peltier and others who attended were cautiously hopeful following his July 28 hearing before the U.S. Parole Commission at the federal prison in Lewisburg, Pennsylvania. There was no immediate denial and the government made no new arguments for denying parole.

But on August 21, Peltier's attorney Eric Seitz wrote to supporters that, "[d]espite judicial determinations that the unrepentant FBI fabricated evidence and presented perjured testimony in Leonard Peltier's prosecution; despite a jury's acquittal on grounds of self-defense of two co-defendants who were found to have engaged in the same conduct of which Mr. Peltier was convicted; despite Mr. Peltier's exemplary record during his incarceration of more than 33 years and his clearly demonstrated eligibility for parole; despite letters and petitions calling for his release submitted by millions of people in this country and around the world, including one of the judges who ruled on his earlier appeals; and despite his advanced age and deteriorating health, the Parole Commission today informed Mr. Peltier that his "release on parole would depreciate the seriousness of your offenses and would promote disrespect for the law," and set a reconsideration hearing in July 2024, when Peltier will be 74 years old.

Peltier responded on the occasion of his 65th birthday, September 12, with an essay that concluded:

The truth is the government wants me to falsely confess in order to validate a rather sloppy frame-up operation, one whose exposure would open the door to an investigation of the United States' role in training and equipping goon squads to suppress a grassroots movement on Pine Ridge against a puppet dictatorship.

In America, there can by definition be no political prisoners, only those duly judged guilty in a court of law. It is deemed too controversial to even publicly contemplate that the federal government might fabricate and suppress evidence to defeat

those deemed political enemies. But it is a demonstrable fact at every stage of my case.

I am Barack Obama's political prisoner now, and I hope and pray that he will adhere to the ideals that impelled him to run for president. But as Obama himself would acknowledge, if we are expecting him to solve our problems, we missed the point of his campaign. Only by organizing in our own communities and pressuring our supposed leaders can we bring about the changes that we all so desperately need.

Choctaw Nation supporter Ben Carnes held a week-long fast in front of the White House, ending on Peltier's birthday. He prayed for justice and asked for a face-to-face meeting with the President to plead for Peltier's freedom. His presence passed unacknowledged by the White House.

On the very day in 1975 two FBI agents died in the crime Peltier is convicted of committing, the corrupt Pine Ridge tribal chairman (the "puppet dictator" who directed the "goon squads" Peltier mentions above) was secretly signing away the tribe's mineral rights, including for uranium.

For more background information visit FreePeltier-Now.org, and for details of current support actions to take, visit FreePeltierNow.blogspot.com



The immediate response from the Leonard Peltier Defense Offense Committee is a series of three actions. First and foremost, supporters are asked to contact U.S. Attorney General Eric Holder to demand an executive

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Resistance Reflections

A CALL FOR A WORLD FREE OF NUCLEAR WEAPONS - A CALL TO ACTION

by Jack and Felice Cohen-Joppa

Plans are well underway for public demonstrations in support of nuclear disarmament at the United Nations next May, outside the critical Nuclear Nonproliferation Treaty (NPT) Review Conference.

Eight international and nineteen national organizations from around the world have put together a coordinated call and petition to "urge the 2010 NPT Review Conference to make an unambiguous commitment to begin negotiations on a convention for the time-bound elimination of all nuclear weapons - a Nuclear Weapons Convention." Mobilization plans include an international peace conference in New York on May 1, 2010, and an International Day of Action for a Nuclear Free World, in New York and globally, on May 2. (The U.S. version of the petition can be signed at peace-action.org, under 'Nuclear Disarmament'.)

However, the nuclear powers have already staked their positions, and they don't include anything approaching such an "unambiguous commitment."

Despite Nobel Laureate President Obama's aspirational rhetoric in Prague last spring, he preempted any such disarmament agenda at the U.N. with his call for a Global Nuclear Summit this coming March. In his call, Obama is already advancing an agenda focused more on containment and nonproliferation - "secure loose nuclear materials; combat smuggling; and deter, detect and disrupt attempts at nuclear terrorism" - than on any of several well-defined, widely recognized steps toward getting rid of nuclear weapons.

Regardless of such dodging and hedging, the unambiguous demand for disarmament must be made by people in N.Y.C. and around the world next May.

What should we in the anti-nuclear resistance movement be doing at this decisive, pivotal moment in history? Are we looking ahead to visualize and begin forging the actions that can inspire global resurgence of the demand for nuclear disarmament?

From the beginning of the Atomic Age, the penultimate violence of nuclear weapons has inspired in each new generation committed, persistent and creative expressions of nonviolent resistance. We recall that in 1982, civil society's demand for nuclear disarmament was expressed, among other avenues, in the June 14 blockades of the U.S., Soviet, British, French, Chinese, Israeli and South African missions to the United Nations, resulting in 1,691 arrests. (see *the Nuclear Resister* #12, October 18, 1982)

Since that time, legal arguments in favor of anti-nuclear civil resistance have gained strength through the work of the World Court Project, Lawyer's Committee on Nuclear Policy, International Association of Lawyers Against Nuclear Arms, Western States Legal Foundation, and writings of Professor Francis Boyle, among others, who have defended civil resisters in landmark trials in the U.S. and abroad.

We believe that the rekindling of public interest in nuclear disarmament that is needed now would invariably include a resurgence in the numbers willing to risk arrest and imprisonment to advance this goal. This would include both veterans of the Cold War anti-nuclear movements and new resisters from around the world. How can such commitment be expressed and leveraged before, during and after the NPT Review Conference?

We think it is vitally important to nurture and focus this energy, and, in a conscious and strategic manner, integrate civil resistance into whatever other campaigns and actions are adopted by non-governmental organizations advocating for disarmament.

For a start, groups and communities around the world interested in nonviolent civil resistance for nuclear disarmament can begin to coordinate with one another. We need to start thinking about going to N.Y.C. in May, or organizing protests and actions in our own areas.

We need to start thinking about how we in the U.S. are going to keep the pressure on President Obama, who

echoes Franklin Roosevelt when he tells advocates for change to "make me do it."

And after May, we will have the opportunity to discuss in person what's next *and* to act - at the July, 2010 Resistance for a Nuclear-Free Future gathering and action at the Y-12 nuclear weapons complex. (Contact nukeresister@igc.org or nukewatch1@lakeland.ws for more details.)

What do you think? We'd like to hear from you. Is your group or community interested in doing something? Are you or your group planning any actions along these lines that we should know about and can help publicize?

We know that nuclear weapons are illegal and immoral, even if they are not used.

We know of the horrific effects of their use from the hibakasha, survivors of the atomic blasts in Hiroshima and Nagasaki.

We know that silence is the voice of complicity. It is time to speak out - it is time to coordinate, to conspire (breathe together), to plan, to act.

BLOG BLOG BLOG BLOG BLOG BLOG

We plan to start a blog soon - send us your email address to nukeresister@igc.org, and we will send you an announcement as soon as it is up and running!

Thanks

Thanks to Catherine, Lil, Roger, Jerry, Gretchen, Racheli, Polly, Faith, Kathleen and Papa Jim for helping to mail the last issue.

Big thanks to Jason Denzin in Ohio who took the initiative to set up a Nuclear Resister table at the Cleveland Peace Show! In addition to sending him copies of the newsletter for free distribution, we sent large cards for imprisoned activists that were put on the table so people at the fair could write them notes of support. We also sent a sign-up sheet for people who want to receive a free sample copy of the next issue in the mail and postcards promoting next July's 30th anniversary gathering.

Do you have a peace fair, conference or other event coming up? We'd be glad to send you a bundle of materials so you can help spread the word about anti-nuclear and anti-war direct action and encourage peace prisoner support!

Afghanistan Refusers, cont.

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that after three years, Watada "no longer wishes to be a 'story,'" and "wants to reclaim his privacy and anonymity." The veteran now plans to attend law school.

Dustin Stevens remains interned with the men of Echo Platoon in the 82nd Airborne Division's Replacement Detachment at Fort Bragg, North Carolina. His lawyers are still in discussion with military prosecutors and no date has been set for a court martial. Stevens is the public point man for about 50 soldiers on restriction for a variety of reasons and forced to live in squalid barracks and endure lengthy legal limbo as they await possible court martial. Courage to Resist has initiated a petition on behalf of the men to the commanding general at Ft. Bragg. Please visit www.couragetoresist.org/x/content/view/743/117/ to sign the petition and download a printable version to circulate for signatures.

