

Ground the Drones

The Trial of the ‘Creech 14’



*An adaptation from the courtroom transcripts of
the trial of the State of Nevada versus the ‘Creech Fourteen’*

Revised edition

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The Trial of the ‘Creech 14’

A dramatization adapted from the transcripts of the trial of
The State of Nevada vs. ‘The Creech 14’ in the Justice Court
of the Township of Las Vegas, September 14, 2011

“CAST” in order of appearance

NARRATOR

JUDGE

MR STEPHENS, Deputy District Attorney

KATHY KELLY, peace activist and *pro se* defendant

STEVE KELLY, Jesuit priest and *pro se* defendant

BRIAN TERRELL, peace activist and *pro se* defendant

MR O’CALLAGHAN, Deputy District Attorney

RAMSEY CLARK, former United States Attorney General

ANN WRIGHT, retired US Army Colonel and diplomat

BILL QUIGLEY, law professor

NARRATOR: On April 9, 2009, 14 peace activists were arrested at Creech Air Force Base near Las Vegas and charged with criminal trespass under Nevada state law. They were brought to trial on September 14, 2010, in the Justice Court of Las Vegas with Judge William J. Jansen presiding. Deputy District Attorneys Michael O’Callaghan and Robert Stevens represented the State and the 14 represented themselves. In adapting what follows from the official the transcripts of this trial, much was redacted but very little was added.

JUDGE: Are you ready to proceed on the other case now?

MR. STEPHENS: That's correct, your Honor.

JUDGE: I'm going to call each defendant, and I think we are going to have it arranged that all the defendants will sit in the jury box. When your name is called, proceed to the jury box. Fill in back row first, then the front. Bradford Lyttle. Judith Homanich. Alright. Mariah Klusmire. Renee Espeland. Reagan Rice –excuse me Megan Rice. Jerome Zawada. Elizabeth Pappalardo. Dennis Duvall. Okay, John Dear, Kathy Kelly, Stephen Kelly. Louis Vitale, Eve Tetaz. Brian Terrell. Alright then, let the record reflect, then, that all the defendants are present. Now, are any of you being represented by an attorney?

BRIAN TERRELL: Judge, if I may, I'm Brian Terrell, and Kathy Kelly and I have been chosen by the group to communicate with you and the State. We will be representing ourselves, all *pro se*.

JUDGE: For each of you who are defendants, the State is going to put on their witnesses and each of you have a right

to cross-examine or ask that witness a question. Now, I don't want you all at once to blurt out questions because the court reporter can only take one conversation at a time. Now, I'm going to – uh, before we get started, I know there are a lot of people in the audience. There will be no outbursts. If there is any outburst, I will clear the courtroom. And I mean it. Do you understand me?

BRIAN TERRELL: Judge, if I may. If this helps to move things along, in our preparation we have chosen one person among ourselves doing opening statement, for example...

JUDGE: Okay. Okay. If you want to, go ahead.

BRIAN TERRELL: And then the cross-examination would be done by one or two people.

JUDGE: That's fine. I have no objection to that. But all done in *pro person*. You will be doing it yourselves?

BRIAN TERRELL: Yes.

JUDGE: Go ahead. If you want to make an opening statement to the court, or whoever has been chosen to do so. Now, you are speaking on behalf of all the other defendants; is that correct?

KATHY KELLY: That's correct, Judge Jansen. I had the privilege of meeting with the defendants in advance.

JUDGE: All right. Go ahead and state your opening statement.

KATHY KELLY: My name is Kathleen Kelly, and I am from Chicago. The people named as defendants came from all parts of the country to Creech Air Force Base because of

their opposition to the use of drones in warfare and are accused of violating criminal law. The evidence will show that the defendants wrote letters to the commander at the base and to President Obama and tried every means to have their concerns addressed.

The evidence will show that targeted killings by drones are criminal acts even war crimes. Evidence will include expert testimony, lay testimony, documentary evidence and books. The defendants will present the facts of the case and will exercise their constitutional right to present a complete defense. And, Judge Jansen, with your indulgence I would briefly review those facts.

JUDGE: It's your opening statement.

KATHY KELLY: Thank you. United States Commanders at Creech Air Force Base operate drones that target and kill people in Afghanistan and other countries. Those drones kill not only the people whom they target, but also civilians in the areas.

Studies have concluded that a significant percentage of the deaths from drones are civilians. It is incumbent on pilots, whether remote or not, to ensure that a commander's order to assess the legality of a drone strike must be an order that shows that there is visual confirmation of a lawful target.

Any American including the members of the armed services, who commits specified crimes, including attacks against civilians, cruel or inhumane treatment, or who commits murder, or causes bodily injury to others is subject to prosecution. The War Crimes Act defines war crimes as

any grave breach of the Geneva Convention and, therefore, individuals have a duty to disobey orders that could cause crimes against humanity. As the defendants submit evidence of international law and the defense of necessity we believe, Judge Jansen, that you will find we acted in a way to ensure that justice will prevail in the matter of using drones as assassination devices causing civilian death and collateral damage.



JUDGE: Okay. Do you wish to respond?

MR. STEPHENS: No, your Honor.

JUDGE: I'm going to tell you right now that you are all charged with trespass. A lot of what you said has no relevancy to the issue here. I'm going to tell you that right now. I'm going to limit any testimony evidence to the issue of trespass. Any of the other items that you stated there about

international law and what have you, has no relevance to the crime. If I feel the evidence is not related or the testimony that you wish to present to other witnesses, I will not allow it. I am going to tell you that right now. Okay, you may proceed.

NARRATOR: Mr. O’Callaghan and Mr. Stephens, on behalf of the State, established the details of events in question without contradiction by the defendants. A senior airman from base security and a Nevada state trooper were called as witnesses. They testified that Creech Air Force Base is surrounded by a security fence clearly marked with “No Trespassing” signs. The 14 entered the gates of Creech Air Force Base and refused to leave when so ordered, first by Air Force Security and then by civilian police. They were transported from the base to the Clark County Jail by state troopers and Las Vegas Metro Police.

JUDGE: Okay, the State has rested their case. Now, it is up to you to call witnesses. So you can call your first witness. And I said I am going to limit it to the issue at hand, which is the issue of trespass.

STEVE KELLY: Judge Jansen, we would like to call to the stand on our behalf, Ramsey Clark.

MR. O’CALLAGHAN: Judge, we would oppose.

JUDGE: Well, let's see what he has to say. I am limiting it to the trespass.

MR. O’CALLAGHAN: I understand. And what I'm saying is they gave us notice of witnesses. When we look at their disclosure of witnesses it explains where they're headed on it. And, basically, what they're trying to do is have these

people act as lawyers, but trying to do it from the witness stand.

