

Desert Voices

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Creech 14 Get Their Day in Court! *Judge Hears and Considers Experts*

When activists trespass, the trial is usually short and little of the reason for the action makes it into the official record, even less into the court's judgment. The first attempt in the U.S. to put "drones" on trial was a remarkable exception.

The "Creech 14" were tried on September 14, 2010 in Regional Court in Las Vegas, Nevada, but the written verdict won't be delivered until January 27, 2011. The case originated



during a week of demonstrations and vigils in April 2009, when the activists entered Creech Air Force Base in Indian Springs to highlight the serious injustice of the U.S. military's use of drones, or Unmanned Aerial Vehicles (UAVs) in Afghanistan and elsewhere. Crews at Creech control the drones used in these expanding wars, including killing civilians in remote controlled assassination attacks.

Judge Jansen allowed the pro-se defendants to call three expert witnesses – former Attorney General Ramsey Clark, retired Col. and former diplomat Ann Wright, and Bill Quigley, Legal Director of the Center for Constitutional Rights. The judge limited the defense to questions strictly pertaining to the charge of trespass. Through carefully crafted questions, the defendants still extracted several key points from their witnesses:

- Intentional killing is a war crime, as embodied in U.S. constitutional law.
- Drone strikes by U.S. and coalition forces kill a disproportionate number of civilians.
- People have the right, even the duty, to stop war crimes.
- According to the Nuremberg principles, individuals are required to disobey domestic orders that cause crimes against humanity.

"Targeted assassinations by Predator and Reaper drones," said defendant Renee Espeland, "must be catapulted into the court of public opinion. I am bound by the law of our land that makes it my duty to stop the killing of civilians and to protect U.S. soldiers being ordered to perform illegal acts."

What's in a Name? *Re-Branding the Nevada Test Site*

On August 23 the government changed the name of the Nevada Test Site (NTS) to the Nevada National Security Site (NNSS). The press release from the National Nuclear Security Administration (NNSA) announcing the change stated that the new name "better reflects the diversity of nuclear, energy and homeland security activities being conducted there." Neither the old or the new name has the word "nuclear" in it, nor the word "bomb." At first, the name change seems akin to the change of School of the Americas (SOA) to the Western Hemisphere Institute for Security Cooperation (WHINSEC). "Un" popularly known as the School of Assassins (still SOA) at Ft. Benning, GA, that renaming was meant to make the torture training camp seem to have disappeared and make organizing for its closure harder for activists.

In the case of the NNSS/NTS though, the facility is re-branding itself to diversify its mission in search of funding and jobs, wanting to be more visible, not less. Proud of its ongoing role in "stockpile stewardship" which maintains the safety of the US nuclear arsenal or contributes to illegal US upgrades to its nuclear arsenal, the NNSS supports work at the national labs and other agencies. The push for new nuclear components and modernized delivery systems make less substantial the dismantlement of nuclear weapons. In an October 19 press release, the NNSA announced that they performed 126% of planned dismantlements at the Pantex Plant in Texas in 2010. The same press release stated that Pantex completed "116% of planned weapon deliverables" and "112% of the planned W76 Life Extension Project deliverables."

Closer to home, new activity at the NNSS is raising international alarm bells with the first "subcritical" nuclear test since 2006, one of three such tests originally planned for late 2009. The delay may be followed by a more rapid pace in the future, having worked out some technical problems. Mayors for Peace and several groups in Japan issued statements condemning the resumption of subcritical tests. In a statement to the Mainichi Daily News, Haruko Moritaki, co-director of the Hiroshima Alliance for Nuclear Weapons Abolition (HANWA), criticized Obama, saying, "It was a sign that the U.S. government is poised to maintain its nuclear development and capability while advocating a world without nuclear weapons. Such a contradiction is unforgivable. Furthermore, his approach can give countries like India, Pakistan, Israel and North Korea an excuse to hold onto their nuclear arsenals." Although the NNSS **continued on p.3 - What's in a Name?**

Defendant Brian Terrell delivered the group's closing statement. Referring to earlier mention of a classic metaphor used in cases invoking the necessity defense, he depicted a house on fire, with a baby trapped inside. "The house is on fire; the baby is in the house," said Terrell, "We fourteen are ones who see the smoke, and will not allow a 'no trespass' sign to stop us from reaching burning children." Terrell was speaking about the civilian deaths caused by U.S. drones in Afghanistan. ☧

Nuclear Resister Roundup

Visit the blog of the *Nuclear Resister* for more details about the cases mentioned below, and others. The following places of protest and actions of resistance are selected from the many cases of people standing up, sitting down and getting in the way of the machinery of war. These cases involve NDE staff, Council members, frequenters of NDE actions, or are places NDE has had a particular presence of late. See <nukeresister.org>.

