

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION**No. 256** Session of
2010

INTRODUCED BY WARD, KASUNIC, SCARNATI, D. WHITE, FONTANA, COSTA,
PIPPY, PILEGGI, ARGALL, ERICKSON, ROBBINS, BOSCOLA, ALLOWAY,
FARNESE AND STOUT, MARCH 5, 2010

REFERRED TO JUDICIARY, MARCH 5, 2010

A RESOLUTION

Urging the Congress of the United States to enact H.R. 4542, the "Stopping Criminal Trials for Guantanamo Terrorists Act of 2010."

WHEREAS, On November 13, 2009, the United States Department of Justice announced that the admitted September 11, 2001, terror attacks mastermind Khalid Sheikh Mohammed and his four alleged accomplices would be tried in a Federal civilian court in Manhattan, considering New York the jurisdiction for the crimes; and

WHEREAS, The Department of Justice's policy asserts the primacy of the United States criminal justice system in responding to terrorist acts and would not treat suspects as unlawful enemy combatants subject to extra-judicial or military detention; and

WHEREAS, Because of increasing opposition, including the mayor and police commissioner of New York City, to the decision to bring the September 11 suspects to trial in civilian court in New York City, just blocks from Ground Zero, the Department of

Justice is now searching for alternate civilian court trial sites; and

WHEREAS, A bipartisan group of United States Senators has asked the United States Attorney General to reconsider his position on the trial venue, stating that the "United States criminal justice system should not be used for trying enemy combatants," and that "given the risks and costs, it is far more logical, cost effective and strategically wise to try Khalid Sheikh Mohammed and his accomplices in the military commissions that Congress has established for that very purpose"; and

WHEREAS, With the tragic events that occurred on Flight 93 in Shanksville, Pennsylvania, jurisdiction could be established to prosecute these terrorists in the courts of the Commonwealth of Pennsylvania; and

WHEREAS, The Commonwealth of Pennsylvania should not play another unfortunate role related to the September 11, 2001, attacks, that of being the location for the civilian trials of the terrorists; and

WHEREAS, Pennsylvanians strongly insist that these terrorists be brought to justice, but the security threats and financial burdens are too great for the taxpayers of the Commonwealth of Pennsylvania; and

WHEREAS, H.R. 4542, introduced by New York Representative King, prohibits the Department of Justice from spending any funds to prosecute an individual who was detained at Naval Station, Guantanamo Bay, Cuba, on or after January 22, 2009, in a criminal court located in the United States or in any territory or possession of the United States; therefore be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania urge the Congress of the United States to enact H.R. 4542, the

"Stopping Criminal Trials for Guantanamo Terrorists Act of 2010"; and be it further

RESOLVED, That a copy of this resolution be transmitted to the President of the United States, the Attorney General of the United States, the presiding members of each house of Congress and each member of Congress from Pennsylvania.