JUDGE: I know that, Counselor. They have a right to call their witness. I will make that decision. Let's see what they have. If it is the issue of trespass, we will limit it to that.

Go ahead. If it is a lecture on the law, I will not allow it. I will put it that way. The law will be determined by me. If he is up there to lecture on the law, that will not be allowed. It is only on the issue of trespass and if he has any knowledge of this. Understand, it is going to be limited to trespass only, what knowledge she has, if any, whether you were or were not out at the base. We're not getting into international laws; that's not the issue. That's not the issue. What the government is doing wrong, that's not the issue. The issue is trespass.

JUDGE: Mr. Clark, as I said this is limited to the issues of trespass.

STEVE KELLY: Thank you, Mr. Clark. Would you please state your current position?

RAMSEY CLARK: Well, I'm sitting in a courtroom here in Las Vegas, Nevada.

JUDGE: Asked and answered.

RAMSEY CLARK: I'm a lawyer, if that's what you are getting to. And I have been an attorney for 59 years. I went to one year at the University of Texas and finished at the University of Chicago.

STEVE KELLY: In your capacity as Attorney General in the Johnson administration, you became familiar with federal trespass laws?

MR. O'CALLAGHAN: Is that Andrew Johnson?

STEVE KELLY: A little humor here today.

JUDGE: Yeah.

STEVE KELLY: President Lyndon Johnson?

RAMSEY CLARK: Yes, Lyndon Johnson. Regarding Andrew Johnson- I'm not quite old enough, but almost. I spent eight years in the Justice Department and trespass came up more when I worked on civil rights a lot. Trespass was an issue in a lot of civil rights cases and situations. We studied trespass constantly in those years.

STEVE KELLY: How about in the instance you mentioned, the civil rights era? If in the cases of trespass you're speaking of lunch counter activities where laws stated you were not to sit at certain lunch counters. Is that right?

RAMSEY CLARK: That is one of them, yeah.

STEVE KELLY: Is it possible that a defendant accused of trespass would, in fact, not be aware that it is trespass? Is that a possibility, in your estimation?

RAMSEY CLARK: I would say more than a possibility. It is an actuality. You couldn't go into the national chains' soda fountains to order a cup of coffee or soda pop. That was a trespass.

STEVE KELLY: And in your experience, is it possible a person might be accused of trespass by the authority and it would be different than their mental state?

RAMSEY CLARK: I think, in most cases, trespass is the farthest thing from their mind. They are just trying to express a view.

STEVE KELLY: One of the elements of trespass would be, you had to knowingly do it? You had to intend to trespass?

RAMSEY CLARK: If you don't know you are trespassing, it is hard for the prosecutor to not know it. If there is a big sign there and you're not blind, it would be hard to say you didn't know you were trespassing. Ordinarily, most folks would seem to go into a motel, or coffee shop, or swimming pool, or whatever it was, and all of a sudden they are using a segregation trespass law against you.

STEVE KELLY: In the cases of the civil rights era, there were situations where the person knowingly went, to say for instance, we'll use the lunch counter example again. Would their mental state be taken into consideration by the prosecution or the defense?

RAMSEY CLARK: Well, I was raised in a family of law, a lot of judges in the family, my grandfather, my father, and I can't say that judges in the south were generous in applying laws toward black folk in those years. And the laws weren't generous in recognizing equal rights of human beings.

STEVE KELLY: The way I am asking this question, tell me if it is not understandable immediately. Is it possible that the sign itself could be wrong?

RAMSEY CLARK: You can put a trespass sign anywhere, so you have to look at the circumstances of the situation. Regarding a no trespass sign tacked on a tree, or something like that. . . there is also the state of mind, whether you pay attention to anything like that, anyway. Usually, if you are going someplace, you just go.

STEVE KELLY: I'll give you one example. A situation where there is a no trespassing sign and there is smoke coming out of a door or a window and a person is up on the upper floor in need of help. To enter that building, in a real narrow technical sense, would be trespass. Is there a possibility, in the long run, it wouldn't be trespass to help the person upstairs?

RAMSEY CLARK: We would hope so, wouldn't we? To have a baby burn to death or something, because of a no trespass sign would be poor public policy to put it mildly. Criminal.

STEVE KELLY: I am getting this impression from you that the mental state of the person weighs very heavily in their consideration in any action regarded as to breaking the law, or being seen to break the law? I'm sorry if my question isn't clear.

RAMSEY CLARK: Oh, I think it is clear. The way I would put it is, you have to intend to trespass to be guilty of trespass. Your state of mind has to be that the law prohibits me from trespassing, but I'm trespassing.

STEVE KELLY: Is it possible that things could become urgent enough, especially in the case of the prevention of crime, that a person would have to forego or suspend what

would be normal intentions or interpretations of the law in order to do something that is very necessary?

RAMSEY CLARK: Certainly. And when you are dealing with the government, you have to be aware of, and respect, the constitutional right to petition the government. It cannot be abridged. If your intent is to petition the government, and you can't petition without entering, in ordinary circumstances, your act would be protected by the First Amendment. It is very clear.

STEVE KELLY: Your expertise has allowed us to see the possibility for an individual in an effort to either save a life, or redress a particular wrong, is that a person's mental state weighs very heavily. Even in the case of trespass, would it be permissible morally or even permissible legally to go ahead and enter those prohibited grounds?

MR. O'CALLAGHAN: Objection, he is leading very badly; he is testifying himself.

STEVE KELLY: I'm an amateur, your Honor.

JUDGE: I'll let him go ahead and answer. It was a little leading, but go ahead and answer.

RAMSEY CLARK: Well, I think state of mind and intention is central to the offense of trespassing, which is ordinarily a minor offense, also, there is the right to trespass to petition the government. There is not only the necessity to trespass to prevent the death of a baby in a burning building, but there is sometimes, under the Nuremberg Charter and decisions, a duty! You can be implicated in a crime itself for failing to act. One of the illustrations people like to give is:

There is a train full of Jews on the way to extermination. . . you could legally block the tracks.

STEVE KELLY: Obviously, Mr. Clark, and although there was humor about it earlier, you have seen an awful lot of administration, and a lot of law, and a lot of experience in the law. Would you say in this day and age we have direct access to our government to petition?



RAMSEY CLARK: Well, it is very hard to get access. For Social Security, for example, they are waiting in long lines. But if it involves important public business like the administration of veteran's rights or something like that, you can find it pretty tough. Very tough. And the higher you want to go, or the higher you need to go, the harder it gets. And the more sensitive the issue is, in government officers, they are absolutely immune from individual rights.

