

Terrorist

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der, color or religion. I apologize for my actions."

Ressam, who made a similar statement to the court in 2003, did not speak at the hearing Wednesday.

Prosecutors and defense attorneys said they would review the ruling, and neither indicated whether they would appeal. U.S. Attorney Jenny Durkan said that regardless of whether she agreed with the judge, the case represented a victory for the rule of law.

"We afforded a man who sought to do us the greatest harm the full due process of the law," she said.

Coughenour read his lengthy sentencing order from the bench, noting that of the 4,000 to 5,000 sentences he had handed down in his 31-year career, Ressam's case was the only one he could remember in which the 9th U.S. Circuit Court of Appeals deemed him too lenient.

Nevertheless he thanked the appeals judges for their guidance, saying that some cases are so long and difficult that a trial judge can lose perspective.

"This case provokes our greatest fears,"

Coughenour said. "Because Mr. Ressam planned this act of violence and took steps to carry it out, many, including the federal government, believe that Mr. Ressam is a continuing threat and he should never see freedom again. But fear is not, nor has it ever been, the guide for a federal sentencing judge."

U.S. District Judge John C. Coughenour had twice ordered him to serve 22-year terms, but both times the sentences were rejected on appeal

The sentence reflected more than the 35 years maximum for the two most serious of the nine counts Ressam was convicted of: committing an act of terrorism across international boundaries, and carrying an explosive during the commission of a felony.

Prosecutors noted that had Ressam tried to carry out his plot after Sept. 11, 2001, he almost certainly would have been charged

with using a weapon of mass destruction, which can carry life in prison.

Coughenour discredited the government's argument that Ressam would pose a future threat. He will be eligible for release at about age 64, and his prior cooperation with terrorism investigators would make it difficult for Ressam to become involved in any plot even if he were so inclined, the judge said.

The sentence also took into account Coughenour's belief that Ressam stopped cooperating because of the effect of extended solitary confinement. His recantation was a "deranged protest," rather than a true return to terrorist sympathies, Coughenour said.

The judge said that if the harsh conditions of his confinement were in fact what caused Ressam to stop cooperating, that shouldn't compound his sentence.

"I will not sentence a man to 50 lashes and then 50 more for getting blood on the whip," he said.

Ressam's case has been vexing because he started cooperating after he was convicted and was interviewed more than 70 times by terror investigators from the U.S., Canada, Great Britain, Spain, Italy, Germany and France. Information he provided helped convict several terror suspects; prompted the famous August 2001 FBI memo titled "Bin Laden determined to strike in U.S."; and contributed to the arrest of suspected Osama bin Laden lieutenant Abu Zubaydah, who remains in custody without charges at Guantanamo Bay, Cuba.

However, Ressam recanted all of his cooperation when it became clear that the prosecutors weren't going to recommend that he serve less than 27 years in prison. That forced the Justice Department to drop charges against two suspected coconspirators, Samir Ait Mohamed and Abu Doha.

In previously sentencing Ressam, Coughenour noted that before he went to trial, the government offered him a 25-year sentence if he would plead guilty — no cooperation necessary. Ressam refused, but Coughenour said that any discount for Ressam's cooperation, while it lasted, should start from that 25-year offer.

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