The petition begins with Stevens' story:

In May 2002, after five months in the Army, 19-year-old Spc. Dustin Stevens refused to graduate with his 82nd Airborne Division training unit. "I knew in my heart and in my mind, I couldn't kill anybody and couldn't be a part of an organization that did so," he explains. Instead of discharging Spc. Stevens as a conscientious objector, his command simply ordered him to go home and await discharge papers. In January 2009, during a routine traffic stop, Dustin was shocked to learn that there was a warrant for his arrest. He was immediately arrested, turned over to military police, and has been held on restriction at Fort Bragg, North Carolina since.

In Canada, U.S. war resister **Kimberly Rivera** was granted another temporary stay of deportation August 11 following a July hearing. The federal court of Canada ruled that the Pre-Removal Risk Assessment (PRRA) had not properly considered the increased risk of prosecution and greater punishment Rivera might receive if deported, due to her public opposition to the Iraq war. A new PRRA was ordered to take into account the evidence of greater persecution of war resisters presented by Rivera's attorneys.

Rodney Watson, another Iraq war veteran who sought refuge in Canada in 2007 rather than accept a stop-loss order and second war tour, was ordered to leave Canada by September 11. "I witnessed things over there that I didn't agree with," Watson told *Burnaby Now*.

"They disgusted me, I didn't want to take part in them." The War Resisters Support Campaign in Canada reported a week later that it did not know the whereabouts of Watson, who is engaged to be married and is father to an eight-month-old son. There are no reports of his

voluntary departure from Canada nor arrest in the United States. Watson would not be the first public military war resister ordered to leave Canada who has dropped from view.

Chris Teske was ordered to leave Canada last January, as previously reported in these pages. The Afghanistan veteran had sought refuge from recall into the army under the Individual Ready Reserve (IRR) program. Soldiers and marines nearing their discharge date are often aggressively recruited to re-enlist with the threat that IRR will compel them back into the military anyway, so they might as well re-enlist. Since Teske's return to the United States, Courage to Resist has surveyed IRR resisters and military defense lawyers around the country and concluded that they are "unaware of any IRR resister who has faced legal consequences or a loss of benefits. That doesn't mean it is impossible for any particular case to be a first..." A discussion of the IRR and answers to frequently asked questions is available at <http://www.couragetoresist.org/irr>

War resisters **Cliff Cornell** and **Tony Anderson** continue to serve their respective sentences of 12- and 14-months in military prisons.

For more information about U.S. military refusers, visit CourageToResist.org, Citizen-Soldier.org and resisters.ca (War Resisters Support Campaign in Canada). For general information about getting out of the military, service members should contact the GI Rights Hotline toll-free at 877-447-4487.



Travis Bishop may only receive correspondence from individuals - no books, newsletters, etc. Even personal letters sent to him at Ft. Lewis have been returned unopened, stamped "REFUSED". Do not be deterred! His attorney reports that the envelopes are usually shown to Bishop before they are returned, and Bishop suggests waiting a week and sending your mail again. Address completely to David Travis Bishop, Northwestern Regional Correctional Facility, Box 339536, Fort Lewis, WA 98433; Cliff Cornell, Bldg. 1041, PSC Box #20140, Camp Lejeune NC 28542; Anthony Michael Anderson, P.O. Box 305, Fort Sill, OK 73503-5305; and Dustin Stevens, 82nd Replacement Detachment Bldg., C-8750 Lae Street Stop-A, Fort Bragg NC 28310.

the Nuclear Resister

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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 Research Collection (1986 - present) and the Alternative Press Center Supplement of the Underground Press Collection (1980 - 1985) offered by the UMI Division of ProQuest Company, 300 N. Zeeb Road, Ann Arbor, MI 48106.

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 two 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

As President Rejects Afghan Withdrawal, Secret Service Assaults Peaceful Protest

The National Campaign for Nonviolent Resistance (NCNR) brought together an ad-hoc October 5 Anti-War Coalition for a series of actions in Washington, D.C. to oppose the U.S. led war in Afghanistan as it enters the ninth year. With the participation of the War Resisters League, Witness Against Torture, Code Pink, Peace Action, World Can't Wait, Veterans for Peace and Voices for Creative Nonviolence, people from around the country joined together to say "No to War in Afghanistan. No to Torture and Vengeance."

The events of the day concluded in front of the White House, where 61 people were arrested and Secret Service agents brazenly assaulted the NCNR organizers and others, forcefully pushing and pulling them from the area near the press gate without arresting them.

That morning, members of Witness Against Torture in orange jumpsuits and black hoods held a "Guantanamo prisoner" presence at the U.S. Supreme Court as Justice Sonia Sotomayor began her tenure there. Four large-headed puppets of George Bush, Dick Cheney, Donald Rumsfeld and Condoleezza Rice in prison stripes symbolized their call for accountability for the architects of the Bush administration's torture policies.

Following a late morning rally in McPherson Square, a silent procession to the White House fell in behind a banner reading "Mourn the dead, heal the wounded, end the wars." The message was broadcast visually by marchers carrying large photographs of war victims, signs and more banners, and some dressed as white-masked war victims in a March of the Dead. Veterans for Peace carried large American and peace flags and processed with three coffins, each draped with a different flag, representing war dead from the United States, Iraq and Afghanistan.

At the White House, Cindy Sheehan, whose son Casey Sheehan was killed in Iraq in 2004 while serving in the U.S. Army, read a statement and welcomed the group, which by this time had grown to more than 500 people.

More than twenty of the "Guantanamo prisoners" moved towards the fence on Pennsylvania Avenue, and some chained themselves to it. On their backs, they wore the names of Guantanamo detainees cleared for release who nonetheless remain detained despite the Obama administration's heralded decision to shutter the prison.

The group read the names of those killed in war and from newspaper accounts of U.S. bombings and their devastating consequences in Afghanistan and Iraq. The 61 people who remained on the White House sidewalk after being told to move along by U.S. Park Police were eventually arrested.

While the action at the fence was underway, a group of about two dozen people including the NCNR organizers approached the press gate to deliver a letter to the Obama administration. Rebuffed by the guards, the group held a die-in and read statements. The U.S. Park Police were

preparing to arrest these activists when, without warning, a dozen Secret Service agents surged in to force out the insurgent pacifists. A number of people were bruised and many were shaken by the Secret Service's aggressiveness.

The contempt for peace demonstrators displayed in

and in New York ...

Without a permit, Rochester Students for a Democratic Society led more than 100 "Funk the War" marchers down two lanes of Main Street in Rochester, New York on October 7, the anniversary of the invasion of Afghanistan. Police responded with force to clear the road and even struck marchers on the sidewalks. At least two demonstrators were treated at the hospital and twelve were arrested for unlawful assembly and disorderly conduct. Of those, four were also charged with resisting arrest and one was charged with obstructing governmental administration.

Three people have already filed complaints against the Rochester Police Department for excessive use of force. Chrisenzo Sciopone told the city council during an emergency hearing two days later that most marchers had "no warning, no 'you must disperse,' just converge. With the exception of perhaps the first and second arrest, the arrests were made on the sidewalk. We can't backup any farther if we're on a bridge."

A deputy chief of police explained the matter. "We

the Secret Service assault was matched that very day by White House insistence that President Obama will not even consider leaving Afghanistan.

For more information, visit nogoodwar.org and jonah-house.org

have a group of people who didn't follow the appropriate mechanism to exercise their first amendment privilege."

Several demonstrations took place in New York City on the October 7 anniversary of the U.S. invasion of Afghanistan, and at Grand Central Station, two men were arrested. The War Resisters League had organized a commute-time demonstration of about 60 people who entered the transit hub's main hall with leaflets, signs and photos of crying children and flag-draped coffins. Ed Hedemann and another man unfurled long banners from the marble staircases reading "AFGHANISTAN" and "ENOUGH!" Police only went after Hedemann, and as he was being led away, Eric Laursen may have followed too closely to see where he would be taken. Police arrested Laursen for disorderly conduct, and charged Hedemann with disorderly conduct and resisting arrest (the latter for going limp). Laursen was cited and released when the demo ended. Hedemann was held overnight before being arraigned and released the next afternoon. He has a December court date.

