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On Hostile Ground, a Provocative Question

By THE ASSOCIATED PRESS

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MONTPELIER, Vt. (AP) — President Bush may soon have a new reason to avoid left-leaning Vermont: in one town, activists want him subject to arrest for war crimes.

A group in Brattleboro is petitioning to put on the agenda of a town meeting in March a measure that would make Mr. Bush and Vice President Dick Cheney subject to arrest and indictment if they ever visit the community. As president, Mr. Bush has been to every state except Vermont.

The town meeting, an annual exercise in which residents gather to vote on things like fire department budgets and municipal policy, requires about 1,000 signatures to place a binding item on the agenda.

The measure asks, “Shall the Selectboard instruct the town attorney to draft indictments against President Bush and Vice President Cheney for crimes against our Constitution, and publish said indictment for consideration by other municipalities?”

Kurt Daims, a retired machinist leading the drive, has been circulating documents claiming that the community acquires a “universal jurisdiction” to take such steps “when governments breach their highest duties.”

“We have the full power to issue indictments, conduct trials, incarcerate offenders and do all other acts which independent jurisdictions may of right do,” the petition says.

“This petition,” Mr. Daims said, “is as radical as the Declaration of Independence, and it draws on that tradition in claiming a universal jurisdiction when governments fail to do what they’re supposed to do.”

The White House did not immediately respond to requests for comment Friday.

Support for the measure is far from unanimous, even in Vermont, where the State Senate voted this year to support impeaching the president and where antiwar rallies and “Impeach Bush” bumper stickers are common.

“I would not be supportive of it,” said Stephen Steidle, a member of the town’s Selectboard, which oversees its government. “It’s well outside of our ability. From my perspective, the Brattleboro Selectboard needs to focus on the town and the things that need to be done here.”

The state's attorney general, William H. Sorrell, a Democrat whose office has repeatedly sued the Bush administration over environmental issues, called the move "of very dubious legality."

"I have not seen the proposal," Mr. Sorrell said, "and I've done no legal research on any of the issues. But at first blush, if this passed, they'd have really uphill sledding trying to have it be legal and enforceable."

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Rutland Herald

January 26, 2008

By Susan Smallheer Herald Staff

BRATTLEBORO — Brattleboro residents will vote at town meeting on whether President George Bush and Vice President Dick Cheney should be indicted and arrested for war crimes, perjury or obstruction of justice if they ever step foot in Vermont.

The Brattleboro Select Board voted 3-2 Friday to put the controversial item on the Town Meeting Day warning.

According to Town Clerk Annette Cappy, organizers of the Bush-Cheney issue gathered enough signatures, and it was up to the Select Board whether Brattleboro voters would consider the issue in March.

Cappy said residents will get to vote on the matter by paper balloting March 4.

Kurt Daims, 54, of Brattleboro, the organizer of the petition drive, said Friday the debate to get the issue on the ballot was a good one. Opposition to the vote focused on whether the town had any power to endorse the matter.

"It is an advisory thing," said Daims, a retired prototype machinist and stay-at-home dad of three daughters.

So far, Vermont is the only state Bush hasn't visited since he became president in 2001.

Daims said the most grievous crime committed by Bush and Cheney was perjury — lying to Congress and U.S. citizens about the basis of a war in Iraq.

He said the latest count showed a total of 600,000 people have died in the war.

Daims also said he believed Bush and Cheney were also guilty of espionage for spying on American people and obstruction of justice, for the politically generated firings of U.S. attorneys.

Voting to put the matter on the town ballot were Chairwoman Audrey Garfield and board members Richard Garrant and Dora Boubalis.

Voting against the idea were board members Richard DeGray and Stephen Steidle.

Daims said the names submitted to the town clerk's office were the second wave of signatures the petition drive had to collect, because he had to rewrite the wording of the petition.

He said he gathered nearly 500 signatures in about three weeks, and he said most people he encountered were eager to sign it. He started the petition drive about three months ago.

