

STATEMENT ON USING U.S. PRISONS TO HOLD GUANTANAMO DETAINEES

As it moves to close Guantanamo and develop policies for handling terrorism suspects going forward, the government should rely upon our established, traditional system of justice. This includes our system of federal prisons, which have repeatedly proven they can safely hold persons convicted of terrorism offenses. We are confident that the government can preserve national security without resorting to sweeping and radical departures from an American constitutional tradition that has served us effectively for over two centuries.

Civilian federal courts are the proper forum for terrorism cases. Civilian prisons are the safe, cost effective and appropriate venue to hold persons convicted in federal courts. Over the last two decades, federal courts constituted under Article III of the U.S. Constitution have proven capable of trying a wide array of terrorism cases, without sacrificing either national security or fair trial standards.

Likewise the federal prison system has proven itself fully capable of safely holding literally hundreds of convicted terrorists with no threat or danger to the surrounding community. That system includes the “supermax” facility in Florence, Colorado, arguably the most secure prison in the world, as well as other truly “maximum security” and state of the art facilities. In addition, state facilities, including those at Thomson, Illinois and elsewhere around the country, can be used with any appropriate security upgrades our law enforcement professionals deem necessary.

This makes good sense for the taxpayers who have invested millions of dollars in these facilities and who are seeing millions wasted every month at the costly, inefficient Guantanamo facility. It makes sense for the community, which will benefit from the related employment and has absolutely no reason to fear that prisoners will escape or be released into their communities. The scaremongering about these issues should stop.

But most of all it makes sense for America because it is a critical link in the process of closing Guantanamo and getting this country back to using its tried and true, constitutionally sound institutions.

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*Affiliations are listed for identification purposes and do not imply the endorsement of the organizations with which the signatories are affiliated. For more information and a list of more than 130 signatories, including former members of Congress, federal judges and prosecutors, diplomats, bar leaders, high-level military and government officials, and family members of victims of 9/11, who have joined *Beyond Guantanamo: A Bipartisan Declaration*, please visit www.constitutionproject.org.