PEACEFUL STOCKHOLDERS BARRED FROM WAR SUPPLIER'S ANNUAL MEETING

On August 4, four members of AlliantACTION were arrested and cited for disorderly conduct when they tried to attend the annual shareholders meeting at the headquarters of Alliant Techsystems (ATK) in Eden Prairie, Minnesota.

ATK, the nation's largest producer of depleted uranium munitions (among a variety of other military armaments), had a table in the parking lot for shareholders to check in for the meeting. When a group of stockholding members of AlliantACTION arrived, ten of them were told their ticket to the meeting had been rescinded due to a past protest arrest at ATK. They were instead given proxies to vote on shareholder resolutions. Four other members were admitted, including one whose arrest record was apparently missing from ATK's exclusion list.

Stockholders Tom Bottolene, Char Madigan CSJ, Pepperwolf and John Schmit nevertheless joined the queue to be admitted. Stopped at the entry point, they calmly asserted that the corporate charter and company by-laws give them permission to attend the stockholder's meeting.

An Eden Prairie police officer nearby was asked to help uphold the shareholders' rights but declined. The four moved the temporary barrier out of the way and began to walk toward the building, but were quickly arrested.

At last year's stockholder meeting, five stockholder-activists were charged with trespassing when they tried to attend. At their trial last winter, the city prosecutor asked the judge to decide on jury instructions before proceeding. Defendants presented their own possible jury instructions, citing three previous Hennepin County court cases where Minnesota's constitutional "claim of right" was explained to the jury as a possible defense against trespass charges. Juries hearing trespass cases from protest at ATK's former headquarters in Edina, Minnesota have acquitted defendants based on this "claim of right."

The judge agreed that the state Supreme Court rulings on the matter would support such a jury instruction. The prosecutor then dismissed the charges as unprosecutable. Several weeks later, the city of Eden Prairie notified Alli-

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Inside & Out

NUCLEAR RESISTERS

Carl Kabat

Weld County Jail, 2110 O Street, Greeley, CO 80631.

(Awaiting trial after entering nuclear missile silo site N-8 near New Raymer, CO, 8/6/09, with intent to disarm it)

Helen Woodson 03231-045 (106 months - out 9/9/11)

FMC Carswell, Max Unit, POB 27137, Ft. Worth, TX 76127.

(Parole violation with anti-war protest at the federal courthouse, Kansas City, Missouri, 3/11/04)

Leonard Peltier 89637-132 (life)

USP Lewisburg, POB 1000, Lewisburg, PA 17837.

(Native American political prisoner)

NUCLEAR RESISTERS OVERSEAS

Igor V. Sutuyagin (15 years)

163050, Arkhangelsk; Ul. Pirsovaya, d. 27; FGU IK-1, 5 otryad, Russia. (letters only)

(Imprisoned since 10/27/1999, now convicted of espionage for researching public nuclear weapons information - sentenced 4/07/04)



ANTI-WAR RELATED ACTIONS

Elijah James Smith XP7551

HMP Bristol, 19 Cambridge Rd., Horfield, BS7 8PS England.

(Jailed pending trial for decommissioning of EDO/ITT arms factory in Brighton, England, 1/17/09)

Rafil Dhafir 11921-052 (22 years - out 4/26/22)

FCI Terre Haute, POB 33, Terre Haute, IN 47808.

(Convictions resulting from providing humanitarian and financial aid to Iraqis in violation of U.S. sanctions, 2/05)

Key:

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

PUBLIC MILITARY REFUSERS

David Travis Bishop (1 year - out 7/10)

Northwestern Regional Correctional Facility, Box 339536, Fort Lewis, WA 98433.

(Convicted of missing movement, disobeying a lawful order, and going AWOL, 8/14/09)

Dustin Stevens

82nd Replacement Detachment Bldg., C-8750 Lae Street Stop-A, Fort Bragg NC 28310.

(Confined to base pending court martial for AWOL/desertion)

Cliff Cornell (1 year - out 4/10)

Bldg. 1041, PSC Box #20140, Camp Lejeune NC 28542.

(Pled guilty to desertion, 4/09)

Anthony Michael Anderson (14 months - out 11/09)

P.O. Box 305, Fort Sill, OK 73503-5305.

(Pled guilty to desertion and disobeying an order, 11/08)

HIROSHIMA/NAGASAKI ANNIVERSARY ACTIONS

PENTAGON

War Department workers faced an extra checkpoint when they arrived at the Pentagon on August 6, Hiroshima Day. Participants in the annual Faith and Resistance Retreat were on hand with two banners to greet the line of workers as they moved slowly through the gate. One read "Hiroshima - Nagasaki '...a butchery of untold magnitude.' Pope Paul VI."

After an hour of silent vigil, Liz McAlister and George Veasey carried the other banner, "Remember the Pain, Repent the Sin, Reclaim the Future," in front of one of the entrances. They were arrested after refusing to leave and charged with disobeying a lawful order. Both were later released to appear in federal court in Alexandria, Virginia on October 23.

The group then went to the Japanese Embassy, where they were graciously received. They presented a statement of apology and repentance for the atomic bombings that was signed by over 800 people. The same statement was also that day being delivered to the Mayor of Hiroshima, where friends of some of the retreatants were on a Journey of Repentance to Hiroshima.

For more information, visit jonahouse.org.

LIVERMORE

About 75 people attended the annual commemoration of the Hiroshima bombing outside the Lawrence Livermore nuclear weapons lab. Long-time lab opponent Marylia Kelly, director of Tri-Valley Communities Against a Radioactive Environment, said, "I think it's important to commemorate this day, to make the horror of using even a single weapon visible. The people of the U.S. and world forget the images of devastation at Hiroshima and Nagasaki, and that creates a situation where dropping The Bomb is likely to happen again." After marching to the lab's west gate, 22 people blocked the entrance. They were arrested and handcuffed, then cited and released.

For more information, contact Tri-Valley CARES at 925-443-7148.

LOCKHEED-MARTIN

The Brandywine Peace Community began its 33rd Hiroshima Day vigil for peace and commemoration on the date and the hour of the atomic bombing, 8:16 a.m. on August 6. A siren and the sound of a nuclear blast roared through speakers in front of the Valley Forge, Pennsylvania complex of Lockheed Martin, the world's largest war profiteer and leading U.S. nuclear weapons contractor.

Throughout the morning, ten to twelve people vigiled with large banners and pictorials of the aftermath of the atomic bombings. At noon, the gathering tripled in size for the start of the commemoration ceremony.

With the scent of incense in the air invoking the spirits of the dead, the Brandywine bell of peace was intoned sixty-four times, once for every year of war and nuclear weapons since August 6, 1945. Facing a large lawn in front of the Lockheed Martin building area, a Hiroshima Day litany commenced with the response: "Hiroshima/Nagasaki, Never Again; Resist Lockheed Martin; We Declare Peace." As the litany concluded, nine people walked onto Lockheed Martin property spreading sunflower seeds, the international symbol for the abolition of nuclear weapons.

Jackie Bauman, Carroll Clay, Beth Friedlan, Annie Geers, M.J. Gentile, Mary Jo McArthur, Tom Mullian, Fr. Patrick Sieber, and Robert Smith were arrested, taken to the Upper Merion Police Station, and released on disorderly conduct citations.

ARIVACA

From the action statement of John Heid and Fr. Jerry Zawada:

On this, the 64th anniversary of the atomic bombing of Hiroshima, Japan, we call for an end to militarization in all its guises. An end to bombs, nuclear and conventional. An end to the use of Drones (unmanned aerial vehicles). An end to walls, fences and their virtual counterparts that divide us and promote fear of each other. An end to war without end.

This morning we vigil at the gates of Davis-Monthan Air Force Base in Tucson, Arizona, home of a Predator UAV unit which now flies missions around the clock in Iraq and Afghanistan armed with Hellfire missiles which have killed hundreds of unarmed civilians. We demand an end to the unilateral slaughter.

This afternoon we vigil at a communication tower, "Tucson-1" (virtual fence) construction site. Fences and walls, solid and virtual, have funneled people in migration deeper into the harsh, danger-

"NUCLEAR WEAPON HERE

PRUNING HOOKS"

ACTION STATEMENT

*We are Fools and Clowns
For The Holy One And Humanity's Sake*

I, Father Carl Kabat O.M.I., come to this evil place today as a Roman Catholic priest of fifty years, to show what insanity is in the ground here and other silos in our beautiful country.