"Everybody I talked to wanted Bush to go," he said, noting that even members of the local police department supported the drive.

"This is exactly what the charter envisioned as a citizen initiative," Daims said. "People want to express themselves and they want to say how they feel."

He said the idea is spreading: Activists in Louisville, Ky., are spearheading a similar drive, and he said activists were also working in Montague, Mass., a Berkshires town.

The article asked the town attorney to "draft indictments against President Bush and Vice President Cheney for crimes against our Constitution and publish said indictments for consideration by other authorities."

The article goes on to say the indictments would be the "law of the town of Brattleboro that the Brattleboro police ... arrest and detain George Bush and Richard Cheney in Brattleboro, if they are not duly impeached ..."

Daims said people in Brattleboro were willing to "think outside the box" and consider the issue.

Daims had no compunction in comparing Bush and Cheney with one of the most notorious people in history.

"If Hitler were still alive and walked through Brattleboro, I think the local police would arrest him for war crimes," Daims said.

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Brattleboro gets Internet buzz over Bush/Cheney petition

January 29, 2008

By Susan Smallheer Rutland Herald

BRATTLEBORO — Kurt Daims was a little taken aback Monday at the fierce response outside Brattleboro and Vermont to the successful petition drive that will let the town vote at Town Meeting on whether President George Bush and Vice President Dick Cheney should be charged with war crimes.

The Brattleboro town office was swamped with calls, e-mails and faxes on Monday, according to town officials; practically all of it negative, according to Town Clerk Annette Cappy, who fielded some of calls.

Cappy said most of the calls went to Town Manager Barbara Sondag, and that the sheer "nastiness" of the calls prompted the town office to stop answering the telephone Monday afternoon, and let the calls go to voice mail instead.

"We're getting e-mails and phone calls, nasty, nasty e-mails, I've only a gotten a few," said the town clerk. "You couldn't repeat most of those calls, they are nasty and nasty."

Daims, who has an unlisted telephone number, was immune to most of the outpouring of political vitriol, which was largely prompted by a posting on the Drudge Report Internet site ([www.drudgereport.com](http://www.drudgereport.com)) – a conservative leaning Web site based in Washington, D.C., which is most famous for breaking the Monica Lewinsky scandal.

"I don't think I'm a hero and I'm not a slime bag either. It is largely symbolic," said Daims, 54, who moved to Brattleboro several years ago from San Francisco. Daims has been working with other people on the petition drive, including other activists who has been pushing for a Vermont resolution in favor of the impeachment of Bush and Cheney.

Daims said he had received about a half dozen "hate e-mails" about the issue, which the Brattleboro Selectboard voted 3-2 to put on the town meeting warning. The issue will be voted on during all-day secret balloting on March 4.

"I know most people out there are tired of Mr. Bush. The people who are scared are more noisy about it," said Daims, who described himself as an independent, and not affiliated with any political party.

The Brattleboro story prompted the Republican National Committee press office to issue a statement in defense of Bush, despite the symbolic nature of the vote.

"Any time there's an attack on the president, we send a response," said spokeswoman Blair Latoff.

"It appears that the left-wing knows no bounds in their willingness to waste taxpayer dollars to make a futile counterproductive partisan political point. Townspeople would be much better served by elected officials who sought to solve problems rather than create them," she added.

At the Herald, whose story on the controversy was posted on The Drudge Report, the posting quadrupled normal traffic on the paper's Web site, according to New Media Director Russell Glitman.

Glitman said that the story produced the most hits in the paper's Web site history, outdistancing the "Norican" storm in April 2007, which devastated the city of Rutland.

He noted that normally there are 10 comments at most posted after a story; in the case of the Brattleboro Bush/Cheney vote, there were more than 475 comments.

And the Web traffic came from all over the country, with Texas and California leading the way, and shrinking the normal Vermont share of Web traffic to a fraction, he said.

