

PLEADING TERROR TRIALS

Will the GWOT go on trial today? Or will the Administration avoid having its policies on terror detainees go on trial, along with two accused terrorists?

In Gitmo, Omar Khadr's military commission is due to start shortly, in spite of the fact that lawyers in the case only got the manual laying out rules for military commissions last night. Apparently, military prosecutors made a last ditch attempt to avoid trying a Canadian captured as a teenager using dubious evidence; they offered Khadr a plea deal of five more years in prison in exchange for pleading guilty to war crime charges. Khadr refused that deal, though negotiations appear to be ongoing.

Military prosecutors offered a sentence of five years in a U.S. prison if Canadian detainee Omar Khadr pleads guilty to war crime offences, the *Toronto Star* has learned. Sources close to the case who spoke to the *Star* on the condition of anonymity said the offer was turned down, clearing the way for pre-trial hearings Wednesday morning.

I'll post updates as news breaks, but you can follow Spencer Ackerman and Carol Rosenberg via Twitter for up-to-the-minute updates.

Meanwhile, closer to home, Syed Hashmi accepted a last minute plea deal yesterday, pleading guilty to one charge of material support for terrorism in exchange for a 15 year sentence.

On the eve of his terrorism trial, an American student who studied in London admitted Tuesday that he helped a friend deliver some protective clothing to an al-Qaida military commander fighting Americans in Afghanistan. The plea by Syed Hashmi to a single count of

conspiracy to provide material support to al-Qaida was entered in U.S. District Court in Manhattan, averting a trial that was supposed to begin Wednesday.

As part of a plea deal that will require prosecutors to drop three other terrorism charges at his June 7 sentencing, Hashmi agreed to serve 15 years in prison. He has already served four years, at least three of them in solitary confinement at a federal lockup in lower Manhattan.

Hashmi's case had attracted a lot of support for two reasons: first, because Hashmi's actions in support of al Qaeda consisted of allowing a friend to use his cell phone and store a bunch of rain gear at his apartment. And because Hashmi was subjected to Special Administrative Measures for almost three years leading up to this point. While the government claims the measures are necessary to prevent terrorists (usually convicted ones) of communicating with co-conspirators, they amount to long-term solitary confinement with little due process.

In any case, by arranging a plea deal with Hashmi, details of his confinement will remain largely unnoticed.

For all the stink about where the 9/11 Defendants will go on trial, it appears that the Obama Administration would rather plead away these more embarrassing cases rather than have his policies, as well as accused terrorists, go on trial.