President Barack Obama has stated, "As the only nuclear power to have used a nuclear weapon, the United States has a moral responsibility to act... So today I state clearly and with conviction America's commitment and desire to seek the peace and serenity of a world without nuclear weapons."

The Roman Catholic Church, of which I am a priest, at the close of its Vatican Council II in 1965, condemned nuclear bombs as a CRIME AGAINST HUMANITY that are to be condemned unreservedly.

The World Council of Churches has proclaimed that "the manufacture, deployment or use of nuclear bombs is a CRIME AGAINST HUMANITY."

I support President Barack Obama's desire and have attempted to do my little bit in his effort.

The nuclear bomb that is in the ground here is more than 20 times more powerful than the atomic bombs we dropped on the Japanese. Each of those bombs killed more than 100,000 people. At least twenty times that number totals more than 2 million people.

The Bible says, in the words of Isaiah, "They shall beat their spears into pruning hooks and their swords into plowshares."

May the Holy One have mercy on us for not doing so.

Fr. Carl Kabat O.M.I.

ous terrain of the Sonoran Desert, resulting in more than 5,000 deaths since 1994.

These three - bombs, drones and fences/walls - are lethal weapons directed specifically at noncombatants. Cities like Hiroshima, villages in Iraq and Afghanistan and the U.S.-Mexico borderland have been deliberately targeted and violated. These are crimes against humanity. A betrayal of civility. In spiritual terms, a sin.

Today we pray without ceasing for a world without weapons and fences. We pray for peace, for justice, for unity which makes walls and war obsolete.

Heid and Zawada were taken into custody when they refused to cease praying. Both men were taken to the Pima County jail in Tucson, charged with trespass, and released. The charges were dismissed without prejudice before their scheduled October 7 trial. Zawada is one of thirteen "No More Deaths/No Mas Muertes" border humanitarians now awaiting trial for littering, to wit: placing jugs of clean water for migrants traveling remote desert trails. For more information, contact the new Rose of the Desert Catholic Worker in Tucson at 520-305-3276.

FT. MCCOY

Nine anti-war activists were detained at Ft. McCoy on August 9. They walked on to the central Wisconsin army base to protest the U.S. wars in Iraq and Afghanistan, and the continued U.S. possession of nuclear weapons.

All nine were part of a three-day walk for peace that began August 7, near Camp Williams, Wisconsin.

Five of the nine - Vicki Andrews, Tom Haebig, Gerald Paoli, Janet Parker and Dylan Parker - were ticketed and released from the site after being permanently barred from entering the base again.

The other four - Joy First, Alice Gerard, Brian Terrell and Bonnie Urfer - had been previously barred from the base. They were held on-base for three hours, cited for trespass, and then shackled and loaded in a van by military police who drove them seventy miles to the Dane County Jail in Madison, where they were incarcerated as "federal holds."

The U.S. Marshals' office in Madison, responding to calls made on the morning of August 10, claimed no knowledge of the four and had no record of their detention. Likewise, calls made to the clerk of the U.S. District Court there yielded no information.

The four were finally located and released at 1 p.m. without appearing before a judge. The U.S. attorney called it a "glitch in communications" while an attorney for the four labeled it a "virtual kidnapping" in clear violation of the Posse Comitatus Act limits on military involvement in domestic law enforcement.

For more information, contact Nukewatch at 715-472-4185 or nukewatch1@lakeland.ws

BANGOR

The Trident submarine base at Bangor, just 20 miles from Seattle, Washington, is home to the largest single stockpile of U.S. nuclear warheads, estimated at over 2,300, or nearly one quarter of the deployed U.S. arsenal.

The Ground Zero Center for Nonviolent Action, in their newly completed meeting house on land abutting the Trident base, commemorated the atomic bombings of Hiroshima and Nagasaki with three days of events and direct actions for nuclear disarmament.

Nine people were arrested during a series of nonviolent actions at the Bangor gate on Monday, August 10.

Joy Goldstein drove her passenger, Swaneagle (Mary Tremblay), onto the base and both were quickly arrested by Naval security, processed for possible federal prosecution, and released.

Jessica Artiega, Lynne Greenwald, and Tom Shea crossed the blue line onto the submarine base and attempted to block traffic entering the base while holding a peace flag and a large banner with a sunflower and broken Trident missile reading, "Abolish Nuclear Weapons: Resist Trident." All three were also arrested by Naval security, processed and released.

While nearly 100 vigilers held a variety of banners, flags and signs calling for peace and the abolition of nuclear weapons, a second group broke the yellow "caution" tape designating the "free speech zone", and strung it across the county roadway, blocking traffic entering the base. One member of this group walked among the stopped vehicles, offering drivers sunflowers, a symbol of nuclear disarmament. Anne Hall, Jackie Hudson, Brenda McMillan, Jean Sundborg and Alice Zillah were arrested by Washington State Patrol officers.

Following the release of the three Federal blockaders, the two women, Jessica Artiega and Lynne Greenwald, re-entered the roadway on the state side of the line, carrying the same banner as before, and were arrested by the State Patrol. All of the state arrestees were taken to Kitsap County Justice Center in Port Orchard, where they were booked and released.

A few weeks later, federal re-entry trespass charges were filed against Nicole Scott, who most recently entered the sub base last May 10 during a Mother's Day action. While others have been barred and arrested again inside the gate, only Scott was prosecuted at this time.

Prior to her scheduled trial, Scott negotiated an agreement to stipulate to the facts in return for a reduced sentence. She was found guilty October 7 and ordered to serve 100 hours of community service (none of which can involve service to Ground Zero Center for Nonviolent Action), plus \$35 in fees.

For more information, contact Ground Zero at 360-377-2586, info@gzcenter.org or see www.gzcenter.org.

Honeymooning Over The Line In Sunnyvale



Albuquerque, New Mexico Catholic Workers Chelsea Collogne and Marcus Page celebrated their wedding on St. Francis Day, October 4, in Berkeley, California. The next day, the newlyweds joined activists observing Keep Space for Peace week (space4peace.org) in a demonstration for peace at Lockheed-Martin in nearby Sunnyvale. Together with Fr. Louis Vitale, the newlyweds were arrested as they gave flyers to workers entering the sprawling war contractor's premier missile factory. As the three negotiated with the factory's security force, bride Collogne told them, "My grandfathers worked here for 30 years, that's why I care about the current employees here. I wish to speak with them about the weapons work they do here."

The happy couple's honeymoon was not disrupted as the three were released shortly after being cited for trespassing, pending arraignment November 16. For more information, visit tna.lovarchy.org or call 505-879-6942.

Vermont Yankee Security Breached



photo by Marcia Gagliardi

Inside the fence, from left to right, Ellen Graves, 69, Frances Crowe, 90, Paki Wieland, 66, and Hattie Nestel, 70, demonstrate that inadequate safety at Vermont Yankee is not limited to radiation leaks and collapsing cooling towers. Acting September 28 on behalf of the Shut It Down affinity group, the four women simply walked past a guard who warned them to stop, and through the main security gate as it rumbled closed behind them. Nestel's sign reads "Yom Kippur / September 28 / Time to Atone / Shut Down Vermont Yankee." The four were arrested for trespass about half an hour later by an assembly of Vermont Yankee security guards, state troopers and the Vernon, Vermont chief of police. They are to appear in court December 15. Women from Shut It Down have been arrested seven times previously since 2005 at the Vernon plant or at the headquarters of its owner, Entergy, in Brattleboro. For more information, contact Marcia Gagliardi, 800-215-8805 or haley.antique@verizon.net.

Activists Arrested at Nevada Test Site and Drone Base

At military bases across the country, units involved in remotely piloting Unmanned Aerial Vehicles (UAVs, popularly known as drones) are being established. Most of the rapidly increasing number of drones flying around war zones of Afghanistan, Pakistan and Iraq are equipped only for surveillance. But in war, even this use is necessarily integrated with the missile-firing and bomb-dropping UAVs that have killed many times more innocent civilians than targeted terrorists.

Creech Air Force Base in Nevada is home to the original stateside unit of combat UAV pilots, and a place for public protest of this latest hi-tech weapon. During the last days of September, Las-Vegas based Nevada Desert Experience hosted activists from Pace e Bene and CodePink for vigils in Las Vegas and at Creech, located in the small town of Indian Springs, northwest of Las Vegas. Over three days, eight people were arrested for civil resistance actions and at least six others ticketed in a show of zealous policing around the two gates into the base where vigilers tried to communicate with the virtual flyers.

