

Case 22: Fort Dix

John Mueller

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Attempting to convict criminals before they have actually committed a crime is a tricky business. Most crimes planned never happen: burglars case far more houses than they enter. And so the usual approach is to try to catch the criminal after the crime has actually been committed or if possible when it is in the process of being committed.

Since 9/11 in particular, the emphasis in the case of terrorism has shifted greatly so that the focus is on seeking to catch the terrorists before any violence takes place. This is understandable, particularly because the goal of many terrorists is to kill, not simply to loot, but it is vastly more expensive, and it essentially results in incarcerating people for what is on their minds.

Or, in the case of Mohamed Shnewer of the Fort Dix Six, what spews from their mouths. An insecure, overweight, congenital blowhard and the continual butt of jokes, he was 22 going on 15 when arrested in 2007. He seems to have found solace in, and gotten rather good at, extravagant tough-guy jihadist bravado laced with lies, some of it focused on attacking the Fort Dix, NJ, military base, particularly when he was enjoying the flattering attention of the much older informant. But perhaps he was, at base, serious—or would eventually become so. Some planned crimes, after all, do get executed. His sister and his mother insist it was all childish, if unpleasant, claptrap. The judge who sentenced him in 2009 to life in prison insisted otherwise.

The same ambiguity surrounds the most memorable aspect of this case, the episode that set it in motion. One of the three Duka brothers in the group took into a store a video to be duplicated that in part showed the men shooting guns while exuberantly shouting what can be taken to be threatening jihadist slogans. This has routinely been taken as an indicator of the out-of-it half-wittedness of the conspirators, a quality Jovan Galevski suggests was not in short supply in the group. Or it could be taken to be an indicator of utter, almost charming innocence.

Whether there *really* was anything to this case may never be known to full satisfaction. But Galevski does suggest there is at least one certainty: no one will ever have to worry again that the Duka brothers will drive recklessly or beat up people they get into arguments with.

This case has since been the subject of an extensive article:
Murtaza Hussain and Razan Ghalayini, “Christie's Conspiracy: The Real Story Behind the Fort Dix Five Terror Plot,” firstlook.org/theintercept, June 25, 2015.
<https://firstlook.org/theintercept/2015/06/25/fort-dix-five-terror-plot-the-real-story/>

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Jovan Galevski

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1. Overview

The Fort Dix plot was first picked up in January of 2006 by the FBI when a Circuit City employee in Mount Laurel, New Jersey, reported to the police that someone had dropped off a video to be converted to DVD of men “shooting assault weapons at a firing range in a militia-like style while calling for jihad and shouting in Arabic “Allahu Akbar.”¹ The FBI then hired two informants to infiltrate the group and to record conversations with its members. After a 15 month investigation, the six men were arrested on May 8, 2007. Five of them, Dritan Duka, Shain Duka, Eljvir Duka, Mohamad Shnewer, and Serdar Tatar, were later charged with conspiring to kill American soldiers by attacking Fort Dix. The sixth, Agron Abdullahu, was charged with providing the Duka brothers, who were illegally in the United States, with weapons he owned legally.²

Upon conviction, Dritan and Shain Duka were sentenced to life in prison plus 30 years,³ Eljvir Duka and Mohamad Shnewer were sentenced to just life in prison, Serdar Tatar was sentenced to 33 years, and Agron Abdullahu was sentenced to 20 months.⁴

2. Nature of the adversary

The six men were all foreign born.⁵

The Duka family was of Albanian ethnicity and originated from Debar, Macedonia.⁶ The family entered the United States illegally, through Mexico in 1984 and settled in Texas, moving shortly thereafter to Brooklyn, New York. As children, the brothers were involved in modeling. “Eljvir appeared in a rock-music video, Dritan was an extra in *Law & Order*, and Shain was in a commercial for the World Wrestling Federation.”⁷ In 1989, the father of the family, Ferik

¹ Dale Russakoff and Dan Eggen, “Six Charged in Plot to Attack Fort Dix: ‘Jihadists’ Said to Have No Ties to Al-Qaeda,” *Washington Post*, May 9, 2007. “Allahu Akbar” literally means “God is Greatest.” Muslims use the words in numerous ways including when they are happy, when they wish to express approval for or praise a speaker, when they slaughter an animal in the hallal fashion, and when they fire guns and go to battle.

² Russakoff and Eggen, “Six Charged in Plot to Attack Fort Dix.”

³ “3 brothers get life for Fort Dix plot,” *United Press International*, April 28, 2009.

⁴ “Fifth Man Convicted in Fort Dix Terror Plot Sentenced to 33 Years in Prison,” *Associated Press*, Fox News, April 28, 2009.

⁵ Russakoff and Eggen, “Six Charged in Plot to Attack Fort Dix.”

⁶ Debar is located in Eastern Macedonia near the country’s border with Albania. The city’s diverse population is made up of ethnic Albanians (58%), ethnic Macedonians (20%), ethnic Turks (14%), and ethnic Roma (6%).

⁷ Amanda Ripley, “The Fort Dix Conspiracy,” *Time*, December 17, 2007.

