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COMMUNITY BOARD No. 2, MANHATTAN

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March 23, 2010

Eric H. Holder, Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Joseph R. Guccione, U.S. Marshal
500 Pearl Street
Suite 400
New York, NY 10007

Preet Bharara, U. S. Attorney
U. S. Department of Justice
Southern District of New York
300 Quarropas Street,
White Plains, NY 10601

Raymond Kelly, Commissioner
NYC Police Department
One Police Plaza
New York, New York 10038

Dear Attorney General Holder, U. S. Attorney Bharara, U. S. Marshal Guccione and Commissioner Kelly:

At its Full Board meeting on March 18, 2010, CB#2-Man., adopted the following resolution:

Request to the United States Attorney General for Relocation of the Trial of Khalid Sheikh Mohammad

WHEREAS: The New York Police Department (NYPD) recently announced that they estimate the trial of Khalid Sheikh Mohammed to cost over \$200 million a year in security for what is likely to be a multi-year trial, and

WHEREAS: The Federal Courthouse is situated in the middle of what is the fourth largest commercial business district in the country and a dense residential neighborhood, and

WHEREAS: The lower Manhattan community has already endured the arduous and painful task of rebuilding its neighborhood in the aftermath of September 11th as well as environmental hazards, street closures, the shuttering of businesses and security checkpoints, and

WHEREAS: Holding the trial downtown would force the community to endure additional psychological and financial hardship, and

WHEREAS: The trials are likely to require extremely burdensome security measures for months and even years, to expose Lower Manhattan to greater than usual terror threats, and to have a severe adverse effect on the ability of Lower Manhattan residents, workers, and local business people to live and conduct business in a secure community with adequate quality of life, and

WHEREAS: The magnitude of the estimated costs of security to protect the surrounding neighborhood around the federal courthouse suggests that the site in and of itself may not safe, and

WHEREAS: In an article published January 20th, 2010, the New York Daily News cited a speech by NYPD Commissioner Raymond Kelly, which indicated that security will include “a double-layer of security...[with] a ‘soft’ perimeter...established from Bowery to Broadway, and from Franklin St. to Canal St...manned by cops on foot, horseback, and patrol cars [and a] harder perimeter, which will include bomb squad cops and police snipers...set up in the blocks adjacent to the 500 Pearl St. courthouse” as well as “2,000 barriers and checkpoints that will restrict pedestrians and traffic...[and] unannounced vehicle stops”, and

WHEREAS: There exist numerous possible alternatives for a federal criminal trial within the Southern District of New York, which should be studied to determine if they are feasible, including but not limited to Governors Island, Stewart Air National Guard Base in Newburgh, the U.S. Military Academy at West Point, and the Bureau of Prisons jail complex at FCI Otisville, and

WHEREAS: A feasibility study of the sites should be conducted to examine safety, security, cost, and impact on the community of these and any other sites proposed, now

WHEREAS: the Manhattan Borough President has asked each community board to weigh in on this resolution.

THEREFORE BE IT RESOLVED THAT: Community Board 2 urges the Office of Attorney General Eric Holder, the U.S. Attorney’s Office for the Southern District of New York, the U.S. Federal Marshals, and NYPD to conduct an immediate assessment of appropriate alternatives within the Southern judicial district including but not limited to Governors Island, Stewart Air National Guard Base in Newburgh, the U.S. Military Academy at West Point, and the Federal jail complex at FCI Otisville, and

BE IT FURTHER RESOLVED THAT: Community Board 2 requests that the Office of Attorney General Eric Holder arrange for a representative from his office to meet with representatives from the community to discuss this issue.

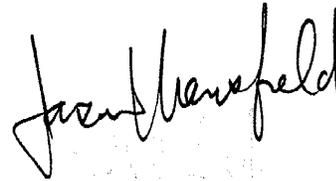
Vote: Unanimous, with 38 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,

A handwritten signature in blue ink that reads "Jo Hamilton". The signature is written in a cursive style and is set against a light blue rectangular background.

Jo Hamilton, Chair
Community Board #2, Manhattan

A handwritten signature in black ink that reads "Jason Mansfield". The signature is written in a cursive style.

Jason Mansfield, Chair
Environment, Public Safety & Public Health
Community Board #2, Manhattan

JH/gh

cc: Hon. Jerrold L. Nadler, Congressman
Hon. Thomas K. Duane, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Sheldon Silver, Assembly Speaker
Hon. Deborah J. Glick, Assembly Member
Hon. Scott M. Stringer, Man. Borough President
Hon. Christine C. Quinn, Council Speaker
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member
Sandy Myers, CB2 liaison, Man. Borough President's office
Lolita Jackson, Manhattan Director, CAU