STEVE KELLY: If a citizen sees something wrong and needs to correct it, would you encourage that? Would you encourage them to go ahead, despite the difficulty?

RAMSEY CLARK: Well, I would say it is always a moral and human obligation, when you've done something wrong, to do your best to correct it. It would be a pretty happy world if we would all do that, if people recognized their own wrongs first, of course.

STEVE KELLY: In the situation of an Air Force Base, we have here above Las Vegas, Creech Air Force Base, and it has a perimeter fence and a gate. Would you hazard an opinion about trying to reach the personnel in that kind of a situation? Would it be legitimate, would it be legal, to try to talk to those officers or people in charge?

RAMSEY CLARK: I don't think it is very hazardous to give an opinion, but I think there are circumstances where it would be the duty of the highest importance if you want to consider incredible things. . . incredible things like planes loaded with nuclear weapons about to take off for targets based upon mistaken information. You can show it's wrong or you can stand by the gate and hide your face.

STEVE KELLY: And given the mentality that you just described, that mental state, a person could go forward with that urgency—that immediacy—and say, "I think there is something really wrong here," and that would be constructive? That would be fulfilling our obligations as citizens under the law?

RAMSEY CLARK: Under the two legal principles that I mentioned, one being the right to petition your government,

which is a real measure of the quality of your democracy access. It's your government—can you really talk to them? Is there any possibility of, “Hey, I have something that is very important that I think you need to know?” Or is it held as hopeless? And then there is a doctrine of necessity, which has grown up from hard experience, which imposes that, under some circumstances, it's not merely a right, but a duty, to violate a comparatively minor principle of law for a very important principle of law, the issue of life and death.

STEVE KELLY: And there is such a thing as defending life regardless of any law that is obstructing them?

RAMSEY CLARK: Regardless of the law, you obviously would have a moral duty, a religious duty, and a legal duty in the occasions that are covered by laws like the Nuremberg Principles.

STEVE KELLY: In your appraisal, are there any international laws that could apply to a situation where bombings that are occurring but could be prevented?

RAMSEY CLARK: Sure.

STEVE KELLY: If the person has the intention to uphold international law, do they stand a chance of fulfilling that law by actually proceeding to try to prevent any kind of a crime?

RAMSEY CLARK: Most basic international law is a part of our domestic laws, as are the laws of the United States and the states themselves. If you look at the obligations under four Geneva Conventions in this very area, you see international law as it is incorporated into the domestic law places quite a high premium on the duties of individuals to

try to prevent wars and major violence, things like that, because it comes from the people. And then the petitioning of your government. . . imagine being utterly helpless, there's been a terrible calamity and you can't get to the government because they have a sign up with someone standing there with a gun and they don't want to hear you.

STEVE KELLY: Thank you. Just one or two more questions, Mr. Clark. You just mentioned international law being the highest law in the United States, could there be a possibility of interpreting a local or state law under the international law or the law of the United States?

RAMSEY CLARK: Well, it won't mean as much to a lay person as to a lawyer, but international law is law that has been incorporated into laws of the United States and, of course, our Constitution. . . for courts to hear cases involving treaties. Article Six, which is a very important part of the supreme law of land.

STEVE KELLY: My last question, unless any of the other defendants have a question for you. Do you equate extrajudicial killings with assassination?

RAMSEY CLARK: Well, they both are murder. There are some distinctions, but extrajudicial means a killing that is not in any way related to the act of the court of law. And so that would be part of the equation that would pertain directly to courts.

STEVE KELLY: Is it possible that a branch of the government in the instance that we just spoke of. . . is it possible that members of the executive branch of

government could in fact be called on to the illegality or illegitimacy of their acts?

RAMSEY CLARK: We would hope so, wouldn't we, especially if you are governed under laws but the law has no meaning, and you have no accountability from the government for violations of the law.

STEVE KELLY: Thank you Mr. Clark.

JUDGE: State, do you wish to cross-examine?

MR. O'CALLAGHAN: I do.

JUDGE: Okay.

MR. O'CALLAGHAN: Are you licensed in Nevada to practice law?

RAMSEY CLARK: No.

MR. O'CALLAGHAN: Now, with regard to you here today, you were asked questions about what you would do, some of your personal feelings about what you would do. I want to ask you, have you talked to any of these 14 individuals at one time or another?

RAMSEY CLARK: What?

MR. O'CALLAGHAN: Have you talked to any of these 14 individuals at one time or another?

RAMSEY CLARK: I didn't understand it as asking for my personal views; I thought they asked more for a legal opinion.

MR. O'CALLAGHAN: Well...

RAMSEY CLARK: And that's what I tried to testify to.

MR. O'CALLAGHAN: That's what we are talking about, also, those are your personal views on the law. So are you testifying as a lawyer?

RAMSEY CLARK: Am I testifying as their lawyer?

MR. O'CALLAGHAN: No, are you testifying as a lawyer from the stand?

RAMSEY CLARK: I am testifying as a witness from the stand, but I am a lawyer.



MR. O'CALLAGHAN: You are also giving legal advice here today, aren't you, from the stand?

RAMSEY CLARK: Legal advice?

MR. O'CALLAGHAN: Legal advice.

RAMSEY CLARK: I wouldn't intend to advise the court, I would express my views of the law to the court.

MR. O'CALLAGHAN: You are expressing your legal views to the court?

STEVE KELLY: Objection, your Honor.

JUDGE: I think it would be argumentative. I understand.

MR. O'CALLAGHAN: I am being argumentative?

JUDGE: I think you both are. You are going back and forth. I know what you are driving at, and I know where he said he was a witness, he's a lawyer and a witness. And he was asked questions and he testified. I think it is up to me to determine whether they were legal views or not.

MR. O'CALLAGHAN: And I'm asking him a question again. Did you speak with any of these 14 people before they trespassed in April of 2009?

RAMSEY CLARK: I have known some of these people for many years and I love them.

MR. O'CALLAGHAN: I didn't ask you that.

RAMSEY CLARK: But I...

MR. O'CALLAGHAN: Sir, I did not ask you that.

JUDGE: Hold it. Hold it. Listen carefully to the question, okay?

MR. O'CALLAGHAN: I did not ask you that; all right?

RAMSEY CLARK: I didn't know anything about the action before it occurred, if that's what you are...

MR. O'CALLAGHAN: That's what I am getting to. Did you give them advice about trespassing on the Creech Air Force Base?

RAMSEY CLARK: Absolutely not. Some would know my opinions of the law from previous cases. Some of them I've represented since 1970.