Duka, applied for asylum⁸ with the Immigration and Naturalization Service and acknowledged that the family was residing in the country illegally.⁹ The application took 16 years to process by the INS and was thrown out when the FBI began investigating the three brothers. In 1995, the family applied for a new immigration lottery system which gave the winners and their families resident status in the United States, but according to *Newsweek*, this application also “ended up in some kind of bureaucratic limbo.”¹⁰ One of the brothers, Dritan Duka, married a U.S. citizen in 2001, but did not apply for a green card until 2005. By the time the application was processed Dritan had been arrested.

By 1996, the family had saved enough money to purchase a home on Mimosa Drive in Cherry Hill, New Jersey. A few years later, they purchased and ran a pizzeria in Turnersville New Jersey, where the three brothers worked. As it became evident that the business wasn’t making much money, the brothers started working as roofers with their father, and shortly thereafter, the family sold the pizza business in 2005. The three Duka brothers eventually opened their own roofing businesses¹¹ and continued to operate it until they were arrested.

They all had minor criminal records consisting of illegal driving, public disturbances, traffic violations, and drug possessions, and all had driver’s licenses and permits that were suspended on numerous occasions. Elvir had 23 points on, and 24 suspensions of, his New Jersey driver’s license, while Shain never went to renew his after it expired in 2003.¹² In total, the brothers had 50 traffic violations, including for driving without a license, speeding, and driving while a license was suspended. In the ten years before 2006, the brothers were also charged with a number of offenses including marijuana possession, obstruction of justice, improper behavior, prowling, making physical threats, disturbing the peace, hindering apprehension, failure to appear in court, and obstructing the administration. They were fined between \$20 and \$830 dollars for these violations, according to the court records of Cherry Hill and other municipalities, and in most cases sent home. Both Elvir and Dritan had previously been arrested, the former on drug charges and the later for disorderly conduct and drug possession.¹³ The Dukas all attended Cherry Hill West High School, where classmates described the brothers as having a “gangster attitude,” talking “about fighting a lot,” and being “in trouble all the time.”¹⁴ None of the brothers managed to graduate from high school.

⁸ In order to obtain asylum in the United States, they had to prove a well-founded fear of being persecuted for any reason, mostly political and religious, if they were to return to their country of origin.

⁹ John Appezato, “Father of Fort Dix suspects arrested on immigration charges,” *Star-Ledger*, May 10, 2007.

¹⁰ Michael Isikoff and Mark Hosenball, “Fort Dix Suspects Illegally in U.S. for 20 Years.” *Newsweek*, May 16, 2007.

¹¹ The names of these roofing businesses, which were all registered to the address of the Duka family’s home, were Qadr, Inc., Colonial Roofing, and National Roofing.

¹² Dina Temple-Raston, “Fort Dix Suspects Skirted Law Enforcement,” NPR, May 10, 2007.

¹³ “Report #13 in a NEFA series, ‘Target: America.’” NEFA Foundation, January 2008.

¹⁴ Jason Laughlin, “Suspects in Terror Case Fought Hard to Fit In,” *Courier-Post*, May 14, 2007.

While attending high school, the Duka brothers met Mohamad Shnewer and Sedar Tatar. Shnewer immigrated to the United States with his family from Jordan when he was two years old. The family first lived in Philadelphia for nine years and then moved to Cherry Hill. Shnewer is described by neighbors as “shy, polite, and bright.”¹⁵ Unlike the other five, he graduated from high school and attended Camden County College, but dropped out in order to help support his family.¹⁶ He first worked at his family’s grocery shop, but after an argument with his father, the young man took up a job as a taxi driver.¹⁷ One of Shnewer’s sisters (he had five, all older than he) describes him as an impressionable kid, who acted as a tough guy to hide his insecurities about his weight. His mother describes him as being “like a baby” who liked to watch Nickelodeon, play video games, and hang out with his five sisters.¹⁸ Shnewer is the brother in law of Eljvir Duka. It seems he was also the butt of many jokes in the group and worked hard to impress the others.¹⁹ Shnewer, unlike the Duka boys, had never been arrested—indeed, he had no criminal record of any kind.

Serdar Tatar, moved to the U.S. legally with his family from Turkey in 1992. He attended the same high school as the other four and like the Duka brothers, did not graduate.²⁰ He worked at his father’s SuperMario’s Pizzeria, which delivered pizza to Fort Dix. Employees of the pizzeria describe Tatar as “really intense” and someone who “just prayed a lot.”²¹ His father, Muslim Tatar, describes Tatar as becoming increasingly religious and he cited this as the main reason why their relationship became strained. The father is quoted as saying “I don’t want my son to be a religious person, but he was a religious person.”²² Tatar quit his father’s pizzeria sometime in 2006 and took a job at a Philadelphia 7-Eleven, where he worked his way up to manager. Like Shnewer, Tatar did not have a criminal record.

