

January 18, 2007

The Honorable Roy Cooper
North Carolina Attorney General
Post Office Box 629
Raleigh, N.C. 27602

Dear Attorney General Cooper:

In January 2007 seventeen representatives and five senators wrote you requesting that the SBI, an organization under your authority, investigate credible allegations that Aero Contractors conspired to commit federal crimes and then provided material support to the commission of those crimes on property owned by the State of North Carolina and also by Johnston County or the Johnston County Airport Authority. We believe that you may have jurisdiction over this conspiracy for those actors who planned and participated in the conspiracy in the State of North Carolina pursuant to doctrine set forth in State v. Goldberg, 261 N.C. 181 (1974).

On March 20, 2007, you responded to Representative Lubke of the North Carolina House of Representatives. You stated that it would be better to refer the matter to the Federal Bureau of the Investigation of the United States and, in fact, that is what you did. Your reasons for referring the request for an investigation were: first the state's utilization and allocation of limited resources must be considered; second, the expertise of the federal government would be helpful; and third, the federal government had better law enforcement tools at its disposal.

To date, the Federal Bureau of Investigation has not conducted any investigation. In a letter dated _____ DATE, to _____ PERSON, the Federal Bureau of Investigation stated that the agency still was awaiting instructions from the Office of the Attorney General of the United States.

Almost two years have passed since your initial referral to the Federal Bureau of Investigation. Obviously, the previous administration did not feel any compulsion to investigate allegations of participation in a conspiracy to kidnap and commit torture by their own contractors.

However, the United States of America now has new leadership in the executive branch. An executive order has been issued that states that the United States will not torture and the United States is setting up a task force to determine what limits should be placed on the CIA to ensure that we will not kidnap human beings and transport them to third countries for the purpose of being

The Honorable Roy Cooper
January 28, 2009
Page 2

tortured.

The victims of torture, however, have not been granted justice by our government (federal, state and local) either in the criminal arena or the civil arena. NO criminal investigation has been initiated in the criminal arena and the state secrets doctrine is being utilized to stonewall the utilization of the civil justice system.

We urge you to again write the Federal Bureau of Investigation and ask that an investigation of Aero Contractors and its participation in transporting kidnapped individuals to third countries for the purpose of being tortured in order to obtain information be fully investigated.

President Obama has stated that torture is not the American way. A new American attitude of compliance with international law and standards set forth in the Convention Against Torture and other international treaties, in compliance with our own federal statute against torture, and in compliance with the basic natural law articulated at the Nuremberg Trials that we have an obligation to not participate in heinous conduct, suggests that the Federal Bureau of Investigation may be more open to responding to your request.

The Federal Bureau of Investigation has stated that they were awaiting instruction from the Office of the Attorney General. We are hopeful that the Office of the Attorney General will authorize an investigation of possible serious crimes being committed by American corporations.

We again request that you write the Federal Bureau of Investigation and urge them to conduct a full and complete investigation of Aero Contractors and their participation in the kidnaping and transporting to third countries for torture of individuals. As you are aware much evidence exists that Aero in fact participated at least in the kidnaping and transport to third countries of (FILL IN NAMES). The rule of law at a minimum demands an investigation.

(OPTIONAL) In addition, we again urge that the State Bureau of Investigation initiate its own investigation to find out if Aero and its employees and/or Board of Directors participated in conspiracy to kidnap for the purposes of transporting individuals for torture. As previously stated we believe that you have jurisdiction to do this under the case of State v. Goldberg.

Several well-known legal advisors are urging state prosecutions as well as federal prosecutions. While it may be debatable whether or not a specific individual participating in conspiracy should be prosecuted, such a decision cannot be made until a full and fair investigation is undertaken so that the citizens of North Carolina can fully understand what happened and what their government is, in fact, funding by giving money to Global Transpark and the Johnston County Airport.

We thank you for your commitment to the rule of law and for your commitment to human rights

Sincerely,

The Honorable Roy Cooper
January 28, 2009
Page 3

Legislators