MR. O'CALLAGHAN: Have you written about this issue?

RAMSEY CLARK: Pardon me?

MR. O'CALLAGHAN: Have you written about trespassing?

RAMSEY CLARK: I don't believe I have.

MR. O'CALLAGHAN: You believe you have?

RAMSEY CLARK: I said I don't believe I have.

MR. O'CALLAGHAN: Okay. You haven't written anything with regard to trespass law, is that right?

RAMSEY CLARK: I've written briefs, obviously, but I don't think I've written anything for books or... I probably mentioned trespass in books, but I haven't written a treatise on trespass.

MR. O'CALLAGHAN: Well, you haven't practiced in Nevada, right? You haven't written...

RAMSEY CLARK: I think there was...

MR. O'CALLAGHAN: -- any books with regard to trespass, and you are here testifying on the law of the State of Nevada. What makes you an expert?

RAMSEY CLARK: Well, I have 59 years experience in law and eight years in federal government.

MR. O'CALLAGHAN: And you are here giving advice to the judge, is that right?

RAMSEY CLARK: I don't give advice to judges.

BRIAN TERRELL: your honor, I am objecting, it's argumentative.

JUDGE: I agree it is argumentative, back and forth. He answered the question.

MR. O'CALLAGHAN: You were talking about making a defensible trespass in order to save a life, is that right?

RAMSEY CLARK: Yeah, a human emergency.

MR. O'CALLAGHAN: You also mentioned outside of the judiciary a death or a killing. . . an extrajudicial killing. . . is that right? Do you remember that?

RAMSEY CLARK: There was testimony about that.

MR. O'CALLAGHAN: Okay. You have actually written books with regard to people who have died after having justice, a judicial proceeding, haven't you?

RAMSEY CLARK: I've written books that include chapters about the death penalty.

MR. O'CALLAGHAN: That would include Saddam Hussein?

RAMSEY CLARK: I didn't write a book about Saddam Hussein.

MR. O'CALLAGHAN: You did. And ...

RAMSEY CLARK: No, I didn't.

MR. O'CALLAGHAN: Didn't you write a column or an article about Saddam Hussein and you felt that he should not have been executed?

RAMSEY CLARK: Well, I certainly didn't think he should be executed. I didn't think he had a fair trial. I think he was entitled to a legal defense.

MR. O'CALLAGHAN: Did you also write an article with regard to... I want to say Molosovich? I hope I don't mispronounce his name?

RAMSEY CLARK: That is close.

MR. O'CALLAGHAN: About his execution? You went to his trial, also?

RAMSEY CLARK: I think it was because of no medical assistance. He died naturally in prison. But if he had had medical attention, he might not have died.

MR. O'CALLAGHAN: You also defended him with regard to criticizing the judicial system. Is that right?

STEVE KELLY: Objection, your honor, if the prosecution could at least establish why Mr. Clark is being interrogated about books that he writes.

JUDGE: He can do that. He has the right to do so. It all goes to expertise on the issue. That's why it stands. It all goes to expertise. He can ask about whatever books, treatise...

MR. O'CALLAGHAN: And also shows his bias on the way he is writing.

BRIAN TERRELL: Your Honor, that is irrelevant. I really object to that.

MR. O'CALLAGHAN: It's totally relevant. How long have you known these individuals?

RAMSEY CLARK: Some I have known for a long time.

MR. O'CALLAGHAN: Who?

RAMSEY CLARK: I've known Kathleen Kelly for a long time. I've known...

MR. O'CALLAGHAN: How long?

RAMSEY CLARK: ...Steve Kelly for a long time.

MR. O'CALLAGHAN: How long? Length means different things to different people.

RAMSEY CLARK: I'd say 30 to 40 years.

MR. O'CALLAGHAN: 30 to 40?

RAMSEY CLARK: Maybe not that quite that long, 1970s, I'd say, '80s.

MR. O'CALLAGHAN: How did you come about meeting them?

RAMSEY CLARK: Well, in cases primarily, but also through religious friends, through religion and cases. They are good people.

MR. O'CALLAGHAN: So you've known them an awful long time, is that right?

RAMSEY CLARK: Oh, yeah, I've known several people. I haven't been so lucky as to know all of them. John Dear I've known since he was just a kid. Still is.

JUDGE: I didn't hear that comment.

RAMSEY CLARK: I said he still is.

JUDGE: Oh. Well, maybe he has a John Deere tractor at home.

RAMSEY CLARK: He is a tractor himself, your Honor.

JUDGE: Okay. Now, you have a right to redirect if you want to.

STEVE KELLY: That's all from us. Thank you.

JUDGE: All right. Mr. Clark, you are excused. Thank you for coming to testify.

MR. O'CALLAGHAN: We'd move to strike his testimony, Judge, he's given legal advice...

JUDGE: I will take that under consideration.

MR. O'CALLAGHAN: Okay.

JUDGE: Call your next witness.

KATHY KELLY: your honor, we'd like to call Colonel Ann Wright.

JUDGE: Okay.

STEVE KELLY: Thank you. Ms. Wright, would you please tell us your current position?

ANN WRIGHT: Yes. I am currently an author and a speaker. I'm a retired U.S. Army Colonel with 29 years in the Military. I'm a former U.S. Diplomat. I served 16 years in the U.S. State Department and resigned in 2003 in opposition to the war in Iraq.

STEVE KELLY: Thank you. And you're also an attorney, is that correct?



ANN WRIGHT: I am a law school graduate. I am not an attorney.

STEVE KELLY: Have you ever advised anybody on the matters of criminal law?

ANN WRIGHT: Well, I have, both in the military and in the State Department, because of my law degree, I was asked by both the Military and the State Department to have legal related duties. In fact, I taught the Law of Land Warfare at the School Of International Studies at Fort Bragg, North Carolina in 1981 through '84. And then with the U.S. State Department, I was seconded to the United Nations to be the head of one of four divisions of the U.N. Mission to Somalia—that being the Justice Division, charged with recreating the Somalia police, judicial system, and prison system.

STEVE KELLY: Thank you. Can you highlight positions that you had that are relevant to a criminal case such as this one today involving trespass?

ANN WRIGHT: Well, the issue of trespass is a very important one. And the issue of the Law of Land Warfare is another of the issues that I would say are relevant to that.

STEVE KELLY: Are you quite familiar with Military Code of Conduct?

ANN WRIGHT: Yes, I am.

STEVE KELLY: There are instances where soldiers themselves, if they have an order to kill civilians, are not required to obey that law?

ANN WRIGHT: Well, that's right --

STEVE KELLY: I mean is that an order?