The sixth member, Agron Abdullahu, who was charged with supplying “weapons to persons whom he knew to be preaching jihad,”²³ was a former refugee from Kosovo who had fled the Balkans in 1999 along with his family due to Serb aggression. After winning an immigration lottery,²⁴ the family entered the United States—ironically through Fort Dix—and settled in Williamstown, New Jersey.²⁵ He attended Williamstown High School, dropping out to focus on his job

¹⁵ George Anastasia, “A Radical Shift in Reputation for Six Men,” *Philadelphia Inquirer*, May 14, 2007.

¹⁶ *Ibid.*

¹⁷ Ripley, “The Fort Dix Conspiracy.”

¹⁸ *Ibid.*

¹⁹ This notion can also be used to explain his relationship with the informant, Omar, as discussed later.

²⁰ He did receive a G.E.D. shortly after dropping out his junior year.

²¹ John Doyle and Patrick Gallahue, “‘Plotters’ Blended in Like Bunch of Regular Guys,” *New York Post*, May 9, 2007.

²² Kareem Fahim and Andrea Elliott, “Religion Guided 3 Held in Fort Dix Plot,” *New York Times*, May 10, 2007.

²³ *U.S. v. Abdullahu* (D. N.J.), No. 1:07-CR-00459-RBK. Memorandum of Law of the United States in Opposition to Defendant Agron Abdullahu’s Motion for Bail. Filed May 16, 2007.

²⁴ This was the same lottery that the Duka family attempted to enter in 1995.

²⁵ *U.S. v. Abdullahu* (D. N.J.), No. 1:07-CR-00459-RBK.

as a janitor at ShopRite.²⁶ His attorneys described him and his family as hardworking Albanian-Americans who wanted to enjoy the American dream and were in great debt to the country for providing them with a way out of war-torn Kosovo. He is depicted as nothing more than a gun enthusiast and had no criminal record.²⁷

Each member of the group seems to be mentally stable. After listening to their recorded conversations and further researching the case, one comes to conclude that most of the six, if not all, were of below average intelligence. Only one of them graduated from high school, and none of them came anything close to being a terrorist mastermind. Based on these interpretations, it is reasonable to see how the two informants were able to influence the men.

As time went on, the three Duka brothers, Shnewer, and Tatar became more radicalized. The Duka brothers became more devout Muslims by giving up alcohol, growing beards, and marrying 15 year old girls in religious proceedings.²⁸ Press reports indicate that the Dukas were influenced by an uncle who had become radicalized in the early 1990s in a New York State jail and was later deported.²⁹ There is also evidence to suggest that the group's beliefs were strengthened by jihadist videos which the informant provided and which the group distributed amongst themselves. These videos included jihadist propaganda and recruitment videos by al-Qaida, martyrdom videos of two 9/11 hijackers, and attacks on U.S. military forces, which members of the group openly enjoyed and admired.³⁰

3. Motivation

If the group was ever going to conduct a terrorist attack, it would be clear that they were motivated by jihadist ideology. The FBI and their informants have on numerous times recorded the members of the group praising terrorist attacks by al-Qaeda and other Islamist groups. They are also recorded discussing the war in Iraq and their distaste with American policies concerning it. Even though the six might not have actually planned on carrying out an attack, there is concrete proof that they did admire Osama bin Laden and supported his actions.

It is also plausible that the group simply used radical Islam to get together and have something in common to talk about. Based on accounts by the friends and family of the accused, the men became devout Muslims more and more as time went on, and they could have used this devotion to Islam to create social bonds between them, becoming even more radicalized in the process. There is also speculation that the men, especially Shnewer, were following the lead of the informant and would have never viewed some of the videos if he had not suggested and provided them.

4. Goals

²⁶ Ibid.

²⁷ Ibid.

²⁸ "Report #13 in a NEFA series, 'Target: America'," NEFA Foundation, January 2008.

²⁹ Fahim and Elliott, "Religion Guided 3 Held in Fort Dix Plot."

³⁰ U.S. v. Duka, Complaint (D. N.J.), No. 1:07-CR-00459-RBK. Filed May 7, 2007.

The men wanted to participate in jihad and decided that they could wage their holy war in the United States instead of going abroad. According to the prosecutors, the goal of the accused terrorists was to acquire an arsenal of weapons, including pistols, machine guns, rifles, shotguns, and possibly even grenades and rocket propelled grenades, gain entrance to Fort Dix, and kill as many U.S. soldiers as possible. There seems to be little indication or discussion of how such actions would advance a broader agenda or goal.

5. Plans for violence

The six men, along with four other friends, visited the Poconos for the first time on January 3, 2006. They practiced shooting various semi-automatic weapons at targets while shouting “Allahu Akbar” in Arabic. The men would later describe this trip as a “boys” vacation among family and friends where they did many other activities, including skiing, snowboarding, hunting, horseback riding, etc., that would not be considered as terrorist training and spoke mostly English.³¹ The prosecution, on the other hand, would later claim that because the men were firing the weapons while kneeling and walking, their actions are considered “militia-like style” training.³²

It was after this trip that the Duka brothers brought their infamous recording to the employee of Circuit City who would later inform the FBI. The employee, Brian Morgenstern, greeted the Duka brothers in the usual fashion once they entered the store and answered the questions they had about the price of converting the 8-mm video to DVD. The interaction with the accused was routine, and he later described it as normal and usual.³³ The unusual part came later that evening when Morgenstern started converting the video. It started off as a recording of a winter vacation trip among men which included skiing, horseback riding, snowboarding, but soon turned into something that caught Morgenstern’s attention when the men started shooting guns at targets and yelling in Arabic. The Circuit City employee found this disturbing and after contemplating whether to inform anybody about what he saw, decided to alert his manager who the next day called in the FBI.³⁴ In March 2006, the first of the FBI informants, Omar, infiltrated the group.