The hundreds of e-mails sent to the paper ranged from the obscene and vulgar to the curious and supportive. But the majority of the e-mails questioned the sanity of the residents of Brattleboro and Daims in particular and the legality of the proposal.

More than one e-mailer proposed that Brattleboro, not Bush and Cheney, be tried for treason, and that the state secede (or be kicked out) of the country.

And many promised they would never step foot on Vermont soil again, canceling vacations or deciding not to buy Vermont maple syrup, Vermont cheddar cheese or Vermont ice cream ever again.

And the epithets: jackasses, moonbeams, looney tunes, stupid and "moonbats."

"I'll make note not to visit Vermont ... too many moonbats!" wrote Bob Bogart of Chattanooga, Tenn.

Jason Gibbs, spokesman for Gov. James Douglas, said that the controversy was nothing compared to the firestorm surrounding Judge Edward Cashman, whose decision in a child sex abuse case two years ago created an enormous response of condemnation.

Gibbs said that the governor's hotline Monday produced about a half-dozen out-of-state calls, while "thousands and thousands" of calls were received after conservative television commentator Bill O'Reilly sharply criticized Cashman and the state for what they viewed as being soft on pedophiles.

"It ranks very low on the interest meter," Gibbs said of the Brattleboro town meeting item.

Cindy Maguire, chief of the criminal division at the Vermont Attorney General's office, said she doubted that the vote was anything but a political protest, Vermont-style.

Towns do not have the right to file affidavits charging people with crimes, unless they violate some local ordinance, she pointed out.

Maguire, who said she hadn't really researched the matter, said it was unusual, to say the least.

"I've never seen, in my 20 years practicing criminal law, a town get an arrest warrant for felonious conduct and I'm not even sure what state laws would be at play here," said Maguire. "I don't have enough information."

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## INDICTMENT PROPOSAL GETS HEARING

By Susan Smallheer / Rutland Herald

BRATTLEBORO, VT – Vermonters have long taken stands on the big issues of the day at town meeting.

Back in 1854, the issue was slavery. Several towns passed resolutions condemning the pending federal Kansas-Nebraska legislation that would have allowed the new states to sanction slavery, according to State Archivist Gregory Sanford.

In 1974, the town of Thetford voted to impeach then-President Richard Nixon, who went on to resign later that year.

Eight years later, 150 Vermont towns adopted a nuclear weapons freeze resolution.

This town meeting Brattleboro voters will decide whether President George Bush and Vice President Dick Cheney should be indicted for violating their oath of office and failing to follow the Constitution for a variety of actions stemming from the war in Iraq and the war on terrorism.

If the resolution passes, supporters say Bush and Cheney could be arrested in Brattleboro if they step foot here after their terms in office expire.

Organizers say they hope their condemnation of the Bush administration will spread to towns all over the country.

The Drudge Report, a conservative Web site, recently posted the resolution, and soon after the town of Brattleboro, Kurt Daims, the author of the resolution, and local newspapers were inundated with thousands of e-mails, first reproaching and then supporting the town's maverick proposal.

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Daims, 54, a Brattleboro peace activist, says the point of the largely symbolic resolution is justice.

Daims, a stay-at-home father of three daughters who previously worked as an English and German teacher and a prototype engineer, said in an interview that he envisioned the indictment resolution as a way of giving ordinary people a way to express their distrust of Bush and the war in Iraq. It is also another step in the stalled effort to impeach Bush and Cheney, he said.

Brattleboro, along with dozens of other Vermont towns, had adopted impeachment resolutions in 2006 and 2007, but their actions failed to move either Rep. Bernard Sanders, I-Vt., or his successor, Rep. Peter Welch, D-Vt., to introduce articles of impeachment in the U.S. House (where they must be proposed).

"What is the point? Justice. I love Thomas Jefferson, I want his experiment to work," said the former English teacher, who went with his father in 1967 to his first peace demonstration against the Vietnam War in Washington, D.C.

