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# Weapons station protesters seek 1 trial

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Staff writer

CONCORD — Attorneys for 36 protesters arrested at the Concord Naval Weapons Station in September and October asked Wednesday that their clients be tried together.

Mt. Diablo Municipal Court Judge Mark Simons set a hearing for Dec. 16 to consider the request by 13 attorneys representing people arrested during demonstrations held between Sept. 1 and Oct. 5.

Stan Dewey, an Albany attorney representing three of the protesters, said a single group trial would be more efficient and make a larger impact on the community than individual trials.

Deputy District Attorney Dodie Katague, who is prosecuting all the protest cases, said a consolidated trial would be unwieldy.

"It would be a big circus," he said.

Consolidation would make prosecution more difficult, Katague said, because the charges against the defendants vary and he would have to call sheriff's deputies and other witnesses from several days of arrests all at once.

Katague would prefer having one representative trial for the first group of protesters arrested and see how the judge ruled on controversial defense evidence.

The defense attorneys want to

## Navy report on Willson due Nov. 18

Navy report on the maiming of protester Brian Willson at the Concord Naval Weapons Station has been delivered to Congress, but it will not be made public until a hearing Nov. 18.

John Lally, counsel for the subcommittee on armed services investigation, said the Navy submitted the 3½-inch-thick document on Tuesday. It includes the report by the Contra Costa County Sheriff's Department, which District Attorney Gary Yancey used to decide that no crime was committed in the Sept. 1 mishap.

There is only one copy of the report, according to Max Miller, spokesman for Rep. Ron Dellums, D-Oakland. Subcommittee members will take turns reading it and decide whether witnesses should be called to supplement the information in the report.

Meanwhile, a review by the state attorney general's office is continuing. Ron Mathias, a deputy attorney

general, said he is waiting to read the Navy report before completing his investigation. Attorneys for Willson asked the attorney general's office to review the investigation by the sheriff's department.

Willson, 46, a Vietnam veteran, was run over by a weapons train as he sat on railroad tracks at the station, protesting U.S. shipments of arms to Central America. He lost both lower legs and had a skull fracture. He is now living in San Francisco and learning to use artificial legs.

Willson is a member of the Nuremberg Actions Committee, which organizes daily demonstrations at the weapons station because its members believe the facility ships weapons to El Salvador and to the Nicaraguan Contras. The Navy will not comment on that, but another peace group obtained shipping records tying at least one shipment from Concord to El Salvador in 1985.

present evidence that the protesters were upholding international law when they blocked trains carrying weapons, Dewey said.

Katague said a similar argument has been successful in Massachusetts, but it is not clear under California law whether such a defense can be used.

"In California, recent case law is against them," he said.

Charges against the demonstrators are blocking railroad tracks, resisting arrest, trespassing and ob-

structing a public thoroughfare.

Two protesters from out of state have pleaded no contest to charges and have been sentenced to the one day in jail they had already served, Katague said. Both agreed they would not return to the tracks.

Katague offered the other protesters the opportunity to plead no contest to the charges provided they not participate in any more civil disobedience actions, but none of them accepted.

Katague said he is not considering dismissing the charges against

the protesters.  
"This is continuing to be a problem," he said. "It's something we have to correct."

The Nuremberg Actions Committee has been trying to block weapons trains since Sept. 1, when Vietnam veteran Brian Willson was run over by a train and lost both lower legs.

Leaders of the blockade say they will continue the protest until the United States stops sending weapons to El Salvador and to the Contras in Nicaragua.