Vandenberg Air Force Base

Fr. Louie Vitale and Sr. Megan Rice will be on trial Nov. 18. at the federal courthouse at 1415 State St. Santa Barbara. They were arrested on August 22 2009 at a night test launch of a Minuteman III Intercontinental Ballistic Missile (hydrogen bomb delivery system) that went from Vandenberg AFB to Kwajalein atoll in the Marshall Islands. Fr. Louie carried a message that he had been given by the people of Japan, asking the USA to comply with the Nuclear Non Proliferation Treaty.

Public Event the night before:

"Missile Testing at Vandenberg: Does it Make the World Safer?"

Wednesday, November 17 · 7:00pm - 8:30pm

Friends Meeting House (Quakers)

2012 Chapala St, Santa Barbara, CA

A panel discussion chaired by David Krieger, President of the Nuclear Age Peace Foundation

Speakers: Fr. Louis Vitale, Sr. Megan Rice, and a representative from Vandenberg Air Force Base (invited)

Vandenberg and the Ronald Reagan Test Range conduct provocative missile and anti-missile tests frequently. Activists and even governments are increasingly expressing concern about the hypocrisy of the US testing advanced, new missile designs while expressing threatening outrage about primitive tests by North Korea, and threatening Iran (as yet, a non-nuclear armed state) with a nuclear first-strike. For background on the issues, updates on action plans and trials, see <vandenbergprotest-macgregor.blogspot.com>.

Los Alamos/Think Outside the Bomb/L.A. Study Group

On Hiroshima Day, resisting the quadrupling in size of the plant that makes the plutonium parts of nuclear weapons, eight people were arrested, one being Sr. Megan. A replacement for the CMR-Nuclear Facility at the Los Alamos National Lab (LANL) has been in the works since 1987. The seven who pleaded not guilty have a February 8 trial date.

Meanwhile, a lawsuit by the Los Alamos Study Group (LASG) to stop the CMRR-NF from being built is moving forward. LASG has formally responded to the Energy Department's attempt to quash the suit which challenges the quality of the site's Environmental Impact Statement, the legality of the proposed work, and the

financial reality of it. In part due to the lawsuit, Energy Secretary Chu has announced a further study of the proposed construction project. LASG's Greg Mello encourages people to think creatively and take heart: "This plutonium



Jean, a French-Canadian Tucsonite, vigils (not really alone) outside the Raytheon Plant (which it leases for \$1/year from the owner--the US Air Force) during the culmination of a gathering of Southwest Catholic Workers.

factory fiasco, first proposed in 1987 or so by LANL, is not built. There is no new Rocky Flats. So there can be no big new production run of nuclear weapons. Not yet, and maybe not ever, *inshallah*. See also <lasg.org>.

Trident: Bangor, WA; Disarm Now! Plowshares

Five nuclear abolitionists who entered the U.S. Navy's nuclear weapons storage depot in Washington State in November 2009 were arraigned Friday, October 8 in federal court in Tacoma, Washington. Sr. Anne Montgomery, 83; Fr. Bill "Bix" Bichsel, 82; Susan Crane, 65; Lynne M. Greenwald, 61; and Fr. Steve Kelly, 61 were each approved to represent themselves at trial on December 7, 2010. They face up to ten years in prison and a \$250,000 fine if convicted on the government's charges of "conspiracy, trespass, destruction of property on a naval installation, and depredation of government property." The charges were handed down by a grand jury in early September 2010, ten months after their November 2009 Plowshares action.

The US Naval Base Kitsap/Bangor has the largest stockpile of nuclear weapons in the US. Eight Trident subs are homeported there, and each can carry 24 D-5 missiles, which can each carry 4-6 nuclear warheads. The threat or use of nuclear weapons is illegal, and their existence violates every rule of humanitarian law, every principle of human rights to which all nations are committed. The International Court of Justice ruled that nuclear weapons are illegal under international law, yet the court in Tacoma is set to prevent any mention of these issues from being heard by the jury. For more information, visit <disarm-nowplowshares.wordpress.com>.

