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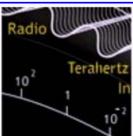


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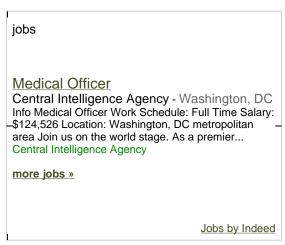
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Former U.S. Attorneys defend civilian trial for Abdulmutallab

By Ed Brayton 1/12/10 7:01 AM

DIGG TWEET

James Brady and Richard Rossman, former U.S. Attorneys for the Western and Eastern Districts of Michigan respectively, penned an <u>op-ed piece</u> in the Detroit Free Press on Monday defending the prosecution of Umar Farouk Abdulmutallab — the infamous underwear bomber — in federal civilian court in Detroit. That choice, they said, was far preferable to either a military tribunal or indefinite detention without trial.

Using indefinite detention and military commissions constitutes a troubling departure from our constitutional principles. As U.S. Attorneys, we took an oath to support and defend the Constitution and to protect the core values of our society. Critics of using our federal justice system to try terrorism suspects propose to simply cast aside our values in exchange for the appearance, but not the reality, of safety.

In fact, the military commission process has proven to be anything but successful. Since their institution in 2001, these proceedings have been subject to extensive and costly litigation. Constitutional challenges, some ending with resounding rejection of the commission process by the U.S. Supreme Court, have delayed justice for thousands of Americans affected by the 9/11 terrorist attacks. That same commission process has led to only three low-level convictions.

By contrast, over the past nine years, trials in our federal court system have resulted in nearly 200 terrorism convictions. There have been 65 times more terrorist convictions in federal courts than in commissions...

It is because we need not choose between national security and traditional American values that we have joined a bipartisan coalition of over 130 former diplomats, military officials, federal judges and prosecutors, and members of Congress, as well as bar leaders, national security and foreign policy experts, and family members of victims of the 9/11 terrorist attacks in issuing Beyond Guantanamo: A Bipartisan Declaration.

That <u>declaration</u> makes a similar argument to the one offered by Brady and Rossman. And it is <u>signed</u> not just by wild-eyed liberal ACLU types but by a wide range of people, including many conservative Republicans and military officers.

They include Col. Stephen Abraham, a highly decorated military intelligence officer and JAG lawyer who was the first to blow the whistle on the military tribunals at Gitmo and resign his position there because of the manifest injustice of the proceedings; Bob Barr, former Republican congressman from Georgia; Doug Bandow, a former Special Assistant to President Ronald Reagan; Harry Barnes, a U.S. Ambassador under Reagan; David Brahms, a retired Brig. General in the Marine Corps; Bruce Fein, Associate Deputy Attorney General under Ronald Reagan; Thomas Evans, former chair of the Republican National Committee; Mickey Edwards, former chairman of the American Conservative Union; David Keene, chairman of the American Conservative Union and NRA board member; Scott McConnell, editor of The American Conservative; and even Grover Norquist. And that's just a partial list.

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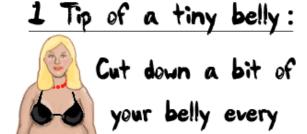
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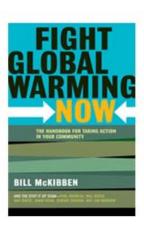
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