The group did view jihadist and other videos pertaining to terrorism online, but it is interesting to note that there isn’t any proof that any of the men accessed these videos prior to the infiltration of the group by the informant Omar

³¹ Ripley, “The Fort Dix Conspiracy.” The six did not have a common language other than English. The Duka brothers and Abdullahu spoke Albanian, Tatar spoke Turkish, and Shnewer spoke Arabic. Aside from Abdullahu, who entered the country when he was 16 years old, all of the convicted had spent the majority of their lives in the U.S., used English heavily, and even spoke it better than their “native” languages, as is evident from some of the recordings conducted by Omar. For example, the Dukas brothers “Albanianize” English words to replace Albanian words they do not know and regularly switch to English in mid-conversation.

³² U.S. v. Abdullahu. (D. N.J.), No. 1:07-CR-00459-RBK.

³³ Ripley, “The Fort Dix Conspiracy.”

³⁴ “Report #13 in a NEFA series, ‘Target: America’,” NEFA Foundation, January 2008, at www.nefafoundation.org/miscellaneous/fortdixplot.pdf

in March 2006, and in most cases, these videos were only viewed on Shnewer's laptop, which Omar had access to on numerous occasions.

If the six men ever actually planned to attack Fort Dix in New Jersey, their goal was to kill as many soldiers stationed there as possible. Shnewer is recorded as saying on August 11, 2006 that his "intent is to hit a heavy concentration of soldiers..."³⁵ The idea was to use assault rifles and grenades in the attack.³⁶ Shnewer secretly surveyed the base one day with informant Omar, and determined that the base had relatively weak security. Serdar Tatar was said to know the base "like the palm of his hand" because he had delivered pizza there on numerous occasions. It was on these two criteria that the group "selected" the base for their operation.³⁷ Tatar was supposed to provide a map of the base to the group, to be used to plan out the attack. It is interesting to note that Omar was the only one pressuring Tatar for the map and once Tatar actually provided it, he reported Omar to the police, claiming that he was conspiring to do something that was a threat to national security.

It is also important to note that neither the Duka brothers, Abdullahu, nor Shnewer supported attacking civilians. Abdullahu is recorded stating that Islam forbids the murder of civilians, and one of the Duka brothers claims that attacking a military base is a way around this.³⁸

The six men, along with eight other friends, visited the Poconos again in February 2007, where they rented a house, which had previously been bugged by the FBI, at 2717 Eagleview Drive in Gouldsboro.³⁹ With the FBI watching, the group practiced firing with a 9 millimeter Beretta handgun, a Mossber 12 gauge pump shotgun, an SKS semi-automatic rifle, and a Beretta Storm semi-automatic rifle.⁴⁰ On February 5, some members of the group were recorded discussing "bombs, nitroglycerin, and the explosive C-4,"⁴¹ and whether to attack a warship when it was docked in Philadelphia during an annual football game.⁴² The prosecution used a snippet of Eljvir Duka saying that the trip "had been a training mission"⁴³ to prove that they were actually there to train and not on vacation, but the words leading up to and following this phrase were not presented at the hearing nor were they made available to the public. It is unclear what the trip had been a training mission for, or even if they were referring to the trip as the mission.

³⁵ U.S. v. Duka, Complaint (D. N.J.), No. 1:07-CR-00459-RBK. Filed May 7, 2007.

³⁶ Russakoff and Eggen, "Six Charged in Plot to Attack Fort Dix."

³⁷ As will be discussed later, there are reasons to believe that Omar was actually the one who influenced the selection of the base because he drove Shnewer to survey the base and he pressured Tatar to provide a map of the base to him. Omar would later even claim that the Duka brothers didn't have any knowledge that the base was an intended target.

³⁸ U.S. v. Duka, Complaint (D. N.J.), No. 1:07-CR-00459-RBK. Filed May 7, 2007.

³⁹ Dunstan McNichol and John Martin, "Pa. Playground Becomes Terror Training Ground," *Newark Star-Ledger*, May 20, 2007.

⁴⁰ U.S. v. Abdullahu (D. N.J.), No. 1:07-CR-00459-RBK.

⁴¹ *Ibid.*

⁴² David Kocieniewski, "The Role of an F.B.I. Informer Draws Praise as Well as Questions About Legitimacy," *New York Times*, May 10, 2007.

⁴³ U.S. v. Duka Complaint (D. N.J.), No. 1:07-CR-00459-RBK. Filed May 7, 2007.

