

Case 38: Oregon

John Mueller

June 5, 2011

Described as the “class clown” in high school where he was obsessed by basketball and girls, Mohamed Osman Mohamud, a Somali-American in Portland, Oregon, changed perspective and became equally obsessed by a desire to defend Islam against what he saw as Western incursion: “They want to insult our religion. They want to take our lands. They want to rape our women while we're bowing down to them. This is what they want.”

Unable to travel abroad to join terrorists and insurgents fighting there, Mohamud, now aged 19 years, sought to wreak murderous mayhem close at home. Tipped off apparently by the boy's father, a successful computer engineer, the FBI made contact and eventually set up a sting operation which Mohamud enthusiastically embraced: “do you remember when 9-11 happened when those people were jumping from skyscrapers...that was awesome.” He was arrested when he eagerly tried to set off a bomb at a Christmas tree lighting ceremony attended by thousands. Aided by a fake passport provided by his co-conspirators, he had planned to flee after the attack to join his “brothers” abroad.

In reporting his son to the authorities, it was presumably the father's intention that they keep the boy under surveillance, stopping him should his new radical passions ever lead to coherent plans for violence. Since the former class clown had no criminal record and no experience whatever with explosives or guns, it was a reasonable presumption, or hope, that he would eventually outgrow his jihadist obsession as other teenagers generally abandon cults and other fanciful expressions of youthful rebellion, moving on to such parent-pleasing adult enterprises as getting married and having children.

Instead, the FBI launched a sting—a kind of cult operation built around Mohamud's current obsession—that played to and fulsomely facilitated his violent fantasies in a manner that he would never have been able to carry out on his own. In result, the gullible young man engaged in a spectacular act that he thought would lead to mass murder, a prospect that tends to alarm judges and juries alike. Mohamud will have to mature in prison where he will likely spend the next several decades.

Knowing this, David Bernstein questions, would other worried fathers turn in their radical sons?

Case 38: Oregon

David Bernstein

June 5, 2011

typographical and other minor corrections January 10, 2012

1. Overview

In August 2009, Mohamed Osman Mohamud, aged 18 and a naturalized U.S. citizen from Somalia, made e-mail contact with a man believed to be a terrorist recruiter in Pakistan, and they had further discussions in December about having Mohamud travel to Pakistan to receive training in violent jihad.¹ However, Mohamud's parents stopped him from going abroad for such purposes. Then, according to sources close to the family, Mohamud's father, Osman Barre,² a successful computer engineer, reported his son's radical bent to the authorities who began to observe Mohamud and intercepted his e-mails to the recruiter in Pakistan.³

Pretending to be an associate of the recruiter, an undercover FBI employee made e-mail contact with Mohamud in June 2010 and, on July 31, met with him face-to-face.⁴ From August to late November 2010, Mohamud, the undercover FBI operative, and another FBI employee developed a plot to bomb a Christmas tree lighting ceremony in Pioneer Courthouse Square in downtown Portland, Oregon.⁵ They conducted surveillance of the target area, decided where they would park the explosives-filled van, and even practiced detonating the explosive.⁶ In early September, the trio met at a Portland hotel, where Mohamud was provided with money to buy bomb components. He purchased these and then mailed them to a third undercover FBI operative who assembled a fake explosive for him.⁷

On November 26, 2010, Mohamud met with the two undercover FBI operatives and then drove a fake explosives-laden white van to a prearranged parking spot.⁸ Approximately 10,000 people were attending the ceremony,⁹ a number that enthralled Mohamud who was quoted in an affidavit as saying that he

¹ "Oregon Resident Arrested in Plot to Bomb Christmas Tree Lighting Ceremony in Portland," Department of Justice Press Release, November 26, 2010.

² It is typical in Somali culture for a son to have a different surname than his father.

³ Lynne Terry, "Family of Portland's bomb suspect, Mohamed Mohamud, fled chaos in Somalia for new life in America," *The Oregonian*, December 4, 2010. Also found in "Trial by Entrapment," CAIR California, December 3, 2010, ca.cair.com/losangeles/news/trial_by_entrapment

⁴ "Oregon Resident Arrested," Department of Justice Press Release.