Kansas City, MO

"Many people I've talked to in the past year are not aware that while President Obama talks about the importance of nuclear disarmament, he and his administration are planning to replace and rebuild the nation's entire industrial capacity for nuclear weapons production at 3 key sites, with the goal of producing up to 80 new warheads per year for another 50-100 years. This summer I joined protests at each of these 3 sites," wrote Felice Cohen-Joppa of the Nuclear Resister. The Kansas City plant, which will replace the current facility, which makes 85% of the nonnuclear parts for nuclear weapons, will be the nation's first new major nuclear weapons production facility in 32 years. On August 16, 14 people blocked construction equipment at the new

Join Nevada Desert Experience in one of our nonviolent direct actions or invite us to make a presentation or prayer-offering to your community or congregation. We are grateful for your prayers and financial contributions too! Most of our income is from individuals.

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NDE does not share our list; nor do we send lots of e-mail. E-mail is very helpful for our work though—saving money, resources, and speeding the distribution of time-sensitive news.

Nevada Desert Experience is a 501(c)(3) non-profit organization. Donations are tax deductible. Ask us for a receipt if you need one.

☒ Check here if you don't want physical mailings from NDE.

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Enclosed is my contribution of:

☒ \$500 ☒ \$125 ☒ \$65 ☒ \$35 ☒ \$25 ☒ other _____

Want us to contact you about something specific?

☒ Sacred Peace Walk ☒ August Desert Witness ☒ Nukes

☒ Immersion or Internship ☒ Unmanned Aerial Vehicles

Name _____

Address _____

City, State, Zip _____

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NDE strongly supports anti-torture organizing. Fr. Louis is pictured above (in 2008) preparing to demonstrate at Ft. Huachuca in Sierra Vista, Arizona where the US Army's interrogation training manuals are written. "Actionistas" there on Sunday, November 14 and at the annual convergence to shut down the School of the Americas the following week are in our prayers. See <<http://soaw.org>> and <<http://southwestwitness.org>> for news.

site. More background about the plant, the strange arrangement whereby the city will be responsible for the land, the verdicts and immediate follow up actions, see <nukeresister.org>.

Y-12 Uranium Processing Facility at Oak Ridge, TN

Trial is set for January 11 for the 13 defendants charged with federal trespass during the July 5 of action against the enlargement of the Uranium Processing Facility (UPF) at Oak Ridge's Y-12 plant. Hearings on Nov. 12 the defense intend to seek dismissal of the charges and to challenge the prosecution's motion to limit the defense arguments. The current output of 20 uranium "pits" per year would quadruple to 80 according to gov't. plans.

Yucca Mountain Commercial Nuclear Waste Repository

The slow shutdown of work continues at the site on the north-west edge of the NNSS. The NRC withdrew its license application, but the DOE, under pressure from some states and nuclear power companies has challenged their right to do so. Pray for the **mountain** to be saved and an end to nuclear power. ☒

continued from p.1 -What's in a Name?

is issuing frequent reports of various projects like dismantling a complex of buildings, employing new ways of drilling wells for site monitoring, opening new fire stations, installing solar demonstration projects and sharing their version of environmental education with teachers at an education convention, they also are upgrading another site known as JASPER. Rather than using a large explosion to test the properties of plutonium under high temperature and pressure, JASPER fires a very fast projectile at the test material. If you think Stockpile Stewardship hinders US and global nuclear disarmament, then these tests need to be opposed, just like missile tests from Vandenberg AFB to the Ronald Reagan Test Range in the Pacific undermine the work to stop all states from testing missiles.

Expect renewed organizing calls against new work at the NNSS. Consider joining our actions there as part of the Sacred Peace Walk next April. The Monday action will be bigger than it has in years, but we need your support and participation to make it so. (See notice of the Sacred Peace Walk on p. 4.) ☒



Procession from the Pond in Los Alamos to the Chemistry and Metallurgy Research-Nuclear Facility (CMR-NF) on Hiroshima Day.