The group is also said to have trained for Jihad by playing paintball because, as Dritan Duka described it, “they use this in the U.S. Army... It’s how they train you.”⁴⁴ Other sources say that the defendants simply loved paintball and saw it as a hobby and a game, not a training exercise.⁴⁵

The FBI also claims that on two other occasions, on February 26 and March 15 of 2007, the Duka brothers “conducted tactical training” at a shooting range in Cherry Hill.⁴⁶ The brothers describe their actions as another one of these activities where they were merely having fun.

None of the five charged with the conspiracy owned any guns. The guns they used to practice in the Poconos, three semi-automatic rifles and a pistol, were provided and legally owned by Agron Abdullahu. Aside from the two trips to the Poconos and the paintballing, the group did not do anything that could be considered to be training.

Omar offered to provide the men with weapons at a very favorable price. Two of the Duka brothers came to his apartment with the professed intent to buy some for their next trip to the Poconos. Impressed, they say, by the attractive price, they agreed to buy seven instead of the two they had said they would purchase.⁴⁷ At this point, on May 8, 2007, they and the rest of the group were arrested. The men never attempted to acquire anything heavier than assault rifles, even though heavier and more powerful weapons were among the choices on the list presented by Omar. Moreover, they would not have acquired any to that point if Omar did not claim he could provide them. The FBI chose to arrest the men on this date because they were afraid the men would manage to acquire the weapons needed to carry out the attack from someone else.

When arrested, the men were not very far along with their plans and “did not appear to be close to being able to pull off an attack.”⁴⁸ Thus, at the time of their arrests, the five men convicted of conspiring to attack Fort Dix had no weapons, no concrete plans on how or when to attack the base, no map of the base,⁴⁹ nor any professional or meaningful training. During the hearings, the informant even testified that the three Duka brothers had no knowledge of a plot to murder military personnel⁵⁰ and that he only thought they did because Shnewer had lied to him when discussing the plot after he, the informant, had constantly pressured the young Palestinian to bring the Duka brothers in on it.

The men did not plan to use suicide bombing as a method to attack the base, but they were not afraid to die in jihad. In other words, they were willing to die in battle against the soldiers stationed at Fort Dix, but they were not willing to simply blow themselves up. The Duka brothers are recorded in conversations as

⁴⁴ U.S. v. Duka Complaint (D. N.J.), No. 1:07-CR-00459-RBK. Filed May 7, 2007.

⁴⁵ Geoff Mulvihill, “Paintball training dispute wraps up 13th day of Fort Dix informant testimony,” Associated Press, November 20, 2008.

⁴⁶ The fort dix plot.

⁴⁷ “Before the Fact: Homegrown terrorism in the post-9/11 world,” Need to Know, PBS, September 10, 2010.

⁴⁸ Russakoff and Eggen, “Six Charged in Plot to Attack Fort Dix.”

⁴⁹ There is no mention that Omar actually made a copy for or even showed the map of Fort Dix provided by Tatar to any of the other five members.

⁵⁰ Joel Rose, “Fort Dix Trail May Be Tied To Informant’s Story,” NPR, November 14, 2008.

showing respect for suicide bombers but claiming that they are “too scared to blow themselves up.”⁵¹ Serdar Tatar also saw the possibility of attacking the army from the inside. He considered joining the army and even applied to become a police officer in both Oakland, California at an earlier date and in Philadelphia on April 10, 2007.⁵² The Duka brothers and Agron Abdullahu also suggested that they “train with the American army...learn all the tactics...and then turn on them.”⁵³

If the group had managed to go through with the attack on their own, it is unlikely that they would have killed many soldiers. First of all, they would have needed to find a way to acquire guns. If they managed to do this, they would then have needed to devise a plan of attack. Once the plan was devised, they would have to follow through with it. Since none of the men had any professional and/or meaningful military training, it is highly unlikely that they would be able to kill more than a few soldiers before being taken down. The number of soldiers they would be likely to kill depends on a number of variables, including the types of weapons they would use, their accuracy, the amount and types of security at the base, the amount of ammunition available to them, and, probably most importantly, sheer luck.

6. Role of informants

The FBI used two paid informants, both with previous criminal records.

Most of the work was done by Mahmoud Omar who, as noted, infiltrated the group in March 2006 and spent 15 months following the suspects until their arrest in May 2007, recording conversations with them and searching their computers. Omar was a 37-year-old Egyptian immigrant of legal status who had spent six months in prison and five years on probation for pleading guilty to three counts of bank fraud in 2001.⁵⁴ He had been charged with “opening bank accounts, depositing bogus checks and then trying to draw down the accounts.”⁵⁵ For these charges, he was ordered to pay Patriot Bank, the bank he committed fraud against, \$9,550 in restitution.⁵⁶ Omar supported himself by buying, fixing, and reselling used cars. He also chopped some down and shipped them overseas where they were reassembled and sold, and there are speculations that some of these cars might have been stolen.⁵⁷ Omar had filed for bankruptcy in New Jersey in 2002 at which point he was nearly \$38,000 in debt to more than 24 creditors.⁵⁸ In October of 2004, he was arrested a second time for fighting with a neighbor, although the charges were reduced to disorderly conduct after both men refused to testify.⁵⁹ The United States government had also failed on two occasions to deport

⁵¹ U.S. v. Shnewer et al. Criminal (D.NJ.), No. 07-0459 (RBK). Filed June 5, 2007.