⁵ Colin Miner, Liz Robbins, and Erik Eckholm, "F.B.I. Says Oregon Suspect Planned 'Grand' Attack," *New York Times*, November 27, 2010.

⁶ Miner, Robbins, and Eckholm, "F.B.I. Says."

⁷ United States of America v. Mohamed Osman Mohamud, Criminal Complaint and Affidavit, United States District Court for the District of Oregon, November 26, 2010, www.justice.gov/usao/or/Indictments/11262010_Complaint.pdf

⁸ U.S. v. Mohamud, Criminal Complaint and Affidavit.

⁹ Miner, Robbins, and Eckholm, "F.B.I. Says."

was looking for a “huge mass that will...be attacked in their own element with their families celebrating the holidays.”¹⁰

After leaving the parked van, Mohamud tried to detonate the explosives with a cell phone provided by one of the FBI operatives. After an unsuccessful first try, Mohamed stepped out of the car he was in and tried again to detonate the explosives when he was promptly arrested at 5:40 pm.¹¹ As he was being arrested, Mohamud violently kicked and thrashed while yelling “Allahu akbar” before being forcibly restrained.¹²

On November 29, 2010 Mohamud was charged with attempting to use weapons of mass destruction for his terrorist attempt. He pled not guilty and was held without bail.¹³ His lawyer, Stephen Sady,¹⁴ has said that he will likely pursue an entrapment defense during the trial.¹⁵

2. Nature of the adversary

Mohamed Osman Mohamud was born in 1991 to Osman and Mariam Barre in Mogadishu, Somalia, as the country was breaking out in chaotic, violent civil war.¹⁶ Osman Barre, with a group of extended family members, left a Kenyan refugee camp after being separated from his wife and child in 1992 and then moved to Portland, Oregon, as a sponsored guest of an Oregon church.

In 1995, Barre, who had been a professor of computer engineering in Somalia and spoke five languages, was hired by Intel as an engineer and was able to bring his wife and young son to live in the United States with him.¹⁷ The family moved to Beaverton, Oregon, a nice suburb outside of Portland with a sizeable Somali population,¹⁸ and the boy attended local Portland public schools.¹⁹

At Westview High School in Beaverton, Mohamud was nicknamed “Mo” and has been characterized as the class clown by former classmates. He was described to have obsessed about basketball, girls, writing rap songs, and occasionally skipping class.²⁰ He joined the high school’s literary magazine and

¹⁰ “Oregon Resident Arrested,” Department of Justice Press Release.

¹¹ U.S. v. Mohamud, Criminal Complaint and Affidavit.

¹² Miner, Robbins, and Eckholm, “F.B.I. Says.”

¹³ Joel Millman, “Suspect Pleads Not Guilty in the Portland Bomb Case,” *Wall Street Journal*, November 30, 2010.

¹⁴ Sady, a Deputy Chief Public Defender, defended an Oregon man accused of assisting the 2004 Madrid train bombers. Sady was able to have the government’s charges dismissed and got a \$2 million settlement and a government apology for his client. On the case, see David K. Shipler, *The Rights of the People*, New York: Knopf, 2011, 157-80.

¹⁵ Millman, “Suspect Pleads Not Guilty.”

¹⁶ Terry, “Family of Portland’s bomb suspect.” The family has no known connection to former Somalian dictator Mohamed Siad Barre and fled Somalia to escape the violence during his reign.

¹⁷ Terry, “Family of Portland’s bomb suspect.”

¹⁸ Portland is home to approximately 6,500-8,000 Somali immigrants, depending on reports. Bob Drogin and April Choi, “Mixed portraits of Oregon terrorism suspect,” *Los Angeles Times*, November 29, 2010. Mohamud attended Markham Elementary School and Jackson Middle School, a school with an arts-based curriculum. Terry, “Family of Portland’s bomb suspect.”

¹⁹ Drogin and Choi, “Mixed portraits.”