"It gives a new lease on justice," Daims said. "Impeachment has to happen before Bush's term is up. There is no statute of limitations on war crimes. People think it's over when Congress refused to act, but we can go after him. It's time to bring justice down on Mr. Bush."

Daims is a relative newcomer to Vermont and its Town Meeting Day traditions. He and his family moved to Brattleboro in 2002 from San Francisco when his wife got a job at the local hospital.

He immediately joined the Brattleboro Peace and Justice Group, but Daims said the group "fell apart" after the United States invaded Afghanistan.

In 1991, when the United States invaded Iraq the first time, Daims said he started calling people randomly selected from the telephone book to talk about politics.

And then he started another one-man mission, this time in Vermont, talking to complete strangers about why the war is wrong and why the Bush administration's actions are unconstitutional.

"I think it's important to take a public stand," said Daims, who said in 2005 he made up some signs and started a silent protest on the corner of Main and Elliot streets in downtown Brattleboro, not one of the town's traditional protest points, the post office or the Wells Fountain.

At some point, the local peace group got back together and sponsored a local man, John Nirenberg, who walked to Washington, D.C., this winter, as a protest against the war.

Daims was the first to come up with the indictment resolution. He and others gathered more than 700 signatures to get the item on the warning. Daims donned a winter hat with brim and earflaps, as well as a long winter coat, to gather the signatures – far from the friendly confines of the Brattleboro Food Coop parking lot, a traditional spot for activists.

"Almost every town voter I encountered at Main and Elliot, four out of five people were ready to sign," said Daims.

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Dan DeWalt, the Newfane Select Board member who is credited with starting the Vermont impeachment movement in 2006 in his hometown, praised the Brattleboro effort.

"I think it's an excellent initiative. We have a government that's placed itself flatly outside the law, and said, 'Like it or lump it,'" he said, referring to Bush's actions on illegal wiretaps.

"It would be one thing if Congress would hold him accountable, but Congress is too worried about whether the (New England) Patriots illegally taped their opponents, or steroids in baseball. But when it comes to the criminality of their government, they don't seem to care," said DeWalt, who has been working with Daims and others on the upcoming Brattleboro vote.

"Where does that leave us? Are we going to live in a lawless land, or we're going to take some kind of action?" he said.

DeWalt said that the Brattleboro initiative was "extra-constitutional," but it was a reaction to unconstitutional actions by the current administration.

"It's primarily a symbolic act," he said.

Since Brattleboro's actions to put it on the town meeting ballot became public, he said, the group had been contacted by constitutional scholars who said it could be argued that the action is grounded in the concept of common law, and that it would be within the town's right to issue an indictment.

DeWalt said he didn't plan on asking Newfane to take up the indictment issue this year. "Other people might bring it up under other business," he said.

In 2006, Newfane was the first town to vote for impeachment, and about five other towns joined in. Last year, 39 Vermont towns and 20 in western Massachusetts voted for impeachment, he said.

"We have always done this," DeWalt said, referring to Vermont's longstanding history of speaking out on national issues. Vermont was an independent republic for several years and didn't join the union because of its distaste of slavery, he said.

"Local government is only supposed to worry about roads and schools?"

How about the economic issues? Our current economic crisis is largely due to the trillions going down a rat hole in Iraq," he said.

Daims said the idea is spreading: a Maine woman who is running for U.S. Senate has asked her hometown – Kennebunkport, the summer home of President Bush's parents – to adopt a similar resolution. And he said that other countries have gone on record saying they find Bush and his administration guilty of war crimes and acts of aggression. Other efforts are under way in Portland, Ore., and Arlington, Va., he said.

"I'd like to get it started in Washington, D.C.," Daims said.

A forum on the Brattleboro initiative will be held Sunday at the Gibson RiverGarden in downtown Brattleboro, from 3 to 5 p.m., with speakers and time for a public discussion.

