

Nuclear weapons facility protest sends nun, two activists to prison

Patrick O'Neill | Feb. 19, 2014
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Three Catholic anti-war activists, including an 84-year-old nun, were sentenced to federal prison terms Tuesday following their convictions of sabotage and destruction of government property in a case that garnered international media attention after they broke into the Y-12 National Security Complex in Oak Ridge, Tenn., near Knoxville.

Their original Jan. 28 sentencing date had been postponed after several hours of testimony because of snow.

Despite pleas for leniency from thousands of people who wrote letters and signed petitions to U.S. District Court Judge Amul R. Thapar, the three, who call themselves the Transform Now Plowshares, were given sentences totaling more than 13 years in prison. Under federal sentencing laws, they will likely serve their full sentences.

Thapar said the three longtime peace activists, Sr. Megan Rice, Greg Boertje-Obed and Michael Walli, exhibited "a complete disregard for the law" because none of them expressed remorse for their July 28, 2012, actions.

In her presentencing statement, Rice told Thapar: "We have to speak, and we're happy to die for that. To remain in prison for the rest of my life is the greatest honor that you could give to me. Please don't be lenient with me. It would be an honor for that to happen."

Still, Thapar, citing "all the good work that Sr. Rice has accomplished," sentenced Rice to 35 months in prison, less than the 70- to 87-month recommendation of the U.S. attorney in the case.

"I know you want a life sentence," Thapar said, adding that he would not honor her request. "I have confidence you will be living well past any sentence I give you."

Throughout the hearing, Thapar aired his misgivings with the long prison terms the government requested. "Is 70 months really necessary?" Thapar asked the prosecutor regarding Rice's guidelines.

Assistant U.S. Attorney Jeffrey E. Theodore, who is Catholic, told Thapar the defendants should be sentenced within the federal guidelines because they were "incorrigible, habitual offenders."

Citing their long criminal records and his judicial duty to deter such behavior, Thapar gave Boertje-Obed and Walli 62 months each, also far below the federal guidelines, which called for 92 to 115 months for Walli and 78 to 97 months for Boertje-Obed. The trio was also ordered to serve three years of supervised probation following release and to pay \$53,953 in restitution charges.

In his presentencing statement, Walli said his actions at Y-12 did not constitute a violation of law, but rather his obedience to God's law. "I am a citizen of heaven," Walli said. "We engaged in our lawful, missionary work at

Y-12. ... I committed no crime. I have no remorse."

In his presentencing statement, Boertje-Obed read some of the words from a speech Martin Luther King Jr. delivered April 4, 1967, at New York's Riverside Church, when King referred to the United States as "the greatest purveyor of violence in the world." He also said the actions of the three were designed to "promote respect for the law" because they were holding the U.S. accountable to international laws that ban the use of nuclear weapons.

The Plowshares activists, who take their name from Isaiah 2:4 ("They shall beat their swords into plowshares; their spears into pruning hooks. One nation will not lift sword against another, nor shall they train for war anymore"), said they were following these international laws when they gained access to Y-12's Highly Enriched Uranium Materials Facility, which contains a stockpile of weapons-grade uranium. Once inside the facility, the three chipped the building's structure with hammers and sprayed "biblical graffiti" before lighting candles and awaiting arrest.

Since their May convictions, the activists have been held without bond. They will receive credit for time already served. It is not known where the three will serve their sentences or when they will be transferred to federal prisons.

Sr. Sandra Lincoln, who represented Rice's community, the Society of the Holy Child Jesus, at the sentencing, said she was disappointed with Rice's sentence.

"We're very saddened by the lengthy prison sentence that Sister Megan has received and we do stand in support with her in our prayers and our sisterly affection," she said.

Boertje-Obed's wife, Michelle Naar-Obed, said she was pleased Thapar "struggled with the issue of the spirit of the law versus the letter of the law. I think that was a win."

Facing more than five years apart from her husband, Naar-Obed told *NCR*: "We will figure out how to keep our lives together. That's what our marriage was based on, and whether we're apart physically, we'll find a way to stay together."

Before Rice sat down at the end of her remarks, she asked Thapar, "May I end with a song to lighten the moment?"

"You may," Thapar answered, and Rice turned to the gallery of her supporters and conducted as they sang, "Sacred the land. Sacred the water ... all reflect God, who is good."

[Patrick O'Neill, a freelance writer from Raleigh, N.C., is a longtime contributor to *NCR*.]

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