

Will Dick Cheney Be Arrested on Wednesday in Charlottesville, Va?

By [David Swanson](#)

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Region: [USA](#)

Theme: [Crimes against Humanity](#), [Law and Justice](#)

To: Charlottesville, Va., Mayor Dave Norris, Police Chief Timothy Longo
From: David Swanson

I hope you will consider this request from a deeply concerned citizen on its legal merits rather than its acceptability in certain social circles or how it might be received by certain television talking heads.

Conspiracy to torture has long been a felony in the U.S. Code, in both Title 18, Section 2340, and Title 18, Section 2441. The United States is also a party to the Convention Against Torture, which requires the criminal prosecution of complicity in torture, and which — under Article VI of the U.S. Constitution — is part of the supreme Law of the Land.

Were a local resident credibly accused of torture, I sincerely doubt you would hesitate to seek his or her immediate arrest and indictment.

Waterboarding was universally recognized as torture until its acceptance by the U.S. government between 2001 and 2009. The United States hung Japanese soldiers for it following World War II, and U.S. citizens have been convicted for it in U.S. courts.

Former U.S. Vice President Richard B. Cheney has repeatedly admitted to authorizing waterboarding. He has made this confession in writing and on video, repeatedly. Here is one example:

"I was aware of the program, certainly, and involved in helping get the process cleared, as the agency in effect came in and wanted to know what they could and couldn't do," Cheney said. "And they talked to me, as well as others, to explain what they wanted to do. And I supported it."

Cheney is likely to make the same confession publicly at the University of Virginia's Miller Center this Wednesday, November 16, 2011, where he will be speaking at 11 a.m.

The Law Enforcement Oath of Honor reads:

On my honor,
I will never betray my badge,
my integrity, my character,
or the public trust.
I will always have
the courage to hold myself
and others accountable for our actions.
I will always uphold the Constitution
my community and the agency I serve.

This admirable oath does not commit one who swears it to upholding the Constitution when convenient, or finding courage when Fox News approves, or betraying one's integrity as long as there's a good excuse handy.

There is no good excuse I am aware of not to arrest Dick Cheney if he sets foot in Charlottesville. Other towns in the United States have passed ordinances committing to seeking his arrest should he set foot there. Charlottesville should be able to expect no less of its law enforcement officers.

Cheney could be arrested and turned over to federal authorities. What they do with him, if anything, is not our concern.

Or Cheney could be arrested and indicted in Virginia. Why Virginia? A program of warrantless spying instituted by Cheney has almost certainly violated Virginia law in Virginia. Programs of lawless imprisonment and torture developed by Cheney have almost certainly violated Virginia law in Virginia, including in the case of Bradley Manning's torture at Quantico, as well as the case of Yaser Esam Hamdi whose illegal treatment has been recognized as such by the U.S. Supreme Court. The CIA's torture program has almost certainly violated Virginia law, U.S. law, and the Convention Against Torture at the CIA's headquarters in Langley and its training facility in Williamsburg. Cheney is a Virginia resident, and Virginia's obligations under the Convention Against Torture are not eliminated by the United States' open and shameful violation of that treaty.

I thank you for your serious consideration of the legal and moral action to be taken in this moment of national weakness. I would be grateful for your response and promise to seriously consider any points on which you can enlighten me.

Sincerely,
David Swanson

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