

1 U.S. vs. Ressam

2 (Court's comments.)

3 THE COURT: Okay. Let me say a few things. First of
4 all, it will come as no surprise to anybody that this sentencing
5 is one that I have struggled with a great deal, more than any
6 other sentencing that I've had in the 24 years I've been on the
7 bench.

8 I've done my very best to arrive at a period of confinement
9 that appropriately recognizes the severity of the intended
10 offense, but also recognizes the practicalities of the parties'
11 positions before trial and the cooperation of Mr. Ressam, even
12 though it did terminate prematurely.

13 The message I would hope to convey in today's sentencing is
14 two-fold: First, that we have the resolve in this country to
15 deal with the subject of terrorism and people who engage in it
16 should be prepared to sacrifice a major portion of their life in
17 confinement.

18 Secondly, though, I would like to convey the message that our
19 system works. We did not need to use a secret military tribunal,
20 or detain the defendant indefinitely as an enemy combatant, or
21 deny him the right to counsel, or invoke any proceedings beyond
22 those guaranteed by or contrary to the United States
23 Constitution.

24 I would suggest that the message to the world from today's
25 sentencing is that our courts have not abandoned our commitment

1 to the ideals that set our nation apart. We can deal with the
2 threats to our national security without denying the accused
3 fundamental constitutional protections.

4 Despite the fact that Mr. Ressam is not an American citizen
5 and despite the fact that he entered this country intent upon
6 killing American citizens, he received an effective, vigorous
7 defense, and the opportunity to have his guilt or innocence
8 determined by a jury of 12 ordinary citizens.

9 Most importantly, all of this occurred in the sunlight of a
10 public trial. There were no secret proceedings, no indefinite
11 detention, no denial of counsel.

12 The tragedy of September 11th shook our sense of security and
13 made us realize that we, too, are vulnerable to acts of
14 terrorism. Unfortunately, some believe that this threat renders
15 our Constitution obsolete. This is a Constitution for which men
16 and women have died and continue to die and which has made us a
17 model among nations. If that view is allowed to prevail, the
18 terrorists will have won.

19 It is my sworn duty, and as long as there is breath in my
20 body I'll perform it, to support and defend the Constitution of
21 the United States.

22 We will be in recess.
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