Pace e Bene Nonviolence Service celebrated its 20th anniversary with a weekend program in Las Vegas featuring workshops on nonviolent change. After vigiling at Creech on Sunday morning, September 27, their weekend concluded 18 miles farther up the road at the Nevada Nuclear Test Site's Mercury gate. After a liturgy there, 14 women and seven men crossed the line, were ticketed for trespass by Nye County sheriff's deputies, and soon released. No court dates were given, and prosecution is unlikely, given recent practice.

Also that weekend, CodePink invited supporters from Arizona, California, and beyond to join them in Las Vegas and at Creech to "Ground the Drones" in solidarity with the people of Pakistan and Afghanistan. Early on Monday morning, the 28th, Toby Blome and Lisa Marcus were cited for obstructing an officer at the main gate. Another woman was ticketed as a pedestrian in the roadway, and that evening Eleanor Levine was ticketed for failing to

Drone Victims Mourned at Boeing

On July 22, members and supporters of Christian Peacemaker Teams (CPT) participated in a silent funeral procession that drew attention to Boeing's role in the production of unmanned aerial vehicles, or drones, that have killed more than 700 civilians in Pakistan and Afghanistan.

To a slow, steady drumbeat, the procession of about forty mourners, dressed in black and bearing a coffin, moved through the streets of downtown Chicago from the Federal Building to Boeing during the noon lunch hour. A large model Predator drone hovering above the procession caught the interest of passersby. Participants carried signs urging Boeing to divest from drones and death, and distributed leaflets detailing some of the disturbing facts about drone warfare.

signal and then for having a broken windshield.

Late that afternoon, seven people, most from the Pace e Bene gathering, were arrested at Creech's south gate, just down the highway. Janet and David Hartsough, Xan Joi, Betsy Lamb, Gene Stoltzfus, and Franciscan friars Louis Vitale and Jerry Zawada were charged with assembly with intent to disturb the peace and being pedestrians in the roadway.

All were taken to the Clark County Detention Center in Las Vegas and held overnight. While the men were being processed out the next day, Zawada drew a line on his charge sheet through the words "disturb the peace" and wrote in their place "disturb the war." Deputies fumed and threatened more charges but none came. Vitale had already been released, but Hartsough and Stoltzfus made the same alteration.

The next court date for the seven is November 30.

Early Tuesday morning, Sr. Megan Rice was arrested when she entered the road at the south gate and was charged with failure to yield while crossing at other than a sidewalk. She was taken to Las Vegas for booking and released several hours later with a December 22 court date.

Also on Tuesday, Anne Key was ticketed for unlawful use of her horn and Edwina Vogan was ticketed for being a pedestrian in the roadway. On Wednesday morning, Xan Joi was again cited while picketing at the south gate.

Updating earlier citations at Creech, Lisa Marcus paid her ticket from a July 13 demonstration at Creech, and Louis Vitale's trial on the ticket has been postponed until January.

For more information, visit www.bayareacodepink.org and www.nodrones.com, or contact NDE, 1420 West Bartlett Ave., Las Vegas, NV 89106, 702-646-4814, info@nevadadesertexperience.org. www.nevadadesertexperience.org also includes a good page of links to news and reports about UAV warfare.

The procession culminated at Boeing's world headquarters beside the Chicago River, where the mock drone fired a fake missile at the mourners. At that point, four CPTers, who had entered Boeing through a side door, spread blood-stained sheets on the lobby floor and lay down to simulate those killed in the attack. In an effort to intimidate and frighten, Boeing security quickly brought out two dogs on leashes that barked and snarled inches away from the faces of the CPTers lying motionless on the floor. Security whisked the dogs away when another CPTer began videotaping the scene.

About five minutes later, after a large crowd of Boeing employees had gathered to see what was going on, Chicago police arrived and arrested David Hovde, Zach Selekmán, Melanie Southworth and Derek Zika.

For more information, visit cpt.org.

MISSILE TEST PROTESTS

On Saturday afternoon, August 22, about 30 disarmament activists demonstrated against nuclear missile testing outside of the Los Angeles Air Force Base (LAAFB) in El Segundo, California, near Los Angeles. The "Space and Missile Center" at LAAFB is used to monitor missile launches from Vandenberg Air Force Base (VAFB), about 160 miles northwest on the Pacific coast. The protest was the first at the obscure LAAFB in many years, and targeted the scheduled test launch of a Minuteman III Intercontinental Ballistic Missile (ICBM) from Vandenberg Air Force Base before dawn Sunday.

Some of the demonstrators then drove north to Vandenberg's main gate, where at midnight they joined locals and others from as far as Las Vegas, Nevada and Oakland, California. The peaceful demonstration greeted Air Force personnel and media as they arrived to witness the test launch.

At about 1:30 a.m., Fr. Louis Vitale, OFM and Sr. Megan Rice, SHCJ tried to enter the base to present a letter to the commander from Japanese opponents to such missile tests. When the two activists were stopped from entering the base they knelt and prayed. They were arrested and released about an hour later, escorted across the highway from the base entrance with citations for trespass. Future legal proceedings are "to be determined." No court dates were set.

For more information, visit vandenbergwitness.org or contact MacGregor Eddy at macgregoreddy@gmail.com.

Pinking the President's Cup

The possibility that President Obama might drop by the President's Cup international team golf match in San Francisco was enough to spur two CodePINK women to dress up and bring their banners to the 12th green, with a message for him. Stepping out from the silent crowd and in front of a large scoreboard as Tiger Woods prepared to putt, Nancy Mancias and Rae Abileah held up banners reading "End the Afghan Quagmire" and "President Obama: End Bush's Wars!" Abileah spoke out loudly to say "Congratulations President Obama! Earn the prize; end the wars!"

The women were handcuffed and escorted off the golf course and to a police station where they were held a short time, cited and released. Unless the Cup sponsors pursue a complaint, they will not be prosecuted.

DEMO DEMANDS BERKELEY FIRE TORTURE PROF

On the first day of fall semester classes at Boalt Hall School of Law on the University of California's Berkeley campus, demonstrators outside demanded the firing and prosecution of Professor John Yoo, who co-authored notorious memos for the Bush administration that were used to justify torture. Four generations of graduates from the law school joined in the demonstration, saying Berkeley law students should not have to be educated by the alleged war criminal. Inside the building, a dozen protesters entered Yoo's lecture hall to speak with the professor and his students. When campus police asked them to leave, they stepped outside the room and began chanting loudly. Four were later arrested for disturbing the peace and trespass when they refused an order to leave the building. They were cited and released outside.

For more information, contact sf@worldcantwait.org.

Oregon Capitol Vigilers Await Trial

A Salem, Oregon woman who fasted on the state Capitol steps last winter in opposition to a pending deployment of the Oregon National Guard to Iraq now awaits trial with four others after the Marion County Court denied a motion to dismiss their trespass charges. Michele Darr was cited twice last fall in the middle of the night under a vague state policy giving the Legislative Administrator discretion to police round-the-clock public gatherings outside the building.

In December, the American Civil Liberties Union of Oregon took up her case, arguing in a letter to the district attorney that Darr's state and federal rights were violated by selective enforcement. The state has routinely permitted such overnight gatherings on the Capitol steps as the 24-hour Salem Bible Reading Marathon.

In response to the letter, Darr's first two citations were dismissed, and in January the Legislative Administration Committee adopted new "guidelines" that prohibit all activity on the Capitol steps between 11 p.m. and 7 a.m. unless there are legislative hearings or a floor session in progress.

Over the next few weeks, Michele Darr continued her public fast and was joined by others who shared the risk of prosecution to help sustain the continuous vigil. She was cited three times for trespass, Teresa Gooch was cited twice, and Mark Babson, Greg Cleland and Peg Morton were each arrested once for violating the new guidelines. After at least five pretrial hearings through summer and into the fall, the defendants are expecting a date for trial to be set soon.

INTERNATIONAL NOTES



Canada

A Canadian Mohawk activist, John Boncore (also known as Dacajeweah, or Splitting the Sky), will go to trial in Calgary next March, charged with obstructing an officer in the performance of his duty. Boncore was arrested and jailed overnight last March after trying to make a citizen's arrest of "credibly accused" war criminal George W. Bush, the former U.S. President. Bush was in Alberta's provincial capital on his first foreign visit since leaving office. Boncore had twice urged police at the scene to arrest Bush. When they refused, Boncore broke the police line and was wrestled to the ground, handcuffed and taken to jail. Boncore, a leader during the Attica prison uprising in 1971 and in the American Indian Movement with the League of Indigenous Sovereign Nations, has been speaking publicly about the event as a necessary case of civil resistance to confront war criminals when local authorities refuse. For more information, visit splittingthesky.net.

