

# Protester jailed, released

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## Demonstrator blamed for 'mob scene' at weapons station

By Erin Hallissy

Staff writer

**BERKELEY** — A man charged with felony vandalism for allegedly inciting demonstrators to tear up railroad tracks at the Concord Naval Weapons Station last September was released Wednesday from Berkeley City Jail.

William Arthur Nessen, 30, of Berkeley had been arrested Tuesday night on a \$5,000 warrant charging him with vandalism and conspiracy to commit vandalism. Mt. Diablo Municipal Court Judge Mark Simons agreed to release Nessen on his promise to appear at future court hearings, said Nessen's attorney, Linda Fullerton.

Contra Costa County District Attorney Gary Yancey said Nessen showed up at the weapons station on Sept. 5 while demonstrators were gathered to protest the maiming of Brian Willson, who was run over by a Navy train on Sept. 1. Willson, who had been sitting on the railroad tracks, lost both his lower legs in the accident. Nessen "stirred up individuals" and then got bars and wrenches from his van and led a

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— Gary Yancey, district attorney

group of people to tear up the tracks, Yancey said.

"He is primarily responsible for turning what was otherwise a large, unruly but peaceful demonstration into a mob scene," Yancey said Wednesday. "In many respects, his actions greatly sullied the demonstration of the individuals who were peacefully demonstrating."

Yancey said it cost \$11,300 to repair the tracks.

"My office is going to push for a severe sentence upon conviction," Yancey said. The max-

imum penalty is three years in state prison.

Fullerton said she was not informed there was an arrest warrant out for Nessen and that if she had known, Nessen would have surrendered to police rather than being arrested and having to spend the night in jail. The demonstrators have said they will not flee charges and have promised to show up in court.

"I'm fairly shocked and outraged," Fullerton said. "It's a full six months after the alleged occurrence."

Sheriff's deputies investigated the incident for several months before getting the arrest warrant for Nessen in February, Yancey said. He added it took time to identify Nessen as the alleged instigator because he "stole away" after the tracks were torn up.

Fullerton said she believes the case will be resolved "in a satisfactory manner," but said it seems absurd that Yancey is pressing for a severe sentence when Nessen has no prior felony convictions and only one misdemeanor conviction where he spent time in jail. That was also on a demonstration-related charge, she said.