

Lawyer to jury: NYC bike path defendant proud of death trail

[NEW YORK \(AP\)](#) – A man who killed eight people on a New York City bike path in 2017 smiled as he proudly spoke of the carnage, asking to hang the flag of an Islamic militant group in his hospital room, a prosecutor said Monday in the first federal death penalty trial to commence since President Joe Biden took office.



Assistant [U.S. Attorney Alexander Li](#) began his opening statement in Manhattan federal court by recreating the terror attack that he said

Sayfullo Saipov carried out on a sunny Halloween day in 2017 with a pickup truck he had rented and accelerated to 66 mph (106 kmh). Li said Saipov had hoped to kill others by driving onto the Brooklyn Bridge, “where he could mow down even more people.” The collision with the school bus left one child with serious brain damage.

The rampage came to an end when the truck crashed into a school bus a few blocks from the World Trade Center.

He emerged from the truck with a pellet gun and a paintball gun and shouted an Arabic phrase, “Allahu akbar!” meaning “God is great!” Li said Saipov meant the shout to be “celebratory.”

He was shot by a police officer and arrested at the scene along the West Side Highway.

Saipov, 34, has pleaded not guilty to terrorism charges. But in his opening statement to the jury, defense lawyer David Patton said his client meant to kill.

"It wasn't an accident. He did it intentionally," Patton said, explaining that Saipov had immersed himself in terrorist audio and video materials and social media and was convinced a terror act was his religious obligation. "And as we sit here today, he still believes that," Patton said. "Among other crimes, he murdered eight people."

The lawyer, though, said prosecutors were wrong to claim Saipov acted to earn admittance to a terrorist group and jurors should follow the evidence to see prosecutors are wrong. Saipov expected to die that day as a martyr to avenge the deaths of Muslims worldwide, Patton said.

Saipov was not attached to ISIS in any meaningful way at the time of the attack, the public defender said. Saipov became radicalized consuming extremist content during lengthy solo stints as a long-haul truck driver . . . immersed in a world of ISIS messaging online and social media in chat groups, hours and hours of audio and video material and other material. And he had become convinced that it was a religious obligation for him to commit a martyrdom attack,"

(The) FBI agent who Saipov asked to display an "ISIS" flag in his hospital room will be among witnesses, Li said. "He was eager to speak with the FBI. He was proud of his attack," the prosecutor said, adding that the agent will testify that Saipov smiled while recounting his destruction. "He told them that his goal was to kill as many people as possible."

Judge Vernon S. Broderick told jurors that a conviction of Saipov would lead to a separate punishment phase in which they would be asked to decide whether he should spend life in

prison or be executed. Unless they unanimously choose death, the sentence would be life in prison.

Saipov's lawyers have said the death penalty process was irrevocably tainted by ex-President Donald Trump when he tweeted in all capital letters a day after the attack that Saipov "SHOULD GET DEATH PENALTY!"

Saipov spoke out during a pretrial hearing in 2019, saying "thousands and thousands of Muslims are dying all over the world" and questioning why he should be judged for eight deaths.

[Saipov came to the United States](#) from Uzbekistan in 2010 and was living in New Jersey before the attack. He lived with his wife and three children and drove for Uber, according to officials.

He came to the US on a diversity immigrant visa, which allows people from countries with low recent immigration to apply for a visa and green card, according to the Department of Homeland Security. He later became a legal permanent resident, an NYPD official said.