Vt. Towns Approve Bush 'Indictment'

Residents of Vermont Towns Vote to Support Hypothetical Bush-Cheney Indictment

By JOHN CURRAN Associated Press Writer

BRATTLEBORO, Vt. March 4, 2008 (AP) The Associated Press

Town Clerk Annette Cappy stands in her office in Brattleboro, Vt. Friday Feb. 29, 2008, holding a sample ballot with an article which voters will consider that would instruct the town's attorney to draft indictments allowing President Bush and Vice President Cheney to be arrested by local authorities for crimes against their Constitution. On primary day Tuesday March 4, 2008, its residents will vote on whether to issue warrants for the arrest of Bush and Cheney, should they ever visit. (AP Photo/Jason R. Henske)

(AP)Voters in two Vermont towns approved measures Tuesday calling for the indictment of President Bush and Vice President Dick Cheney for what they consider violations of the Constitution.

More symbolic than anything, the items sought to have police arrest Bush and Cheney if they ever visit Brattleboro or nearby Marlboro or to extradite them for prosecution elsewhere — if they're not impeached first.

In Brattleboro, the vote was 2,012-1,795. In Marlboro, which held a town meeting on the issue, it was 43-25 with three abstentions.

"I hope the one thing that people take from this is, 'Hey, it can be done,'" said Kurt Daims, 54, who organized the petition drive that led to the Brattleboro vote.

The measure in Marlboro isn't binding because it didn't appear on the warning for the meeting, according to Nora Wilson.

"It was emotional. There were heartfelt speeches on both sides," Wilson said.

The question put to voters in Brattleboro referred to "crimes against our Constitution" but did not specify the allegations.

In Brattleboro, a steady stream of voters paraded into the Union High School gym to cast their ballots on a day when school board elections and Vermont's presidential primary were also on the slate.

Voters interviewed after casting ballots said they saw the article as an opportunity to express their frustration over the war in Iraq and Bush's tenure in general.

"I realize it's an extreme thing to do, and really silly in a way," said Robert George, 74, a retired photographer. "But I'm really angry about us getting involved in the war in Iraq and him (Bush) disrespecting the will of the people."

Ian Kelley, 41, a radio DJ, said he didn't vote on the article.

"It's not a good reflection on the town," he said. "Do I like either of them and would I vote for them? No. But I don't think it's cause to arrest them."

Barbara Southworth, a 66-year-old nurse, said she would have voted against it.

"I forgot to vote because it was on the flip side," she said.

The White House press office didn't immediately respond to a request for comment, but a spokeswoman for the Republican National Committee denounced the indictment effort.

"It appears that the left wing knows no bounds in their willingness to waste taxpayer dollars to make a futile counterproductive partisan political point," said Blair Latoff. "Town people would be much better served by elected officials who sought to solve problems rather than create them."

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Rutland Herald, March 5, 2008

By Susan Smallheer,

#### BRATTLEBORO VOTES TO INDICT BUSH

BRATTLEBORO — Residents in this iconoclastic town cast a symbolic protest vote Tuesday, directing town officials to draw up indictment papers against President George Bush and Vice President Dick Cheney for violating their oath of office.

The tally was 2,012 in favor to 1,795 against. It was the second southern Vermont town to adopt the anti-Bush resolution on Vermont's Town Meeting Day, as Marlboro voted earlier in the day 43-25 in favor, with three abstentions.

Organizer Kurt Daims of Brattleboro said he was disappointed at the relatively close margin of victory, which came during exceptionally heavy voter turnout during

Vermont's presidential primary.

"It was a very difficult thing for the people of Brattleboro to do. I think it's brave for Brattleboro to do it. Brattleboro did just fine," Daims said.

"But I'm disappointed. I was really hoping and expecting a wider margin," he said.

Voters who were questioned after they voted said they recognized it as a protest vote, and a way of registering their frustration with the Bush administration and its controversial policies, most notably the invasion of Iraq.

But Daims and other organizers said they hoped the Brattleboro vote would set an example for other towns and communities across the country to say no to the Bush presidency.

Barry Aleshnik said the group had been contacted by towns across the country, and that a "Brattleboro template" was being drawn up to be distributed to interested communities.