⁵² Dave Schratwieser, “Suspect Applied to be Police Officer,” WTXF (Fox29), May 22, 2007.

⁵³ U.S. v. Shnewer et al. Criminal (D.NJ.), No. 07-0459 (RBK). Filed June 5, 2007.

⁵⁴ Ripley, “The Fort Dix Conspiracy.”

⁵⁵ Ripley, “The Fort Dix Conspiracy.”

⁵⁶ Ripley, “The Fort Dix Conspiracy.”

⁵⁷ “Informant To Take Stand In Fort Dix Terror Trial,” CBS4, October 25, 2008.

⁵⁸ Ripley, “The Fort Dix Conspiracy.”

⁵⁹ Ripley, “The Fort Dix Conspiracy.”

Omar.⁶⁰ One came shortly after his conviction in 2001, which he successfully won; the other was in April of 2006, right after he started working on the Fort Dix case.⁶¹ The case was dropped entirely in September 2006, shortly after Omar provided the FBI with a recording of Mohamad Shnewer talking about Fort Dix.⁶²

Sources say that, while working for the FBI, Omar managed to sell his Social Security card for \$3,000.⁶³ Defense lawyers have also stated that the informant had a drug problem and admitted that he had smoked marijuana a few days before the hearing. While on the stand, Omar admitted to sneaking into the U.S. in the mid-1990s, engaging in bank fraud, selling fake Social Security cards, smoking marijuana, and even asking a relative in Egypt to have a man killed. He also hinted at the notion “that he was pushing Shnewer towards carrying out a terror attack.”⁶⁴

The FBI claimed that Omar was credible and reliable. He had previously provided the FBI with information concerning the criminal conduct of two individuals who later had federal charges brought up against them to which they pled guilty. The only time the FBI had proof that Omar was untruthful was when he misstated the identity of friend in order to protect the individual.⁶⁵

He entered the group by repeatedly visiting Plaza Food Market & Halal Meats, a grocery store owned by Shnewer’s father, Ibrahim. The Shnewer family described him as “needy for companionship and sometimes for money.”⁶⁶ He always attempted to make small talk with people in the store, especially Mohamed Shnewer. After a while, the two started hanging out by playing billiards and talking about politics, sports, and religion. Omar used this time together with Shnewer to convince the impressionable young man to introduce him to the Duka brothers.⁶⁷ Shnewer is recorded as saying that Fort Dix would be a good target to attack, explaining how to attack the place and what weapons to use, and stressing the need for training and an experienced leader like Omar. According to federal law, it is only a conspiracy when you have two or more individuals conspiring, not an individual and an FBI informant, and thus Omar needed to get close to the Dukas and record them saying similar incriminating things.

At one point, Serdar Tatar suspected Omar of being an FBI informant. Most of the suspicion arose after Omar repeatedly pressured Tatar to provide a map of Fort Dix. Tatar finally did so, recorded the transaction, and then reported the event to the police, which later informed the FBI. Sgt. Dean Dandridge of Philadelphia Police Department filed the report and noted that Tatar was terrified

⁶⁰ “Report #13 in a NEFA series, ‘Target: America’,” NEFA Foundation. January 2008, at www.nefafoundation.org/miscellaneous/fortdixplot.pdf (November 12, 2010).

⁶¹ Ripley, “The Fort Dix Conspiracy.”

⁶² Ripley, “The Fort Dix Conspiracy.”

⁶³ “Informant To Take Stand In Fort Dix Terror Trial.”

⁶⁴ Geoff Mulvihill, “Informants scrutinized in Fort Dix terror trial,” Associated Press, December 19, 2008.

⁶⁵ “Report #13 in a NEFA series, ‘Target: America’,” NEFA Foundation, January 2008.

⁶⁶ Ibid.

⁶⁷ Ibid.

and described what he had to say as a “matter of national security.”⁶⁸ It took the FBI three weeks to finally interview Tatar at which point he backtracked according to the complaint, and denied any knowledge of the plot. Even though there is no clear explanation of why the FBI waited that long to interview Tatar, it is obvious, according to the complaint, why the young Turkish immigrant retracted his statements by that point. By providing Shnewer and Omar with the map of Fort Dix, he in turn became part of the plot which he was initially warning authorities about and as a result would incriminate himself as well. Therefore he needed to retract his statements.⁶⁹

It became clear that Omar was becoming suspicious to the group, as is evident from the incident involving Tatar and the FBI, and that he was not getting any closer to recording anyone except Shnewer saying anything incriminating. Accordingly, the FBI brought in another informant, an ethnic Albanian named Besnik Bakali, and he was aimed at the three Dukas brothers who were also Albanian. The FBI had picked him out from a Pennsylvania jail where he was awaiting deportation back to Albania where he admitted to⁷⁰ and was wanted for shooting a man.⁷¹ He befriended the group by walking into a Dunkin Donuts the Dukas were known to frequent after prayer service at the local mosque, and speaking Albanian on a cell phone. Intrigued to meet a fellow Albanian, the Dukas struck up a conversation and the informant was in.