Scotland

Twenty-five members of Trident Ploughshares took part in the tenth annual week-long disarmament camp just over the hill from Faslane, Scotland, the homeport of four Trident submarines, Britain's nuclear weapons system. Members of the group maintained a peaceful daily morning vigil at the nearby gates of Coulport, the United Kingdom's nuclear weapons depot, and engaged in nonviolent direct actions calling for the disarmament of Trident.

Five members of the group - Sylvia Boyes, Angie Zelter, Brian Larkin, Penny Stone and Mary Millington - kicked off the week of action on Monday, August 17, by walking past security guards through the main gate straight into Faslane. They reached the high security perimeter approximately one hundred fifty yards inside the base before being stopped by military police.

They handed out a letter calling on everyone within the base to join with them in beginning to disarm Trident, while one member of the group handed out flowers to police. A general alarm was sounded and the base was locked down for nearly an hour. The five were released later in the evening, charged with entering a restricted area under SOCPA (Serious Organized Crime and Police Act).

Their letter stated: "It is the presence of Trident submarines ... which constitutes a serious organized crime." They cited the opinion of Judge Bedjaoui, President of the International Court of Justice, regarding a nuclear weapons system such as Trident "that deploys over 100 nuclear warheads with an approximate yield of 100 kilotons per warhead." He stated that "warheads of this size constitute around eight times the explosive power of the bomb that flattened Hiroshima ... and killed over 100,000 civilians. ... In my opinion, such a system deployed and ready for action would be unlawful."

The letter, signed by the five, noted that:

The U.K. government, as signatory to the Nuclear Non-Proliferation Treaty, undertook more than 40 years ago to complete the disarmament of its nuclear weapons ... Scottish government formed a working group for a future of a Scotland without nuclear weapons nearly two years ago but has failed to release a report let alone take any relevant action while the people of Scotland overwhelmingly oppose the presence of nuclear weapons in these waters. As long as the governments fail to begin a process of disarmament, members of Trident Ploughshares are committed to nonviolent action to begin that process. Disarmament would not have to mean the loss of jobs in the area. We urge the government to redirect the resources currently allocated to Trident to meet real human needs. The skills of people working at this base could well be employed in building the infrastructure for renewable energy among other possibilities. Rather than continue to threaten millions of innocent civilians with nuclear weapons, Scotland and the U.K. could lead the world towards nuclear disarmament by scrapping Trident. We invite others to follow us through this gate and restore humanitarian law."

A few days later on August 31, three members of Trident Ploughshares joined three members of Faslane Peace Camp in blockading Coulport. Work at the nuclear bomb depot was disrupted for three hours as traffic was diverted due to the blockade. Four of the group linked arms inside drain pipe lock-ons to block the main gate while two others attempted to block the construction gate. A specialist cutting team was called to the spot to remove the protesters, who were cited for breach of the peace.

For more information, visit tridentploughshares.org.

Australia

When we last left the story in mid-July, seven people were hiking into Shoalwater Bay Military Training Area of northeast Queensland. As the latest of several small groups acting nonviolently, they "enter[ed] the exercise area with the intention of shutting down the [joint U.S.-Australian Talisman Sabre] exercises."

Jacob Bolton was the first to be discovered inside the base by military personnel late Saturday night, July 18. He was charged and released by early Sunday morning.

That same morning, Bryan Law waved down an armored column of U.S. Marines on a dusty road in the restricted area. After it stopped, Law stepped back and tied a banner to the trees quoting Genesis: "What have you done? Your brother's blood cries out to me from the Earth."

To his surprise, the convoy eventually passed him by, as did hundreds of other soldiers who saw his banner as they rolled by in several more American convoys. Finally an Australian convoy took note and called in a detachment of military police. Law was taken off the range, cited for trespass and released.

On the occasion of their arrests, Margaret Pestorius, arrested by soldiers the week before, observed that, "Each activist that is found by the military is a reality check for those military personnel who run into them. War has real people: Ordinary men, women and children who want peace and who are trying to go about their daily business in the face of bombing, shooting and incarceration. We were discovered by U.S. infantrymen playing insurgents in a large role playing invasion scenario. Yet there are no civilians in this scenario."

Law's companions Jim Dowling and Culley Palmer were spotted after his arrest, yet evaded an intensive air and ground search that day. They remained on the range for over a week before their arrest. Mark Palmer was also apprehended during that time.

Two anti-war activists remained for 11 days in the area until July 26, officially the last day of the exercises. Yulanji Bardon and Emily Nielsen turned themselves in to Range Control and were escorted from the premises by military police, under arrest for trespass.

All defendants except Jim Dowling and Ciaran O'Reilly pled guilty as charged and were fined from AU\$150 to AU\$1200, depending on the magistrate and their prior record. Dowling and O'Reilly are set for trial December 23.

STOCKHOLDERS, CONT.

continued from page 3

ant Techsystems that in the future they would not detain or arrest legal shareholders from attempting to attend the annual shareholders meeting.

Now, instead of trespass, the four were cited for disorderly conduct and released at the scene. They await formal charges and their day in court.

GANDHI'S BIRTHDAY AT ATK

Four more people were arrested at ATK on October 2, as they tried to deliver a detailed document assembled by activists entitled "Employee Liabilities of Weapons Manufacturers Under International Law". Steve Clemens, Roger Cuthbertson, Geri Eikaas and Sister Kate McDonald were rebuffed at the door, asked to leave, and cited for trespass when they did not.

The arresting officer offered to take the document refused by ATK and add it to the case file of their arrest.

Their action followed a similar attempt to notify employees of their liability last March 4, when nine other members of AlliantACTION made it into the lobby with the same document, consisting of a letter to company CEO Daniel Murphy, sections of relevant international treaties, and case studies of weapons manufacturers who were prosecuted as war criminals at the end of World War II. Company officials refused to meet with this delegation of nuns, social workers and a school librarian, and all nine were cited for trespass.

At their trial September 8, they stipulated to the facts. The prosecution rested its case, and the defendants, representing themselves, testified about ATK's weapons and their understanding of international law that compelled them to act and gave them a "claim of right" to do so under Minnesota law. This time, the jury convicted the nine of trespass. They were sentenced to a \$300 fine or 24 hours of community service.

For more information, visit AlliantAction.org and mennonista.blogspot.com.

England

Christian peace activist Chris Cole was found guilty of criminal damage at Westminster Central Magistrates Court on October 12, following a September 7 protest of the U.K. Defence Conference in central London. The conference was being held as part of Europe's largest arms fair, the biennial Defense Systems and Equipment International (DSEI). Cole had sprayed "Build Peace Not War Machines" and poured fake blood across the entrance of the conference center.

Defending himself in court, Cole argued that the conference had brought a number of senior officials from the arms industry, from the military and from the government to encourage and devise a military response to global security threats. Cole said in court, "Protected by amiable guards and amenable laws, this event and dozens like them are causing a great deal of harm. Pushing military responses to climate change, the movement of peoples, and energy scarcity - as this event did - whilst at the same time trying to profit financially from researching, producing and selling increasingly lethal weaponry is morally repugnant and disastrous."

Cole was ordered to pay £1,800.00 in compensation and £350 in court costs.

The Campaign Against the Arms Trade (CAAT) and Disarm DSEI sponsored lively protests on September 8, including a march through central London that stopped at banks involved in financing the arms trade. Banners were hung, shoes and paint-bombs thrown and some doors damaged, but police held back and made no arrests.

The next morning, London Catholic Workers Katrina Alton and Martin Newell poured red paint on a sign advertising the fair at its main pedestrian entrance, then hung a banner reading "Forgive them Father; they know not what they do." They knelt in prayer for 45 minutes before being arrested for criminal damage. Alton was fined but refuses to pay and has asked for a court hearing. Newell is scheduled for trial next February 24.

On Thursday, September 10, a noisy demonstration outside a DSEI delegate's dinner at the Park Lane Hilton was cleared away by police, who made ten arrests.

For more information, visit Disarm DSEI at www.dsei.org, caat.org.uk, londoncatholicworker.org, or contact Chris Cole at chris@for.org.uk.

