

Protesters refuse to pay court costs

LANL: Security official issues warning to convicted trespassers

By Carol A. Clark

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Five defendants convicted of criminal trespassing sent a letter to Los Alamos Magistrate Court Judge Pat Casados promising to “never pay the mandatory court costs.” Instead, each convicted defendant has paid their \$73 fee to Tewa Women United of the Pueblo of San Ildefonso.



Trinity Nuclear Abolition members Juan Montoya, Marylou Kraft, William Robert Covert, Marcus Page and Bobby Sue Davis are arrested June 20 after entering a secured area on LANL property.

“The Tewa people are the rightful stewards of the lands on which Los Alamos National Laboratory has been conducting international crimes for so many decades,” said defendant Marcus Patrick Blaise Page.

Page, 45, and defendants William Robert Covert, 66, Bobby Sue Davis, 27, Marylou Kraft, 67, and Juan Montoya, 48, appeared together in the local court Oct. 18.

Judge Casados ruled that each defendant had 90 days to pay the court fee and would serve four days in jail should they fail to comply.

Officers from the Los Alamos Police Department arrested the five individuals, who are part of Trinity Nuclear Abolition of Albuquerque, on June 20 after they crossed into a secure area after being warned against that action by LANL representatives. They told authorities that they wanted to get to the CMRR building to conduct a prayer vigil.

“We the defendants ... have changed our minds,” they stated in the letter to Casados. “Upon reflection, we have decided that each of us cannot in good conscience pay the Los Alamos Magistrate Court the \$73 in court fees ... More precisely, we promise never to pay fees to your court for these reasons:

- The Los Alamos Magistrate Court has failed to uphold the U.S. Constitution and the Non-proliferation Treaty. As per the Nuremberg Principles whereby civilians such as ourselves are required to uphold international law, we must obey our consciences and reject unlawful courts, which disobey the constitution.
- We do not recognize the capacity of the Los Alamos Magistrate Court to adjudicate cases regarding Los Alamos National Laboratory property. LANL is located on Tewa lands; Los Alamos Magistrate Court has no jurisdiction here.

TNA’s letter began, “Dear Judge Casados, if you find our changing of minds to be unacceptable, we remind you of your warning to order us to jail for failure to pay the \$73 to

the Los Alamos Magistrate Court within 90 days. You and others may find us at a peace vigil in front of LANL at the corner of Diamond and West Jemez at noon on the 90th day – Martin Luther King, Jr. Day.

“We recognize the bind you are in, and that you may be tempted to issue a bench warrant for us. If you are not interested in joining us at LANL ... please let us know and we will instead come to your court on Tuesday the 17th or Wednesday the 18th”

Casados was away from her office part of last week and addressed the unusual situation Monday. “I just received the email this morning about this and as yet have not made a decision (whether to issue arrest warrants),” she said. All five defendants intend to participate in the Jan. 16 peace vigil. This will mark the 54th such event for TNA, which has conducted vigils at LANL since August 2007.

“Over the years, these prayer vigils and protests have been peaceful,” Page said. “We believe that LANL’s nuclear weapons work is a spiritual problem requiring a spiritual solution.”

On Sept. 19, Mike Lansing of LANL’s Security and Safeguards Directorate sent Page a warning notice, as leader of the TNA organization, advising him that he and his group had engaged in a practice of deliberately ignoring LANL policies regarding public demonstrations and other security requirements.

“This unauthorized behavior has escalated recently,” Lansing said.

He cited five occasions since 2007 in which the group’s actions were in violation. “You are hereby placed on notice that you and other individuals of TNA will only be authorized to conduct prayer vigils and other demonstration activities at LANL where a proper request is submitted in accordance with the LANL demonstration requirements and approved by LANS,” he said.

Page or anyone associated with TNA who holds a demonstration without authorization or otherwise fails to comply with LANL requirements while on site, may be subject to arrest and prosecution ... and future barment from LANL property by DOE/NNSA, Lansing said.

“Your personal disregard for our policies on demonstrations and your increased no-notice activity here at LANL are disruptive and place you, your fellow demonstrators, LANL employees and the laboratory at risk,” he said.

“Should you continue with your unacceptable behavior, we will recommend for you personally a permanent disbarment from LANL. After you are barred, further illegal actions will become a basis for federal, rather than Los Alamos County court action.”

Page responded to Lansing’s warning notice in a letter dated Nov. 9. He pointed out the laboratory’s “crimes against humanity” and similar issues, adding that TNA “has never asked permission from you or anyone else to hold vigils at LANL.”

Page said Monday that his group sends LANL news releases detailing dates and numbers of people expected to participate in their prayer vigils. He intends to send a similar news release advising the lab of the Jan. 16 vigil, he said.

“I’m not seeking to go to jail, whether in the county or the federal system,” Page said. “But I’ve dedicated a large portion of my life working against nuclear weapons and certain actions are worth the risk.”