



NEW YORK STATE SENATOR

Martin J. Golden

Senator Golden Votes to Support Resolution in State Senate Calling on Obama Administration to Move 9/11 Terror Trial Out of New York

MARTIN J. GOLDEN February 9, 2010

Brooklyn - State Senator Martin J. Golden (R-C-I, Brooklyn), a member of the Senate Committee on Veterans, Homeland Security and Military Affairs, today joined his colleagues in voting to approve a State Senate Resolution (J3889) calling on the Obama Administration to move the 9/11 terror trials of New York without delay. The New York State Senate's action follows in the wake of the President's refusal this past Sunday to commit to moving the trial out of New York.

"I co-sponsored this resolution passed today so to send a message from New York to Washington, D.C. The Obama Administration has been wrong on this issue from the beginning, and has offered no justification whatsoever for this policy which places everyone in New York City at risk. The President and U.S. Attorney General Eric Holder need to reverse this decision without delay and prosecute these individuals on a secure military base where the public cannot be harmed. The rights of terrorists should never supercede the rights of Americans. I do not understand why President Obama and his Administration will not move the trials out of New York City and try these criminals in a military tribunal as should be the case."

Senator Golden said, "The people of New York suffered one of the greatest tragedies in our nation's history on September 11, 2001. The idea that these trials would be held just blocks from where the tragedy occurred is an outrage, and shows a callous and blatant disregard for the people of New York. Holding the terror trials in New York City will unnecessarily put New Yorkers at risk and have a staggering economic impact on businesses, disrupt city residents, and cost taxpayers about \$1 billion."

"We need to consider the feelings of the brave police officers, firemen, and civilians who lost, friends colleagues and loved ones on 9/11. Instead, terrorists are being given a megaphone and a national stage from which to spew their hatred," Senator Golden concluded.

Law enforcement officials estimate the failure to change course could cost State and City taxpayers up to \$1 billion in increased security costs and put New Yorkers at risk.

New Yorkers can sign an on-line petition at nysenate.gov/trials. They can also join the new "Move the Terror Trials" Facebook page that he established.

The text of the resolution is below.

Senate Resolution No. 3889

URGING the Federal Government to reverse its

decision to hold civilian trials of terrorists

Khalid Sheikh Mohammed, Walid Muhammed Salih Mubarak

Bin Attash, Ramzi Bin Al Shibh, Ali Abdul-Aziz Ali,

and Mustafa Ahmed Al Hawsawi in Manhattan federal
court

WHEREAS, Throughout the course of our nation's history, from the time of George Washington to the present day, the United States has

recognized that these terrorists, captured with the intent to attack the United States, its people and/or its interests, and which present a

serious and immediate threat to the nation and its people, should not be afforded the same constitutional criminal justice protections reserved

for United States citizens; and

WHEREAS, Attempting to apply the same constitutional criminal justice protections reserved for United States citizens, and attempting

to apply the principles of our civilian courts to these terrorists, which have openly espoused, planned and/or conducted acts of terrorism,

war and mass murder and destruction against the United States, its people and/or its interests, is contradictory to the rules of war

followed by our soldiers during the capture of these individuals, and is inherently inapplicable to the prosecution and administration of

justice; and

WHEREAS, Permitting these terrorists to enjoy the same constitutional criminal justice protections reserved for United States

citizens, and awarding them the rules and procedures of our civilian federal courts, will place a great risk on our nation's most vital

intelligence information, offer a platform for the inspiration of hatred of the United States, and encourage fellow terrorists to commit further

acts of war and violence against this nation and this state; and

WHEREAS, The means necessary to be employed to effectively stop the activities of these terrorists before they fulfill their missions to

espouse, plan and conduct acts of terrorism, war and mass murder and destruction against the United States, its people and/or its interests,

are not consistent with the means to afford these individuals the same constitutional criminal justice protections reserved for United States

citizens, or to obtain a successful prosecution of these individuals in a civilian federal criminal court; and

WHEREAS, Despite these issues, in February 2009, the United States Department of Justice, stayed the prosecution before a military

commission tribunal, of five of the most infamous, dangerous and devoted Al Qaida terrorists in world history, Khalid Sheikh Mohammed, Walid

Muhammed Salih Mubarak Bin Attash, Ramzi Bin Al Shibh, Ali Abdul-Aziz Ali, and Mustafa Ahmed Al Hawsawi; and

WHEREAS, The Government of the United States of America announced on November 13, 2009, through U.S. Attorney General Eric Holder, plans to

prosecute avowed Al Qaida terrorists Khalid Sheikh Mohammed, Walid Muhammed Salih Mubarak Bin Attash, Ramzi Bin Al Shibh, Ali Abdul-Aziz

Ali, and Mustafa Ahmed Al Hawsawi in federal district court in lower Manhattan; and

WHEREAS, All of these avowed terrorists to be so prosecuted in federal court have been directly linked to the attacks of September 11,

2001, which saw the deaths of nearly three thousand people on New York soil; and

WHEREAS, The proposed location of this trial, in the very shadow of where the World Trade Center once stood, and in the heart of New York

City's financial and commercial district, poses unacceptable and significant risk, harm and threat to the safety and security of millions

of Americans and New Yorkers residing and working in the vicinity of the federal district courthouse in Manhattan; and

WHEREAS, The risk, potential harm, threat and danger that will be brought to New York State and New York City and its citizens, as a

result of the federal government's decision to give these avowed terrorists a civilian trial in federal district court in Manhattan will

cause New York City, New York State and its citizens to bear not only the huge burden of such risk, potential harm, threat and danger, but

also bear, in the midst of a deep economic recession and state fiscal crisis, an unprecedented security cost, which officials have estimated

could reach nearly \$1 billion; and

WHEREAS, It is further contemplated that these trials will cause the State of New York, the City of New York and its citizens, many of whom

experienced the horrific events of September 11, 2001, first hand, further unprecedented disturbance, emotional trauma and economic

hardship, with the institution of required security measures by state and local law enforcement agencies which would need to be taken in lower

Manhattan for a period which has been estimated to be years before completion of such trials; and

WHEREAS, New York Governor David A. Paterson, New York City Mayor Michael Bloomberg, Julie Menin, Chairwoman of Community Board 1

(representing the neighborhoods surrounding the federal courthouse for lower Manhattan), have all expressed serious concern and opposition to

the federal government's plan to prosecute these avowed terrorists in New York City and cause undue and unprecedented financial hardship and

burden on the people and law enforcement agencies in the State of New York and its political subdivisions in and around New York City; now,

therefore, be it

RESOLVED, That President Barack Obama and Attorney General Eric Holder are hereby strongly urged by this Legislative Body to reverse

their decision to prosecute Khalid Sheikh Mohammed, Walid Muhammed Salih Mubarak Bin Attash, Ramzi Bin Al Shibh, Ali Abdul-Aziz Ali, and Mustafa

Ahmed Al Hawsawi in federal district court in Manhattan, over the objections of our state and local government officials; and be it further

RESOLVED, That copies of this Resolution, suitably engrossed, be transmitted to President Barack Obama, U.S. Attorney General Eric

Holder, and all members of the New York State Congressional delegation.