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Twenty nuclear weapons activists found guilty

by Joshua J. McElwee



Anti-nuclear weapons activists walk towards the construction site of the new Kansas City Plant May 2. (NCR photo/Joshua J. McElwee)

KANSAS CITY, Mo. -- Twenty peace activists opposing the country's first new nuclear weapons facility in 33 years were found guilty of trespass yesterday for a May action which saw 53 arrested for a nonviolent action here.

But the convictions, handed down by Municipal Judge Elena Franco, were just part of a two-hour court drama that saw activists place their action in the context of the continued funding of U.S. nuclear weapons and a recent statement by a key Vatican diplomat questioning nuclear deterrence.

Speaking in Kansas City July 1, **Archbishop Francis Chullikatt, the Vatican's ambassador to the U.N., said** "there is no justification today for the continued maintenance of nuclear weapons."

Steve Jacobs, one of those convicted yesterday, echoed the archbishop's words in a statement before Franco.

"Catholic bishops tell us these weapons are immoral because if used they will continue to kill the innocent

year after year from the effects of nuclear fallout and contamination," said Jacobs, a member of the Columbia, Mo. Catholic Worker community.

"I am guilty of believing them."

Jacobs and the other 52 activists were arrested May 2 after blocking the gate to the construction site for the new nuclear facility, which is to replace an existing one here that makes approximately 85 percent of the non-nuclear components for the U.S. nuclear arsenal. It is one of three major new nuclear weapons facilities planned in the U.S., and its construction is part of an investment of \$80 billion in the arsenal announced by President Obama last year.

Before their arrests, protestors walked onto the main road leading onto the Kansas City construction site and formed a circle around a construction vehicle. After about ten minutes there, officers arrested them one by one.

Fifteen of those convicted yesterday -- which included Catholic Workers from as far away as Pittsburgh, Penn., and a number of members of religious congregations -- pleaded guilty and were sentenced to 25 hours of community service, a suspended sentence of 10 days in jail, and two years probation for the action.

Four others who pleaded guilty received fines of \$500, along with court costs. Another who pleaded guilty, Nicholas Pickrell, was sentenced to two days in jail after he told Franco that he would not pay a fine, or complete community service, because he "lives with the poor" and "practices community service every day."

Five pleaded not guilty and were given a Sept. 28 trial date.

Before issuing one of the convictions yesterday, Franco told the defendants they were "preaching to the choir."

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In his statement before the court, Frank Cordaro, a member of the Des Moines Catholic Worker community, told Franco that he would not pay any fines levied against him as a way to be open to jail time to "stand in solidarity with the poor," who, he said, were disproportionately represented in prison populations.

Responding that she had been a defense lawyer before becoming a judge, Franco told Cordaro she had lobbied to increase funding for legal services to the mentally ill and wished activists would work within legal means to express their concerns.

"If you would connect with us," said Franco, "we would connect with you."

As she announced Cordaro's sentence -- \$500 fine, to be paid within 90 days -- Franco smiled and, referring to the activist's unwillingness to pay fines, said "But I'm sure that you'll eventually be found in contempt of court."

Cordaro, who has been arrested twice before in actions over the Kansas City facility and has refused to pay fines, held his hands up and replied: "I already am, Your Honor."

Speaking after the proceedings, Cordaro said he walked way from the courtroom with an understanding that he and Franco "have a lot of common values and concerns."

While waiting for officers to place him into custody, Pickrell, a member of the local Cherith Brook Catholic Worker community, told *NCR* he was willing to serve jail time instead of doing community service because "I still don't feel what I did was wrong."

"Why would I do community service for something I didn't think was wrong?" he asked.

The activist, who said this would be his first stint in jail alone -- he and the other 52 activists arrested in May were placed in holding cells together for a number of hours -- also said he saw his time in jail as a "statement of solidarity."

"People fear jail, yet our guests go regularly in and out of them. So this is just as much an act of solidarity as it is an act of exploration."

Twenty-three of the activists who did not go before the judge yesterday also had their cases continued to the Sept. 28 date. Five remaining activists didn't show up for the hearing or request a continuance. Warrants were issued for their arrest.

The May action was part of a series of efforts hosted by local people opposed to the construction of the \$673 million nuclear weapons plant, known simply as the Kansas City Plant. Construction is being subsidized by the city with \$815 million in municipal bonds.

Activists recently gathered enough signatures for a local ballot measure they say, if passed, would compel the operator of the plant to cease nuclear work in favor of green energy production. Barring legal challenges, it is due to appear on a Nov. 8 ballot.

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Editor's Note: For more photos of the May 2 action, take a look at Joshua McElwee's photos in the slideshow below.

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