Over the next fifteen months, the informants selectively recorded conversations with the suspects. Omar, most notably, turned the recording devices on and off at specific times during his conversations. No one has given an official reason for this, but the defense claims that he was attempting to protect himself and/or alter the conversation in a way that would get the FBI what they wanted. Most of these conversations, which included topics anywhere from sports and buying and selling cars to the war in Iraq and jihad, were between Omar and Shnewer. Shnewer seemed to look up to and admire the much older Omar, who presented himself as an Egyptian with a military background. There are even indications that Shnewer saw Omar as the brains of the operation and the one who would lead the attack. At one point Shnewer is quoted as telling Omar “I am at your services.”⁷² As noted, Omar also provided some members of the group with terror training videotapes and other jihadist material. During the two days of surveillance of possible targets, August 11 and 13, 2006, it is important to note that Omar was the one who actually drove Shnewer to each of the four military bases.⁷³ Fort Dix was the base chosen by Shnewer as the one to attack because it was seen as the most accessible due to their access to the map Tatar had of the

⁶⁸ Tony Graham, “Phila. Police officer testifies at Fort Dix trial,” *Philadelphia Inquirer*, November 26, 2008.

⁶⁹ Amanda Ripley, “The Fort Dix Verdict: A Victory for Pre-emptive Prosecutions,” *Time*, December 23, 2008.

⁷⁰ *Ibid.*

⁷¹ Kevin Whitmer, “Fort Dix five guilty of conspiracy to kill soldiers,” *New Jersey Real-Time News*, December 22, 2008.

⁷² Kocieniewski, “Role of an F.B.I. Informer Draws Praise as Well as Questions.”

⁷³ The bases were Fort Dix, Fort Monmouth Army Base, Lakehurst Naval Air Station, and the U.S. Coast Guard Base at Sector Delaware Bay in Philadelphia.

base. Aside from some video secretly and quickly recorded on a low resolution cell phone camera, the group did not have any other useful surveillance material.

The FBI paid each of the informants \$1,500 a week plus expenses for over a year and a half. Omar was able to move from a broken down apartment in Paulsboro to a middle-class one in Cherry Hill where the government paid his rent of \$1,400 each month. In total, Omar was paid about \$240,000 and Bakali about \$150,000. The FBI also agreed to erase the criminal records of the informants, both in the United States and abroad, keep them from getting deported, and provide U.S. citizenship for them and their families. One can easily conclude from this that the informants had a rather significant incentive to keep providing the FBI with the incriminating conversations of the suspects by any means necessary. They were getting paid large amounts of money that they would probably not be able to make any other way, they would get their criminal records erased, and they would become legal U.S. citizens.

7. Connections

The group had no connections to any other terrorist group. They were self-starters who used Osama bin Laden and al-Qaeda as inspiration.

8. Relation to the Muslim community

The families of the accused claim that they are not guilty and that they “loved America.” Shnewer’s sister claims that her brother would never go through with an attack as described and he just talked the talk to act tough. Members of the Duka family, both in the U.S. and Europe do not believe they are guilty and some claimed that it was “political propagand” and a “setup.” Most Muslims in the tri-state area who knew the six, described them as simple and good men and were disappointed at the outcomes of the cases. Ferid Bedrolli, an iman at the Albanian Islamic Cultural Center on Staten Island where the Duka family prayed before moving to New Jersey, described the three brothers as men who “didn’t look like really they are bad people.” Albanian-Americans were disappointed at the ethnicity of the suspects and Fred Abrahams of Human Rights Watch stated that “Albanians on the whole are so very over-the-top pro-American that this news came as a shock.”⁷⁴

Each of the defendants attended the Islamic Society Mosque in Philadelphia and the Islamic Center of South Jersey in Palmyra, but as far as is known, they did not conspire there nor did they give any indication to any of the other attendees that they were planning a terrorist attack. As the trial began, most members of the community, even though on some points they sympathized with the defendants, were fairly neutral on the matter. The friends and families of the six, however, protested the trial and to this day are working on repealing the verdicts.⁷⁵

⁷⁴ Fahim and Elliott, “Religion Guided 3 Held in Fort Dix Plot.”

⁷⁵ Burim Duka, the youngest of the Duka brothers, who was not indicted in the plot, has set up a website (www.freefortdixfive.com) to support the accused. Family members have on numerous occasions protested the verdict and have joined with the families of other accused terrorists to “bring justice” for their family members.

9. Depiction by the authorities

The authorities took an alarmist stance on the case and hold that stance until today. U.S. Attorney Christopher J. Christie claimed that the case was “a model case where American law enforcement was a step ahead of those attempting to cause harm to American citizens.”⁷⁶ Acting U.S. Attorney Ralph J. Marra said, “I think that had the FBI and their partners not caught these men, we would have been attending funerals of military personnel at Fort Dix.”⁷⁷ Special Agent J.P. Weiss depicted the men as homegrown terrorist who attempted to acquire assault rifles and attack U.S. soldiers. On the day of their arrest, he stated that “today, we dodged a bullet.”⁷⁸ Interestingly enough, no member of government, from the onset of the arrests, ever claimed that any of these men had any connections to al-Qaeda.

