

MITCH MCCONNELL'S GREATEST FEAR: DOJ PROVED HIM WRONG FOR 5% OF THE COST

When the Obama Administration charged two Iraqis on al Qaeda related charges in Bowling Green, KY, Mitch McConnell wrote an op-ed wailing about all the fearful things that could happen as a result.

In short, these two are not common criminals who should be provided all the rights and privileges of American citizens. They are enemy combatants who should be transferred to the military detention facility at Guantanamo Bay, Cuba, where they can be interrogated, detained, and brought to justice.

I commend the skill and professionalism of law enforcement and prosecutors for apprehending these terrorists and preventing further violence on our troops. And yes, it is possible to simply try them as common criminals in a civilian court. But after Congress created a \$200-million, state-of-the-art facility in Guantanamo Bay precisely to handle foreign fighters like them, why would we want to? It simply makes no sense to saddle Kentuckians with the security and logistical costs associated with ensuring the safety of our residents during a civilian trial.

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Trying these terrorists in a civilian courtroom could also risk compromising classified information used as evidence in the trial. That too has happened before in trials of this sort—and the Justice Department has already said that they expect the use of classified

information in this case.

[snip]

And what happens if these detainees are acquitted, as nearly happened with Ahmed Ghailani?

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Unlike the Attorney General, Eric Holder, who believes that our “most effective terror-fighting weapon” is our court system, the good people of Kentucky know that our military is what keeps us safe. Our men and women in uniform have sacrificed everything to preserve our freedom and our rights as Americans.

Today, one of the two, Waad Ramadan Alwan, pleaded guilty to all charges against him.

Alwan, 30, a former resident of Iraq, pleaded guilty to all counts of a 23-count indictment charging him with conspiracy to kill U.S. nationals abroad; conspiracy to use a weapon of mass destruction (explosives) against U.S. nationals abroad; distributing information on the manufacture and use of improvised explosive devices (IEDs); attempting to provide material support to terrorists and to al Qaeda in Iraq; as well as conspiracy to transfer, possess and export Stinger missiles. Alwan was indicted by a federal grand jury in Bowling Green, Ky., on May 26, 2011.

Alwan faces a maximum sentence of life in prison under the sentencing guidelines and a mandatory minimum of 25 years in prison.

Presumably, Alwan will testify against his co-defendant, Mohanad Shareef Hammadi under the kind of cooperation agreement not readily

available at Gitmo.

Thus far, the citizens of KY have only had to pay for security for a few hearings (if my experience at a hearing for the much more dangerous Umar Farouk Abdulmutallab is any indication, the additional security amounted to a few more burly guards). Alwan released no classified information. He plead guilty without even a trial.

In short, at least for Alwan, McConnell's fear-mongering proved to be totally baseless.

And rather than spend the \$400,000 we would have spent to house Alwan for six months at Gitmo—with similar amounts to be expected for the length of his potential life sentence—we have probably spent \$20,000 to house him, even assuming SuperMax levels of security (which Abdulmutallab, at a low security prison, presumably didn't have). Why was Mitch afraid of saving \$380,000?

More importantly, why was Mitch so afraid of this typical result, in which a terrorism suspect pleads guilty before trial?