ANN WRIGHT: An order, yes. Yes, it is in the Code of Conduct for the U.S. military that it is your responsibility to

reject what you believe is an illegal order. And, certainly, if you believe that you are killing innocent civilians, a military person would have the responsibility to say, "I'm sorry, I cannot do that. I cannot conduct criminal acts, what I believe are criminal acts, on behalf of my government."

STEVE KELLY: Do you know of an instance where a soldier needed help to make a moral decision?

ANN WRIGHT: Yes, help is needed sometimes. There are situations where soldiers and military officials are, in their own minds, wondering what is going on—on certain issues—and sometimes it is very helpful to them that other people, either in the military or civilians, clarify situations, and then with that clarification, they then can make a moral decision and a legal decision.

STEVE KELLY: It is a closed world, isn't it? The military? I mean, it can be a closed world where, especially with the security gate, it is not permeable to the opinions of the citizens. . . or even the warnings of the citizens?

MR STEVENS: Objection, your honor, these questions are leading.

JUDGE: I'll give him some leeway. Go ahead and answer it if you can.

ANN WRIGHT: Yes. Well, the military is a reasonably closed place. There are many facilities where people live and work on one facility and very seldom come off that facility. And folks who are military people, who are in that environment, have little contact with civilians who may have a much wider range of approaches to issues, whether they are international issues or domestic issues.

STEVE KELLY: If a person was given an order to kill in the military, is it within their right to consider whether that order to kill has the kind of authority required?

ANN WRIGHT: Yes, it is certainly within the area of responsibility of an individual to evaluate whether that order to kill is a legal order. Within the military, if you challenge an order such as that, which is a very, very serious order, I mean it is the ultimate order of the military, a military that is constructed for violence, and if you are given an order such as that, it is a very serious, serious charge if you challenge it.

If you say, "In my opinion, that order is illegal," it is a very rare person, really, that will say to the military itself, "I cannot do that. I cannot," because they know that the probability of them being brought up on charges, court-martialed, and be put in jail, are very high.

STEVE KELLY: Does public opinion matter to a soldier making that kind of decision?

ANN WRIGHT: Public opinion does matter. If a soldier knows that there are many people in his own or her own community, in his or her nation, who are saying there are some policies going on with our government, and our military is being ordered to do things about which there is a great debate within our society, that that information can help him or her make a decision on whether or not they are going to follow what they believe is an illegal order.

STEVE KELLY: If a person is under orders, is it all the more difficult for them to make a moral decision if they are ordered to either a command post or even be involved in killing?

MR. STEPHENS: Judge, the State is going to object at this point, narrow the testimony down to the trespass...

JUDGE: I agree. I sustain that. We are getting far-fetched.

STEVE KELLY: Just one more question, Ms. Wright. We talked an awful lot about trespass and is there anything that covers trespass of the United States into another country?

ANN WRIGHT: Well, there certainly is. International law says that countries cannot invade and occupy other countries at will. There are legal theories under which there can be international trespass and one of them is immediate self-defense against an immediate threat, or as a response to a direct threat, or a direct attack. Or, the third one is that the United Nations, through the Security Council, has a resolution that says military action on behalf of the international community is warranted because of a particular threat from another country, and at that point trespass of that country.

JUDGE: Do you wish to cross-examine?

MR. STEPHENS: Yes, your Honor. Our beloved armed forces members, are they trained on the law?

ANN WRIGHT: They're all given training, yes, on the Law of Land Warfare. In fact, usually it is, and particularly in times of declared war by the United States, it is my understanding that, at least quarterly, every member of the Armed Forces, no matter what military service, receives a refresher course of Law of Land Warfare.

MR. STEPHENS: your Honor, the State at this time has no further questions for Ms. Wright; however, the State would move to strike her testimony as an expert.

JUDGE: Well, I will take that under consideration. Do you wish to redirect?

BRIAN TERRELL: May I?

JUDGE: Sure.

BRIAN TERRELL: Colonel Wright, you testified both on direct and cross that you are familiar with the Law of Land Warfare. Are extrajudicial executions prohibited by the Law of Land Warfare?

MR. STEPHENS: Objection, Your Honor, as to relevancy.

JUDGE: I sustain that. That is getting way out of line.

MR. STEPHENS: Nothing further from the State.

JUDGE: All right, you are excused, Colonel Wright.

ANN WRIGHT: Yes. Thank you.

JUDGE: You can call your next witness.

KATHY KELLY: Your Honor, we would like to call Professor Bill Quigley.

JUDGE: Okay. Now, I know where you are probably going to head. I heard, what you are trying to get at, so let's really limit it, okay, because we heard Mr. Clark and we heard Ms. Wright, and I know that you are probably going to rehash

the same stuff. So let's direct the questions directly to the issue of trespass. Okay?

KATHY KELLY: Okay.

JUDGE: You may go ahead.

KATHY KELLY: Professor Quigley, could you state for the Court your current position?

BILL QUIGLEY: I am a law professor at Loyola University in New Orleans and I am the legal director for the Center of Constitutional Rights in New York.

KATHY KELLY: And could you tell us the length of time that you've practiced as an attorney?

BILL QUIGLEY: Thirty some years.

KATHY KELLY: Have you ever helped interns in an informative way become familiar with the intricacies regarding trespass?

BILL QUIGLEY: Yes. I have personally been involved in several hundred cases involving trespass, myself. I have been part of the legal defense team at the School of the Americas Watch in Georgia. And in connection with that, I've been involved in, probably, 250 or more trespass cases in the federal and state courts there over the last, I guess, since about the year 2000.

KATHY KELLY: And with all that trespass experience, I am going to ask you to focus on something quite narrow, Professor Quigley, and it is this: In your assessment of justice and the fundamental nature of, let's just say, the Golden Rule, what do you teach your students, or how do

you influence interns with regard to just the basic of the Golden Rule and the issue of criminal trespass?

BILL QUIGLEY: I don't think that you can go wrong in terms of teaching law and practicing law if you understand that the basic rules about law and justice really start from those principles of justice that we all learn from kindergarten on, which is the Golden Rule, as you indicated. The general rule is that people have the right to be secure in their own property.

KATHY KELLY: And have you ever taught your students or influenced interns with regard to the exceptions to the rule, sometimes maybe even mandating a duty, to violate with regards to trespass?

BILL QUIGLEY: There is a doctrine that has been in existence for hundreds of years where the idea of trespass is certainly the law, but as with everything else in law school, it depends. So trespass is allowed. You are allowed to trespass on other people's property if you are doing it for a greater good. There are exceptions to that.