10. Coverage by the media

The mainstream media initially portrayed the group as home grown terrorists, but as time went on and it got wind of some of the main aspects of the case, the portrayal became more vague. *Time* magazine featured an article about a letter which was claimed to be a confession of the plot by one the Duka brothers. The magazine hired two experts to compare the letter to a known sample of the his writing and concluded that the letter was not written by him.⁷⁹ This incident generated suspicion about the case and supported claims that the men were set up. The Need to Know Series on PBS paints an unclear picture of the investigation. It hints at the notion that the group might not have gotten as far as it did if it wasn't for the informant providing them with weapons and pressuring them, mostly through Shnewer, to go through with their plans.⁸⁰ In essence, most major media outlets gave a mixed conclusion of the case, neither stating that the six accused men were fully guilty nor that the government was fully justified in their actions and prosecutions.

11. Policing costs

The investigation was a sixteen month operation which led to the arrests of the six individuals. As noted, the two informants, Mahmud Omar and Besnik Bakali, were paid a total of about \$400,000 plus rent and expenses for less than two years of work. Other costs during the investigation include the cost of surveillance equipment, the renting and bugging of the house in the Poconos, and the man hours spent investigating the plot. The group was arrested on May 8, 2007 and the trial ended on December 22, 2008. In total, an exact number for the total cost of the case was never given, but the presiding judge of the case, U.S.

⁷⁶ “Before the Fact: Homegrown terrorism in the post-9/11 world,” Need to Know, PBS.

⁷⁷ “Three Brothers Sentenced to Life Prison Terms for Conspiring to Kill U.S. Soldiers,” Department of Justice. April 28, 2009.

⁷⁸ Dina Temple-Raston, “Fort Dix Convictions Seem To Validate FBI Strategy,” NPR, December 2008.

⁷⁹ Amanda Ripley-Washington, “Playing Tricks with the Fort Dix Six?” *Time*, January 14, 2008.

⁸⁰ “Before the Fact: Homegrown terrorism in the post-9/11 world,” Need to Know, PBS.

District Judge Robert B. Kugler, is quoted on numerous occasions as stating that the case cost multi-millions.⁸¹

12. Relevance of the internet

The internet did not play a major role in the plot. The group did not have communication with any other terrorist group nor did they frequent online jihadist message boards and blogs. The only time the internet was used in relation to the plot was when some of the group members, mostly Shnewer, used it to view and acquire jihadist videos and other material related to radical Islam such as depictions of American soldiers getting killed in Iraq and Afghanistan.

13. Are we safer?

We are not significantly safer. The group does seem to have idealized bin Laden and the Jihadist ideology, but it seems unlikely that this group would have carried out an attack, especially if the informant had not stepped in. There was hardly any mention of attacking anything during the “training” sessions, and the men did not seem capable of carrying out an attack. It is also unlikely that they would have acquired the types and quantities of weapons they had if it wasn’t for the “connections” of the informant. Shnewer, as noted at many points, spouted off repeatedly. However, he is the only one who seems to have been serious about doing anything, and it often seems he was pressured by the informant and said some of the things later used against him to impress and gain what he thought was respect from the older, more worldly Omar. The only way in which we are definitely safer is by not having the Duka brothers drive recklessly on the roads and beating up people they get into arguments with.

14. Conclusions

The Fort Dix six were all young Muslim men who had recently become radicalized. They came together primarily for social reasons, and it evident that they enjoyed the time they spent together. It is also evident that the only major thing they had in common was that they were young Muslims in America. It is plausible to assume that they used Islam as a unifying factor and in the process further radicalized themselves.

The action that set off this case, the trip to Circuit City to convert the video file, could be explained in one of two ways. The men were either really performing combat training and preparing to attack the military base and they were really stupid by risking that the video would be seen by the employee at the electronics store, or they were really just enjoying shooting guns as a hobby while on vacation. The group was highly unorganized and did not seem to be able to pull off an attack on a U.S. military base. They did believe in some aspects of radical Islamist ideology, but it is hard to prove from that that they were definitely willing to risk their lives by attacking a military base. All of the accused in the conspiracy, except for Shnewer, were married and had young children. All were also pretty Americanized and enjoyed activities that most would consider purely

⁸¹ “The Fort Dix 5 are Innocent, yet Convicted of Conspiracy,” FreeFortDixFive.com, 2009.

American. None of the men had any contact with terrorist groups, nor were they suspected of terrorist activity prior to the Circuit City incident.

It seems the group became much more radicalized and headed in the direction of conducting the attack once the informants entered the picture. Both informants, especially Omar, egged the young men on and pressured them to go through with the “plan.” The sentencing of the six also seems pretty harsh: none of the men ever conducted any terrorist activities and three of the four who received life in prison never even knew that there was a target, according to the informant. In conclusion, even though the members of the group seem to have a radical ideology and some are likely to disregard the law, at least to a certain degree, it is pretty unlikely that anything more than the “boys’ trips” to the Poconos and the radical conversations would have taken place if the informants were not in the picture to get the ball rolling.