Army Experience A Bust

Three hundred people again marched into Philadelphia's Franklin Mills shopping mall September 12 to condemn the Army Experience Center (AEC), a high-tech bloodless arcade with real war machines and a prototype for the future of military recruiting. Many had been there in May, when seven demonstrators were arrested at the storefront.

Publicity about the protest brought out dozens of counter-protesters and at least 90 police. They already crowded the courtyard in front of the locked-down AEC when the peace marchers arrived.

After about twenty minutes of energetic debate and enthusiastic chanting between the opposing groups, police ordered the AEC's opponents to leave the mall. As most of the demonstrators and a documentary video crew from Frontline began to depart, police started arresting the few who remained.

Indy reporter Cheryl Biren was plucked by police from the front line of supporters where she had remained to photograph and report on the event. Her editor, also on hand, protested the arrest of a reporter but to no avail. Five other women and one man were also arrested and taken to jail, where they were all held overnight before being released. Debra Sweet, Elaine Brower, Sarah Wellington, Joan Pleune, Beverly Rice, Cheryl Biren, and Richie Marini were released the next morning, pending trial. Coincidentally, or maybe not, the Pentagon had announced a few days earlier that it would probably close the \$13 million AEC and not open any others.

For more information, visit shutdowntheaec.net

Police Spying Disrupts Prosecution of Port Blockaders

Suspicion that Port Militarization Resistance (PMR) of Olympia, Washington had been infiltrated by informants for the local police and military was confirmed in late July. A man known to local activists as John Jacob was revealed to be John Towery, a civilian employee of the Army's Fort Lewis force protection program.

PMR and affiliated organizations in Washington have engaged in a series of nonviolent direct actions to impede shipment of war equipment from Fort Lewis to Iraq and Afghanistan. Their success is evident in the fact that shipments of Stryker combat brigade equipment last summer avoided the convenient Pacific Northwest ports, instead going by rail to be loaded at ports in California and Texas.

Over nearly three years, Towery had befriended several activists and infiltrated local organizations including PMR, Students for a Democratic Society, the Smash ICE Campaign, and Iraq Veterans Against the War. He was entrusted with management of PMR's email list during a period when he was funneling information about the groups' membership and activities to the U.S. Army, Olympia and Tacoma police departments, the local sheriff, the FBI, Washington State Patrol, and the Washington Joint Analytical Center. Scrutiny of records released to the activists in the course of legal proceedings led a few of them to question their friend's real identity, and Towery confessed to being an informant when they confronted him.

The news has led to motions for dismissal of criminal charges pending against many PMR activists including the 'Oly 26', who were arrested during a women's solidarity action in November 2007. Civil actions are also underway challenging Towery's law enforcement work for the Army as a violation of the Posse Comitatus Act of 1878, which prohibits the military from policing civilians. National Lawyers' Guild attorney Larry Hildes is representing PMR in these cases, as well as anti-war activists in Wisconsin who allege a violation of Posse Comitatus when they were jailed and transported by military police following their arrest at Fort McCoy (see Ft. McCoy story, page 4).

In related matters, the criminal trial of Patty Imani and Briana Herrera for an August, 2008 blockade at Ft. Lewis was postponed until some time after a readiness hearing on November 9. Six people are now party to a civil suit alleging Tacoma police violated their civil rights during a March, 2007 protest when Ft. Lewis supplies were shipped from the port of Tacoma. Three of the women awaiting trial for the November, 2007 women's solidarity action have sued the city of Olympia, alleging they were strip-searched in the presence of police and other prisoners following their arrest. A federal judge has cleared the way for a trial to begin October 26, joining two civil suits brought separately by men who allege Olympia police used excessive force during the same November 2007 series of demonstrations. William Hamilton won court approval to seek damages from individual officers and the city, while Larry Mosqueda's damage claim has been limited to the city only.

All of this criminal and civil legal work is presenting a financial burden to the Olympia and Tacoma activist community. Donations in any amount payable to "Port of Olympia Legal Defense Fund" are welcome and can be sent to the Fund at P.O. Box 295 Olympia, WA 98507.

For more information, contact Patty Imani at pattyimani@hotmail.com.

Peltier, cont.

continued from page 1

level review of Peltier's case. Such a review last April of Alaska Sen. Ted Stevens' conviction led Holder to essentially vacate the conviction because federal prosecutors had withheld exculpatory evidence in much the same way as is now conceded they did in Peltier's case.

A petition to Holder detailing the reasons for an Executive Review can be signed at www.ipetitions.com/petition/Executive_Review/. Letters should be sent to Eric A. Holder, Attorney General, U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530-0001.

Supporters are also asked to contact their members of Congress and ask their support for Peltier's freedom, and to regularly contact the White House and ask for Executive Clemency for Peltier. White House comment lines are 202-456-1111 or 202-456-1112, or fax a letter to 202-456-2461.

Letters of support should be sent to Leonard Peltier 89637-132, USP Lewisburg, POB 1000, Lewisburg, PA 17837.

FUTURE ACTIONS

ft. benning

Join the Mass Mobilization to Shut Down the School of the Americas and converge on Fort Benning, Georgia, November 20-22. The campaign to close the SOA is in a crucial phase. Despite promising comments last year from candidate Obama, the SOA/WHINSEC is still in operation and the Pentagon is moving forward with



plans for new U.S. military bases in Colombia. With a Democratic administration in the White House, it appears that some Democrats in Congress are becoming timid when it comes to opposing the Pentagon. It is up to us to keep up the pressure and to hold them accountable. People power is going to win over Pentagon lobbying! Details and registration on-line at soaw.org, or call 202-234-3440 for an information packet to be mailed to you.

ft. huachuca

The Southwest Witness Weekend to End Torture will take place on November 14-15, in solidarity with the vigil and action at Ft. Benning to close the School of the Americas happening the following week. A teach-in and evening program will take place on November 14, and a No To Torture rally followed by a procession to the main gate of Ft. Huachuca will take place on November 15 from noon to 3 p.m. The torture manuals used at Ft. Benning came from Ft. Huachuca, home of the headquarters of U.S. Army military intelligence training. For more information, visit southwestwitness.org

Virtual Leash Lets Antiwarrior Keep Fighting

An unrepentant anarchist and mixed martial arts fighter was sentenced October 1 to 90 days of work release while on electronic home monitoring, and to pay restitution of nearly \$28,000 for graffiti damage to the Washington State Capitol building in Olympia and an army recruiting center in nearby Lacey last year. In July, Jeff Monson pled guilty in Thurston County Superior Court to one charge of first-degree criminal mischief and one charge of second-degree criminal mischief. The sentence followed a plea agreement arranged to give the prize-winning fighter a chance to keep working and pay restitution.

Outside the court, Monson was reported by *The Olympian* to say he was not sorry for what he did. He acted to help raise consciousness about the illegal war in Iraq.

The recruiting center was closed for a few days as a result of the damage.

"I'd like to think something good came of it," he said, and that the time it was closed might have been long enough for a potential recruit to reconsider and change his mind. Asked if he would ever do such a thing again, Monson is quoted, "I don't know what's going to happen."

Update Files, cont.

continued from page 8

traffic offense, walking in the roadway. Both were ordered to pay fines and fees of \$89...