KATHY KELLY: So if a defendant believes that the people who owned the property had used it so wrongfully—so egregiously, would you teach your students that, perhaps, the defendant had a right to enter that property to address the grievance?

BILL QUIGLEY: Well, I think that history has shown that, yes, people do have that right. If you remember, concerning property in our country, we have a history of people being “property” at one time, so freeing people who

were property was a violation of one form of law, but it was an allegiance to what we would now call a higher law.

So, I teach my students to examine the current law with what I call the “hundred year vision.” If we look back 100 years, and we look at what was totally legal, and that the judges and lawyers and everybody else we said was legal, and our pastors and our ministers and everybody else, a lot of people in this room would never have had the chance to vote. A lot of people would have never have had the chance to own property. We could still discriminate against the disabled.

So in terms of evaluating the actual justice dimension of the law, it is important to have a long vision, what I call the “100 year vision”. . . That is to say, what, 100 years from now, “what will people look back at us and say.” As a consequence, lawyers, individuals, prosecutors, judges, all of us have the responsibility to apply the law in the way that reflects justice and not only the exact words of the individual law that we are looking at.

The search for justice is deeper than just the superficial issue of what is law. The very first class that I teach in law school is what the law is, what justice is. They are not the same. Our job as lawyers, as law students and people who participate, our job is to narrow the gap between what is law and what is justice.

I think it is unrealistic to say that we will actually always be able to bring them together because times change, circumstances change, we have different perspectives. In the area of Trespass, clearly, that's what it's about historically. . . the right of women to vote. . . the right of

labor unions to be able to organize. . . the right of people to challenge slavery . . . the right of the disabled to be accommodated. . . the right of native people to reclaim some of their property. . . the right to resist domestic violence. And it is social change, I think, that allows the United States to continue.

MR. STEPHENS: Objection, your honor, as to relevancy at this point.

JUDGE: Yeah, I think you are going way out of the element here, so I sustain that objection. But I think he answered your question.

KATHY KELLY: Thank you.

JUDGE: Anything else? Okay. Cross-examine?

MR. STEPHENS: Briefly, your Honor. You are currently a professor at Loyola in New Orleans?

BILL QUIGLEY: That's right.

MR. STEPHENS: On your Loyola web page, do you have a section, I guess, designated for litigation issues?

BILL QUIGLEY: Yes.

MR. STEPHENS: I'm handing you what's proposed as State's Exhibit 6, if you could take a look at those documents. Are they fair and accurate descriptions of motions you have personally filed?

BILL QUIGLEY: I'm sure they are. Actually, this one is a decision of a judge, but the others are things that I've filed, yes.

MR. STEPHENS: Things that you actually filed?

BILL QUIGLEY: Yes.

MR. STEPHENS: And the order from the judge? Is this posted on your Loyola web page?

BILL QUIGLEY: I don't know. I hope so.

MR. STEPHENS: Would it be a fair and accurate depiction of the order that the judge issued in the case at hand?

BILL QUIGLEY: Yes, that is an accurate copy, whether it's from my website or whatever it is, it is what the judge ruled.

MR. STEPHENS: Very briefly would you describe some of the facts that were litigated in this case?

BILL QUIGLEY: The defendants in that case are individuals who crossed onto a base in Fort Benning, Georgia, an Army base in Fort Benning, Georgia because Fort Benning houses the School of the Americas. That school has graduated more people convicted of human rights abuses in this hemisphere than any other institution in North and South America.

So these individuals went onto the base, and in most cases they just got a couple of feet on the base and knelt and prayed and tried to bring to the world's attention and, actually, to the attention of the people of the United States the fact that there are some very significant injustices occurring on that base.

So they are charged with the federal crime of trespass. It is a misdemeanor, punishable up to six months in jail. And they are the prosecutions of those individuals. In the course of their defense, they raised issues of international law that talk about the right to try to intervene to stop torture, to stop human rights abuses. They raised issues of Nuremberg Principles in terms of how liable people are for war crimes, even if they were committed under legitimate orders.

MR. STEPHENS: And were those defendants convicted of the trespass?

BILL QUIGLEY: Yes, they were.

MR. STEPHENS: Professor Quigley, you also have your own blog site, correct?

BILL QUIGLEY: I do have a lot of articles on the internet, but I don't have my own site. I have a lot of articles.

MR. STEPHENS: Okay.

BILL QUIGLEY: My friends make fun of me and say, "Bill, do you have any private thoughts?" Because I write too much.

JUDGE: That's when you get in trouble. That's when you get in trouble.

BILL QUIGLEY: That's true. Especially in this seat.

JUDGE: I know it.

MR. STEPHENS: I'm sure you've probably drafted several books or articles. I would just like to go through some of these and let me know whether or not you are the

author of them. “Human Rights Trump Property Rights -- Lawyers Are Called to Become Revolutionaries.”

BILL QUIGLEY: Absolutely, yes. That was an article in the National Lawyers Guild quarterly publication called, I think, The Guild Practitioner. And I would love to explain it if I could.

MR. STEPHENS: The State would pass the witness.

JUDGE: You may redirect.

KATHY KELLY: Thank you. Just on the last point. You're at the Center for Constitutional Rights, is that correct?

BILL QUIGLEY: That's correct.

KATHY KELLY: You advocate for constitutional rights, I take it, just from the title alone?

BILL QUIGLEY: We are pledged to try to enforce the U.S. Constitution and our Bill of Rights, and also the United Nations Declaration of Human Rights.

KATHY KELLY: The other cases that were brought up by the prosecution, you - just looking at my note here - in those cases, were you practicing law, or were they *pro se* defendants?

BILL QUIGLEY: Mixed. Sometimes I represent people, sometimes people represent themselves. And I think they are really in the spirit. To reference the other thing that the prosecutor brought up, the reason for revolution, is I think that people who do this -- in my experience, the people who are lawyers, are engaged in the exact same activity as the

people who founded this country who were called revolutionaries who objected to taxes imposed by the British, and threw tea, the British tea into the Boston Harbor.

That was considered a crime by the people in England, but considered it to be an act of liberation by the people in Boston who, subsequently, helped to found the United States.

In reclaiming that spirit of revolution it is the same thing that Dr. Martin Luther King talks about. He said that it is time for a new American revolution. It is time to confront he called that three specific things, racism, materialism, and...

MR. STEPHENS: Objection, your honor, relevancy.

JUDGE: He answered it. I'll let him go ahead.

BILL QUIGLEY: I think that the spirit people bring to these sorts of activities, civil disobedience, is the spirit that founded the country. It is a revolutionary spirit, a radical spirit in terms of trying to get to root causes. The term "radical" comes from the Latin meaning root. Revolution means turning the status quo upside down. And I think that these people are trying to do that.