"We got a letter from south Jersey, saying that 'Brattleboro will be setting an example, and that it could set off a ripple effect across this angry nation,'" Aleshnik read.

"We can be proud of Brattleboro for being a model of what needs to be done and what needs to be stated," Aleshnik said.

Select Board candidate Jesse Corum, who was a top vote-getter in Tuesday's election, said he opposed the issue on a variety of reasons, not the least of which was its divisiveness.

"It's creating a division, and we need to create unity," Corum said.

Former state Sen. Nancy Chard, D-Windham, said she voted for the resolution as a protest against the policies of the Bush administration, and out of great frustration with its actions.

"I think people are frustrated and there's no other way for them to express it," Chard said. Last year, Brattleboro town meeting members voted in favor of impeachment of Bush and Cheney, she noted, but nothing came of it.

"We just want to make a statement," she said.

In Marlboro, which has the reputation of being the bluest town in the bluest county in the state, Jonathan Morse brought the issue up on the floor of his town's meeting. It was adopted after a great discussion, he said.

"People took it very seriously, and we had an extended discussion, but there were only 75 voters left," said Morse, who said he had contacted Daims ahead of time to get the Brattleboro wording.

Morse said Marlboro adopted the issue as a symbolic gesture.

"We don't even have a policeman, we have a constable who does not have police

powers," said Morse, referring to the wording in Brattleboro, which calls for Bush and Cheney's "arrest" if they ever step foot in town.

But Morse said people were particularly frustrated with the inaction by U.S. Rep. Peter Welch, D-Vt., who refuses to act on the impeachment issue, despite entreaties by many Vermonters to do so.

"We can't just sit back and let them destroy our constitution," said Morse, noting that under Bush several constitutional rights had been eroded: habeas corpus, the right to due process and the right to privacy in your affairs.

Brattleboro town officials didn't know what to expect, given the history and the reaction to the indictment resolution.

Town Clerk Annette Cappy said she had asked for more of a police presence at the polls, in case some of the people who wrote to the town last month protesting the issue showed up to lodge their unhappiness.

Brattleboro police took the unusual step of registering the media who appeared at the polls as well. The issue attracted a few out-of-state television stations.

The results drew a protest from Blair Latoff, a spokeswoman from the Republican National Committee, who had been following the issue.

"It appears that the left wing knows no bounds in their willingness to waste taxpayer dollars to make a futile counterproductive partisan political point. Town people would be much better served by elected officials who sought to solve problems rather than create them."

The Brattleboro Initiative, as its supporters called it, was the brainchild of Daims, who, along with other members of the Brattleboro Peace and Justice Group, were frustrated with the lack of action on the town's vote to impeach Bush and Cheney.

Daims, who gathered more than 700 signatures in January to put the issue on the town meeting ballot, said it was important for individuals to take a stand for what they believed in, regardless of the size of the town.

The indictment resolution would only go into effect once Bush and Cheney leave office in 2009, according to Daims, and only if the U.S. Congress fails to act to impeach the president and vice president.

Two years ago at town meeting, the town of Newfane became the first Vermont town to take up the issue of impeachment. It was passed overwhelmingly, and a handful of other Vermont towns also took up the matter under "other business" during their meetings.

In 2007, 40 towns passed resolutions asking Congress to bring impeachment action against Bush and Cheney, but to date Welch has refused to act on the town's recommendations.

The issue drew attention to the town and its supporters from all over the country, and a film crew from California came to Brattleboro over the weekend to interview people and

film the action.

The documentary film crew is making a film with the working title "Mad As Hell," and is based on a book written by Vincent Bugliosi, who is known as the prosecuting attorney in the Charles Manson murder case.

The focus of the film is how people act when their government doesn't, according to film organizers.

And when the indictment resolution first was placed on the ballot and made the conservative Web site "The Drudge Report," the town was inundated with thousands of e-mails protesting the Vermont town's actions, with some claiming it was treasonous.