

Closing Argument - Defendant Brian Terrell

I think we are all in agreement, the prosecution and the defendants, that crimes were being committed at Hancock Airbase on April 22nd. The question at hand is whether these crimes were disorderly conduct, a violation of the lowest, pettiest, level of crime in our codes, or whether they were crimes of war, crimes against peace, the most serious and dire crimes in the supreme law of our land.

Now I'll grant that even though the state was not able to convincingly say that any vehicular traffic was obstructed, there were three pedestrians who were obstructed. But those three pedestrians were among the defendants and they were not obstructed by protestors in red dyed sheets laying on the road way. They were obstructed by police officers. Police officers, sworn to uphold their first amendment rights, who stopped them as they were trying to take a petition to a governmental installation, blocking up a road, and their petition was taken from them, snatched away and thrown into a gutter.

As one of the first people arrested, it was kind of surreal to me, watching from the backseat of a police car in handcuffs and seeing this tableau, with yellow police tape and all the police cars and all this hubbub. I know the police heard us. Lieutenant Daly and Deputy McKenna, testified that they heard citizens say on the other side of that fence there is mayhem, on the other side of that fence, crimes are being committed. But did they respond. No, they arrested us. And on the other side of that yellow police tape that was very appropriately placed, on the other side of that tape, on the opposite side of the chain link fence and the riot gear clad soldiers, people were being killed. The police were ignoring that and arresting people who were lying on the sidewalk!

Now, your honor, in your discussion with Ramsey Clark, your question about what is the enforcement mechanism of international law, is one that Ramsey Clark said that he wrestles with. I assure you so do we. What is the enforcement mechanism, when the local police don't listen? What is the enforcement mechanism when Senior Master Sergeant Reinhardt, who is the senior law enforcement officer at Hancock Airbase, when he testifies, the only way that he has any inkling about what the mission of the base where he has worked many years is newspaper accounts? And how could he be a part of an enforcement mechanism when he testified that he does not even know what the 6th article of the U.S. Constitution is? He is unable to recognize if crimes against humanity, if war crimes are being committed, on the base where he is responsible for law enforcement. What is the enforcement mechanism?

Ramsey Clark testified that people who know what's going on have a positive requirement, we have the burden of educating the public on the things we know. Judy Bello testified that if we had not have gone into the road, then we would have just talking to ourselves. Because we went into the road, because we crossed some imaginary line, because we tried to walk up the road with a petition to our government even as the police told us, "Your government is not interested in your petition, go away," we weren't just talking to ourselves.

We have educated the public, and our humble effort has been reported locally, nationally, internationally. I kind of hope that Senior Master Sergeant Reinhardt, really does read the newspaper, because if he read yesterday's *Post Standard*, he will have read that Ramsey Clark says that the drones flown out of Hancock Airbase are a crime against international law and a violation of the Nuremberg principles, and hopefully he will take his responsibility and act against those crimes that are taking place on his beat. What we did, Harry Murray put it this way, we were the "Whos in Whosville" who made our voice heard. Doctor Martin Luther King, Jr. said that when a society consistently refuses to face problems that need addressing, we need nonviolent gadflies to raise the level of creative tension to the place where that issue cannot be avoided.

I have been amused today and yesterday hearing the word inconvenience being passed around. I think that we are really pampered people. The most serious inconvenience that has been mentioned has been that some people, we don't know how many, we don't know if any, but somebody may have had to drive, in the comfort of their car, an extra 1/8 - 1/4 mile to a different gate - the highest level of inconvenience that has been mentioned. All day our proceedings have been graced by the smile of Abdulai, a friend of several of us defendants, and he knows what inconvenience is. The millions of internal refugees in Afghanistan, living in the hell of Kabul, because they have fled there to safety from the air raids, they know what inconvenience is. The people who had to drive an extra 1/8 of a mile, if they exist, do not know what inconvenience is. And this fetish we have for inconvenience - Robert Gates, former secretary of defense, calls the drones "convenient killing!" Convenient killing! You can fight a war with so little inconvenience, so little annoyance, for those who are fighting that war regardless of the justice of that war, regardless of whether it is breaking international laws, with so little inconvenience.

I recently came upon a story I first heard as a child, when I was 12 years old, in 1968, the My Lai Massacre. The slaughter of 350 to more than 500 men, women and children in a village in Vietnam by U.S. soldiers. And the saving grace of that story, the piece of the story that can make us proud to be Americans, is that totally by coincidence, a young soldier named Hugh Thompson, Jr., was flying a helicopter with a small crew in the area. He saw the mayhem going on below, landed his helicopter, his crew got out, they got into the ditches and they stood between the children who were being murdered and their own American soldiers who were shooting them. They were regarded as criminals by many in this country, later as quietly as possible they were exonerated and decorated. See, what with this technology that's going on at Hancock Airbase does, in a very extraordinary way, is shrinking the distance between the battlefields and our homes to nothing. The battlefield is a few miles down the road. Real time combat is being fought a few miles from where we stand. In a sense, Vietnam and Afghanistan are about as far away as can be from us, but what we did, I pray, is in the spirit of what Hugh Thompson and his crew did, because the trigger is being pulled right here.

And what is the enforcement mechanism? I think when we had that great lecture from Ramsey Clark on what the Nuremberg principles say. We learn, whether we are able to accept it or not, that the law is very clear about what that enforcement mechanism is. That

mechanism is us. And we defendants took just one small part of our responsibility under that law. And Judge Gideon, that law lays a very heavy responsibility on you as well. I hope that as you consider this case, and I'm sure you will do it thoughtfully, that you will be taking those principles and that responsibility seriously.