They are doing it in a nonviolent way, they're doing it in a respectful way, but they are literally trying to change the law so that it is more accommodating and more parallel and closer to the justice that we are all trying to achieve.

KATHY KELLY: That was my last question. Thank you.

JUDGE: Let me ask you this, Professor.

BILL QUIGLEY: Sure.

JUDGE: You and your students... now, you have a sign that says in bold letters, “no trespassing,” would you advocate your students to disobey that sign and continue onto that property?

BILL QUIGLEY: I would say, first of all, that they should look at the sign and try to respect the sign, absolutely, and that they should only consider going on if there is a really compelling reason.

I would advocate to my students to seriously examine the consequences. I don't usually... I don't like to tell people what to do.

But I would tell them that there are consequences to what they do. If they stay, that they run the risk of being arrested. And if they are arrested, they risk of having to come to court and to explain themselves and should not undertake those sorts of steps without a really good reason.

And you shouldn't take that lightly, going beyond the sign or staying beyond the sign, unless you're willing to pay a price. And that price is being arrested, going to jail, coming back for court, and running the risk of being found guilty, or innocent. . . but you're going to spend a lot of time and energy in the process.

JUDGE: I believe that Ann Wright stated in her testimony that the best way of approaching a problem here, if you have serious reasons to say that the agency is wrong, is to have what she called “a formal approach”.

I interpreted that as being, that you would try do it through diplomacy, select a representative of your group, or two of your group, and try to meet with the individuals in

your agency or the organization that you're protesting, and explain to that agency the reasons why you are objecting to their actions. Wouldn't that be a lot better way of doing it than just going ahead and sitting and protesting?

BILL QUIGLEY: I think that's a very good way to do it. And I think that has to be done by anybody trying to bring about some kind of social change. There has to be direct communication with the officials who are in charge. There have to be attempts to legislate, to lobby, to try to change the law if you think the law is unjust. There have to be attempts at community education and outreach and organizing.

But I think, historically, the law about labor unions, the law about women's rights, the law about civil rights, the law about disabled rights, the law about domestic violence, all resulted from people putting their neck on the line, and violating the law in order to raise this issue.

It usually involves, in my experience, people who have already written letters, talked to their congressional representatives, tried to work through Congress, and done work in their churches and organizations about those things, and they have decided at this point in their lives they are willing to step up and take risks of looking beyond that no trespassing sign.

Now, did that kind of action bring about the civil rights change? No, not by itself. Did the lawyers who brought up things in federal court, did they by themselves bring it about? No, not by themselves. Did the churches and international groups? Not by themselves.

But you put all of that together, and you come up with... what we look back on and say was, that people tried to do what they could do at the time that they could do it.

They risk arrest, and they risk the wrath of the court, or the wrath of the prosecutor, the wrath of the judges. And I don't mean just wrath, the consequences that come with it.

JUDGE: The hundred year vision that you talked about, if you were with your students now, in hindsight, or back in the civil rights era, would you say to them, and I'm probably asking you to repeat yourself, what about the lunch counter, it is a law that says you cannot use this lunch counter if you are not of that ethnicity, give me your hundred year vision?

BILL QUIGLEY: Well, I think the people in the '50s and '60s, the thousands of people who were arrested, and in many cases, convicted of violating the law, I think that those people are prouder of what they did than those of us who stood aside.

And I know that the judges and the prosecutors who did their job and enforced the law as it stood, are not that thrilled about the role they played. They had to play their role; they did what they thought they had to do. I hope that if I had been confronted with that, that I might have had the courage to be able to violate the law because I thought and hoped that justice would prove me out.

But, when those people got arrested, a lot of them got beaten, a lot of them spent time in jail, because they didn't know, they never knew when justice was going to happen. And I think history has proven that their sacrifices are well worth it and are badges of honor and that they acted

honorably. And those of us who either stepped aside or worse enforced the law against them, are not usually telling our grandchildren about those things.

JUDGE: Do you wish to ask any questions?

MR. STEPHENS: No, your honor, however, the State would like to preserve our motion to strike.

JUDGE: Your motion is preserved. All right. Professor Quigley, thank for you coming to testify.

BILL QUIGLEY: Sure thing.

JUDGE: Do the defendants have any additional witnesses?

BRIAN TERRELL: Judge, we have... we're not going to call any more witnesses and we would just like to make a closing statement.

JUDGE: Well, you have a right to do that. In other words, you are resting your case, then, correct?

BRIAN TERRELL: Yes.

MR. O'CALLAGHAN: Judge. I am suspecting that they may have made their decision not to testify themselves because they are maybe assuming that their three expert witnesses. . . that evidence is going to stand as is, and we have motions to strike their testimony because they were testifying, basically, like lawyers and they should have been over here arguing from the podium rather than up there on the witness stand.

JUDGE: Well, I'm going to put it this way. I'm not going to accept their testimony as a lawyers; I am going to accept their testimony as witnesses.

STEVE KELLY: Judge, one thing the prosecution is saying is that we are expecting that this has been our defense, and that the threat is that you would strike all of it, all of these witnesses.

JUDGE: No, I'm not going to strike it. No, I'm going to allow it in and accept it as not opinions from lawyers, but as testimony from them. Though they are lawyers, they are not here representing you, they are witnesses on the stand. And that's the way I'm going to accept it. So the State's motion to strike I will not grant.

JUDGE: Okay. Who is the spokesman, now, that's going to give your closing statement?

BRIAN TERRELL: If I may, your Honor.

JUDGE: You may.

BRIAN: Two of our witnesses brought up what is the classic necessity defense example. There is a burning building. There is a baby crying. There is no trespassing sign on the door. Do you kick down the door, enter that building, and go right past that no trespassing sign and go to the baby? Ramsey Clark, a master of understatement in his speech -- lovely thing to hear him today. A great honor for all of us -- put it this way: allowing a baby to burn to death because of a no trespass sign would be poor public policy. Poor public policy.

I think we have to realize the situation here. There is a burning building and there are babies dying. And the trigger that's being pulled is at Creech Air Force Base with the drone program.

I listened with great interest, Judge, to your colloquy with Bill Quigley, and I really appreciated that. In fact, I think that was one of the most engaging parts to the testimony. You asked some very good questions. And they're questions that we are often asked and we often ask ourselves.