Nevada Desert Experience wishes everyone a joyous, love-filled holiday season and new year.

"Just to be, is a blessing. Just to live, is holy."

-Rabbi Abraham Joshua Heschel

"Our Mother Earth is relying on us. Please join us with your thoughts, prayers and actions."

-Corbin Harney, Late Western Shoshone Spiritual Leader

Dear Friends,

Thank you for reading *Desert Voices* and staying informed and active with us at Nevada Desert Experience. Whether you're in southern Nevada or not, NDE is working for you. The development of enhanced nukes, missiles and new weapons systems (like "drones," the armed, aerial robot assassins of Creech AFB) go against the works of mercy, credible peacemaking, sanity, and my own Franciscan tradition.

I will continue to cross lines, walk where I'm told not to go, and sit when told to move if I think I can slow the wheels of war at all. NDE, which I helped found in the 1980s is an important base of support for me. Adding Creech to our "plate" was absolutely necessary even though it is a huge stretch for our minimal staff and budget. There is so much to keep up on and do; whether around Vegas or on the road with allies, Jim and Megan make amazing connections. **Please, send NDE as large a contribution as you can. We rely on individuals like you.**

Thanks and God Bless,

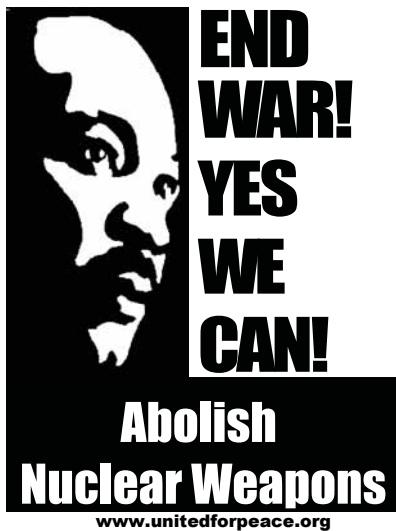
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NDE, Pace e Bene, the Goddess Temple, Catholic Workers and other friends marched in the 2010 MLK b-day parade last January. Our contingent was high spirited despite the drizzly day. We played excerpts of one of Dr. King's anti-war sermons over an amplifier, and our handouts, with quotes of his, were singular in their use of his words and ideas. More than a celebration, remembering Martin Luther King, Jr. is a call to reflection and action.

We have big plans for the Jan. 17 parade in Las Vegas. Get in touch to support and join us!

THANKS FROM THE COORDINATOR: Too many people and organizations deserve NDE appreciation to name them all. Nonetheless, I want to thank my co-organizer Megan Rice for standing with me for over two years now. The Peace with Justice Committee of the United Methodist Cal-Pac Conference for their on-going generosity. Berkeley's People's Life Fund <nowartax.org> and the Southern California War Tax Alternative Fund <social-war-tax-resist.org> for their grants of redirected taxes.

Regarding any of the upcoming actions, contact Jim or Megan: info@NevadaDesertExperience.org (702)646-4814. *Desert Voices* is edited by NDE Coordinator Jim Haber. He likes to hear from readers. jim@NevadaDesertExperience.org



SAVE THE DATES!

Sacred Peace Walk
Las Vegas to the Nevada
National Security Site
April 18 to 25, 2011

65 miles with major walking days Tues, Wed, Thurs, & Sat. Part-time "Pilgrims" welcome. This is a walking meditation, a desert healing, a political act of solidarity. It's a time for building community. It's also an opportunity for new civil resistance calling for an end to development, testing, research and use of new weapons of destruction at Creech AFB and at the NNSS, formerly the Nevada Test Site.

Early registrations help in our planning. Sponsor a low-income walker. Walk-A-Thon pledge form is online on our Peace Walk webpage. Some Walkers on the Sacred Peace Walk (SPW) only come for a few days—all are welcome to do as much or as little of the SPW as the Spirit calls.

4/18 Orientation & Passover Seder; 4/21 Peace Ritual at the Goddess Temple; 4/22 Good Friday Stations of the Cross at Creech; 4/24 Western Shoshone Sunrise Ceremony, also Easter Mass at the NNSS; 4/25 Civil Resistance at the NNSS and Creech. Devotional Chanting; other spiritual and political offerings to be planned according to walker desires.

Walk with us as we transform fears into compassion and apathy into action!