BLACKWATER/ILLINOIS: Four people were convicted of trespass at a bench trial in Galena September 4, charged as part of a larger group that tried to serve an eviction notice last April at the mercenary business' new training center in the county. Lee Jankowski and Becky Lambert were each fined \$250, while Don and Roberta Thurstin-Timmerman were fined \$350 each due to their prior arrests. Michael Walli was scheduled for a jury trial but failed to appear. Among the other 17 defendants who pled guilty last summer, those who refused to pay fines have been summoned to appear in court November 9 to show cause why they should not be found in contempt for that failure...

stratcom/omaha

For the fourth year in a row, the Des Moines and Omaha Catholic Workers, Nebraskans for Peace, and the Omaha chapter of Physicians for Social Responsibility are organizing a witness and die-in November 2-4 at the Strategic Space Symposium, a space weapons bazaar at the Qwest Convention Center, Omaha, Nebraska. Fr. Louis Vitale and Loring Wirbel will speak November 3 on U.S. space warfare and nonviolent resistance, and the die-in will take place November 4. For more information, contact Tim Rinne, WalteRinne@neb.rr.com, 402-475-4620. For overnight hospitality (floor space available), please contact Jerry Ebner, cwomaha@gmail.com, 402-502-5887.

peaceable assembly campaign

Voices for Creative Nonviolence has begun a nationwide Peaceable Assembly Campaign for an end to the U.S. wars in Iraq, Afghanistan and Pakistan, and an end to U.S. support of the continued occupation of the Palestinian territories. Beginning in September, 2009, and continuing for the next ten months, the campaign will engage in both legal and extralegal (nonviolent civil disobedience/civil resistance) lobbying efforts, urging Representatives and Senators to stop authorizing and funding wars and occupations. Local groups are encouraged to read the full campaign description at peaceableassemblycampaign.org and consider how they want to get involved. Please e-mail or call for more information, 773-878-3815 or info@vcnv.org.

edinburgh

The NATO Parliamentary Assembly will meet in Edinburgh, Scotland beginning on November 13. Anti-militarists aim to shut it down with a mass demo. The NATO Welcoming Committee will provide a convergence space for activists, food, street medics, legal, trauma, and other support to activists. For more information, visit natowc.noflag.org.uk

oak ridge/Y-12

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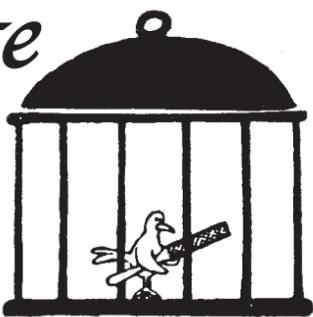
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EDO-ITT / BRIGHTON: The conspiracy and criminal damage trial of six British activists was originally set to begin October 26. Last January 17 they barricaded themselves inside a local arms factory and decommissioned machinery that makes bomb release mechanisms and assembles electrical components for export to Israel. (Three sympathizers arrested outside the factory face lesser charges.) Attorneys asked for more time to prepare the defense case based on international law and the testimony of various experts, and trial has now been adjourned until next May. The case is further complicated because three of the defendants also face charges for £32,000 criminal damage to the roof of a nearby Raytheon office building, which they occupied for two weeks last winter just before the EDO-ITT factory was busted up. Both protests were made in particular response to the firms' products being used by Israel in its military assault on Gaza. Prosecutors want to tie both actions into a single criminal conspiracy, but this is being fought by the defendants. Elija James Smith, a defendant in both actions, remains in custody since his arrest at EDO-ITT. He was found guilty in April on charges related to a separate action at Raytheon last December, and was sentenced to ten weeks in jail (where he already was residing on remand). On appeal, this sentence was reduced to one week. Supporters of the EDO Decommissioners seek funds for bringing in expert witnesses, and are promoting a petition for an arms embargo on Israel, the revocation of all British export licenses to Israel, and an end to British government purchases from Israeli arms companies. More information and a link to sign the petition can be found at www.decommissioners.co.uk. Letters of support to Elija James Smith should be sent to the address listed on page 3, Inside & Out. Note: his ID# has changed slightly...

RAFIL DHAFIR: The U.S. Second Circuit Court of Appeals has turned down Dr. Dhafir's appeal of his conviction and restitution order for running what the government claimed was a fraudulent charity that provided millions in humanitarian aid to the people of his native Iraq in violation of the trade embargo and sanctions imposed on that country between the U.S. invasions of 1991 and 2003. Dhafir's case was ordered back to trial court for re-sentencing, but it could simply renew his sentence of 264 months. A petition to the judge for leniency in light of Dhafir's evident humanitarian motive will soon be available at dhafirtrial.net. Letters of support should be sent to Dr. Dhafir at the address on page 3...

Update Files



FT. HUACHUCA: According to a May 15, 2009 letter from the U.S. Attorney for the District of Arizona released via a Freedom of Information Act request by one of the three people arrested last November during a protest of Army complicity in U.S. torture policy, the defendants will not face prosecution because "[t]he Fort Huachuca Commander does not want the potential negative publicity this case might bring to the installation"...

RAKON / NEW ZEALAND: Tyler Culpepper was in court October 12 for trial on charges of willful damage and unlawfully being on a building. During a January mass demonstration outside the Mt. Wellington manufacturer of guided bomb components, Culpepper climbed on the roof and used a paint roller to amend the building sign to read "RAKON KILLS." The verdict in the trial will be announced in January once further motions by the prosecution and defense have been heard...

SIZEWELL NUCLEAR POWER STATIONS: Five people arrested for blocking the sole access road to the reactor in Suffolk, England last year were two days into their trial for aggravated trespass when the Lowestoft Magistrates' Court declared them not guilty. The prosecution had failed to provide evidence that the defendants were on private land. Despite a pretrial ruling preventing the testimony of an expert witness, the defendants had planned to use the defense that they were acting to prevent breaches of health and safety legislation resulting from the continued operation of the nuclear power plant...

RAYTHEON / N. IRELAND: Nine women arrested while occupying the war merchant's Derry offices during a January protest of Raytheon's complicity in Israel's attack on Gaza were in court September 22 to face charges of criminal damage and burglary with intent to

cause criminal damage. One of the women also faces a charge of common assault, despite no allegations from any alleged victim. All pled not guilty and expect a trial sometime in the new year. The husband and father-in-law of a pregnant woman, who came to her aid when she was assaulted by police as supporters rallied outside on the day of the action, are also facing a review of their bail conditions related to the incident, even as prosecutors investigate the officer who struck her...

REPUBLICAN NATIONAL CONVENTION: The "Other RNC 8" - so dubbed to distinguish their case from the felony charges against eight other activists arrested just before the convention (more below) - were convicted of trespass on September 17. The eight, most of them members of Veterans for Peace, had departed from the permitted route of a protest march on August 31, 2008, to deliver the anti-war message from the streets directly to convention delegates and the President. St. Paul police arrested them as they stepped through a security barrier at the convention center loading dock. The jury was instructed to ignore the defendants "claim of right" under Minnesota, U.S. and International law. The Minnesota "claim of right" had been used successfully to win jury acquittals of war opponents arrested for trespass at Alliant Techsystems in suburban Edina. The eight were sentenced to a \$100 fine or 20 hours community service, plus court costs.

Of the 818 arrests reported just before and during the convention, more than 90% have been acquitted, had their charges dismissed, or were never prosecuted. Six felony cases were resolved at trial or by plea agreement this summer, resulting in sentences of up to four months in jail for four defendants, with two others to be sentenced in November. Pre-trial motions are still being heard in the cases of the more notorious RNC8, with no trial date set. More information can be found at rnc8.org and rnc08arrestees.wordpress.com...

NEW BRUNSWICK, NEW JERSEY: Three Rutgers University students in September pled guilty to charges related to a "Walk Out Against the War" in March, 2008, when hundreds of people took over Route 18. As a result of a plea agreement, Erik Straub admitted to the original disorderly persons petty offense. He was ordered to pay fines and fees of \$264 and to serve 30 hours of community service. Suzan Sanal and Arwa Ibrahim pled to a

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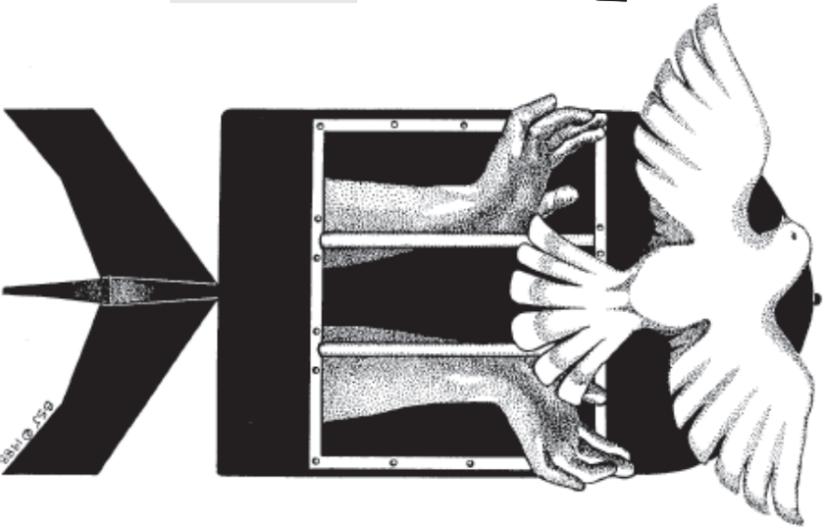
Priest Jailed Again
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