In 1963, Dr. Martin Luther King, Jr., was in the Birmingham jail, in Birmingham, Alabama, and a bunch of clergy people from the town respectfully asked that question: Isn't there is a better way? We all want the change, Dr. King, that you want, but isn't negotiation better? Isn't working through the system better? Why sit-ins? Why marches? Why go in apparent violation of the law? There are better ways.

And Dr. King, with equal respect, wrote a very long response, which is a gem-- one of the best things ever written in the English language, his Letter from Birmingham Jail, when he said: I do concur that negotiation is a better way. We are bogged down in a monologue. In order to rise from the depths of monologue to the high heights of negotiation and respectful discussion of these important issues, we require nonviolent gadflies. We need to raise the level of attention, the level of creative tension, he said, in order to make dialogue possible.

Colonel Wright said that from her experience as a soldier, that soldiers are influenced by the great debate that's going

on in society, that they do hear what people are saying outside.

That debate isn't happening. The drone program operated out of Creech is only beginning to be discussed. And I don't want to put give ourselves too much credit, but there's a lot more discussion going on about the drones since April 9th, 2009, than there ever was before. There needs to be more discussion on this. Several writers have said -- talking about the program going on at Creech, that they compared it to the bombing of Hiroshima, that the degree of change that's happening, these extrajudicial killings and robotic video-screen killing is as big a change in what is happening in the world as the bombing of Hiroshima.

But when the bombing of Hiroshima happened, the whole world knew it. Everybody knew something serious happened. The paradigm had changed. Hardly anybody knows about the drone program. It is hardly discussed. The building is burning. The airmen at Creech are suffering tremendously high unprecedented rates of posttraumatic stress. More than those who are in the fields. More than those who are in the trenches. More than those who are in the hospital, wounded.

MR. STEPHENS: Objection, your Honor, these facts are not in evidence.

JUDGE: I agree with counsel, that those facts have not been presented in evidence. I do agree there. So you can only argue the facts that have been presented in evidence. So I sustain counsel's objection, he is correct.

BRIAN TERRELL: Briefly, then to close. We 14 are the ones who are seeing the smoke from the burning house and we are not going to be stopped by a no trespassing sign from going to the burning children. Thank you.

JUDGE: Mr. O'Callaghan or Stephens?

MR. STEPHENS: Yes, your Honor, I'll be brief. The element of the crime in the Law on Trespass is that there's a willful and unlawful entering on a certain property. We've had testimony today from Airman Allen that the 14 individuals were inside Creech Air Force Base.

Had the individuals seated in the courtroom today, the Creech 14, as they were referred to in closing arguments, had they stayed in front of, without going onto, Creech Air Force property, they certainly would have had a right to continue protesting. However, once they entered the Air Force base, your Honor, there are security reasons why they might be asked to leave.

Your Honor, the evidence here has been proven beyond a reasonable doubt that they willfully entered the Creech Air Force Base property, that they refused to leave at the time the trespass warning was issued to them, and as further evidence of that, I would look at the closing statements of Mr. Terrell, who stated that no trespass signs are not going to stop them from trespassing.

Your Honor, based upon the evidence that we've heard today and based on the evidence that has been presented by the State today, the State has proved beyond a reasonable doubt that the 14 individuals have committed the crime of trespass on the United States Air Force base at Creech.

JUDGE: I heard all the testimony, both your witnesses and the State's witnesses. I want to say this. Yesterday was my 25th anniversary on the bench. And to this day, I cannot ever remember having a trial involving a trespass. Usually, they're in custody, they plead guilty and I give them credit for time served. The ladies of the night come in, and their attorney, they make a deal, and get out of here.

But this is a trespass trial. This case has lot more consequences than a regular trespass case, where even Professor Quigley commented on gap between the law and justice. You know, there is justice, and then there is the law. Does the law seek the right justice in whatever decision the judge makes? There are reasons the law is the law, and sometimes they're violated for a reason.

Like in homicide, self-defense. Though it's unlawful to take the life of another human being, but there is a law that says if a person is acting in self-defense, that he has or she has the right to protect himself or others close to. We have police officers that are involved in shootings. We have coroner's inquests to determine whether or not the officer was justified or not justified in shooting. It's the killing of another human being, but we ask was the officer justified in carrying out that shooting.

There are several issues here that I want to take under advisement. I'm not going to render a decision today because I want to do some research and see what has happened in this type of case around the country, and especially in Nevada, because I, as I stated before, to the best of my memory, this is the first trespass trial that I have ever had.

And I consider it more than just a plain trespass trial. A lot of serious issues are at stake here. So I'm going to take it under advisement and I will render a written decision. And it may take me two to three months to do so, because I want to make sure that I'm right on whatever I rule on.

MR. O'CALLAGHAN: And make sure you go through all the exhibits?

JUDGE: Everything.

MR. O'CALLAGHAN: Okay.

JUDGE: I'm going to go through all the testimony. I'm going to right now instruct the court reporter to make a transcript of these proceedings. So I'm going to say, roughly -- I'm going to say 90 days, to work with my law clerk to do the research and go through the testimony, because I want to make sure that the decision I make in my mind, it may not be in other people's mind, be correct decision. Though my decision may never be the correct decision. No judge is absolutely perfect. That's why we have appeals. I mean, a judge is just a human being. He just renders his decision on what he thinks.

But I have to incorporate what the law is, too. I know how feelings are, how personal feelings, how you feel about certain things going on in this country. The war in Iraq. The war in Afghanistan. I understand you people. But yet, I have to incorporate that feeling into what the law is, and that's where I want to make sure that the decision I make, in my opinion, would be the correct decision.

I want to say this. I want to commend all the defendants for behaving yourselves and acting as perfect ladies and

gentlemen. Because a lot of times we have multi-defendant cases and there is uproar. . . they yell, and what have you. And, also, I want to commend the audience for your patience and for behaving yourselves. Put it that way. Okay, we will convene, Thursday, January 27th. Go in peace.

For more information on resistance to drone warfare, please contact:

Voices for Creative Nonviolence

<http://vcnv.org/project/drone-warfare-awareness>

Nevada Desert Experience

<http://www.nevadadesertexperience.org/issues/uavs.htm>

Drone Wars UK

<http://dronewarsuk.wordpress.com/>

Code Pink

<http://www.codepink4peace.org/section.php?id=462>

Upstate Drone Action

<http://upstatedroneaction.org>



13 Of the Creech 14 on January 27, 2011- from the left, Jerry Zawada, John Dear, Libby Pappalardo, Brian Terrell, Judy Homanich, Mariah Klusmire, Steve Kelly, Dennis Duvall, Kathy Kelly, Eve Tetaz, Brad Lyttle, Renee Espeland, and Megan Rice. Louis Vitale is in federal prison on another charge

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