²⁰ Terry, “Family of Portland’s bomb suspect.”

loved to play pick-up basketball with friends.²¹ While growing up, several different accounts from neighbors and family friends of the Barres describe Mohamed Mohamud as an intelligent, polite, but quiet teenager.²²

However, at age 15 in his sophomore year of high school, “Mo” began to change and started taking school and his religion more seriously,²³ and he would occasionally attend local mosques. Most classmates did not remember anything odd or radical about Mohamud, who had many friends but was reportedly closest with Somalis or other Muslims.²⁴ However some schoolmates remembered Mohamud discussing religious politics and arguing that Islam was the best religion in the world and that it should be taken up by everyone.²⁵ Although most former classmates interviewed did not remember him saying anything anti-American, one student recalled him saying “I hate Americans” after an altercation about a dirty locker.²⁶ In his junior year in high school, Mohamud had to deliver a presentation on the inner workings of a mechanical device. While most classmates picked simple things such as staplers, Mohamud chose to present a report on the mechanics of a rocket-propelled grenade.²⁷ However, friends of Mohamud claim that while he may have joked, he never was anti-American and exemplified an average student that worked hard and had friends from a wide circle of backgrounds.

Mohamud graduated from Westview in June 2009 and chose to enroll as a non-degree-seeking student taking pre-engineering classes at Oregon State University in Corvallis, Oregon. While there, Mohamud seemed to be the stereotypical college student. He became known to friends as a partier who loved drinking beer and as a smoker with a taste for hookah and marijuana, and he continued to write poetry and rap songs.²⁸ While in college, he would attend religious services at the local mosque approximately once a month.

Although he has no criminal history, he was accused of date rape by a fellow Oregon State student in October 2009. The woman claimed Mohamud slipped something in her drink causing her to black out at an Oregon State fraternity party. However, urine analysis did not reveal any substances or pharmaceuticals to back up her claim. Mohamud said that the sexual encounter was consensual. Brian Gatimu, a mutual friend of both Mohamud and the woman, claimed that they tried to stop Mohamud from taking the woman home with him, as they were reportedly both intoxicated.²⁹ However, witnesses told investigators

²¹ Drogin and Choi, “Mixed portraits.”

²² Candice Ruud, Allan Brettman, Brent Hunsberger and Molly Hottle, “Suspect in attempted Portland terrorist bombing was his mother’s ‘golden child,’” *The Oregonian*, November 27, 2010.

²³ Drogin and Choi, “Mixed portraits.”

²⁴ Terry, “Family of Portland’s bomb suspect.”

²⁵ Terry, “Family of Portland’s bomb suspect.”

²⁶ Drogin and Choi, “Mixed portraits.”

²⁷ Terry, “Family of Portland’s bomb suspect.”

²⁸ Terry, “Family of Portland’s bomb suspect.”

²⁹ Allan Brettman, “State police investigated Mohamed Mohamud for alleged date rape last year on Oregon State campus,” *The Oregonian*, November 29, 2010.

that the sexual encounter appeared consensual. Mohamud avoided any criminal charges after an investigation of the incident.³⁰

Despite this incident, Mohamud appeared completely normal to his college friends who later seemed blind-sided by his arrest for plotting the Portland bombing. According to Gatimu, who was contacted after Mohamud's arrest, "He was the most normal person you can think of. There were no signs leading to what happened (Friday night). All of his friends are just shocked about it."³¹

In the summer of 2009, Osman and Mariam Barre separated while Mohamud was living with them in a Beaverton Apartment.³² Soon after, Osman married a woman from Minneapolis, a city with a sizable Somali-immigrant population.³³

At this time, the Barres were worrying that Mohamud was becoming increasingly radicalized and, according to sources close to the family, they reported his actions to the authorities.³⁴ The FBI then received permission to begin surveillance on Mohamud and found an August 2009 e-mail from Mohamud to a terrorist recruiter in Pakistan.³⁵ In a coded message in December 2009, the FBI believes that Mohamud and his contact discussed the possibility of Mohamud joining the recruiter in Pakistan. The recruiter then referred Mohamud to another terrorist recruiter, but Mohamud confused the contact directions and failed in repeated efforts to connect with him about joining jihad in Yemen or Pakistan.³⁶ Using this lapse in communication, the FBI then had an undercover employee contact Mohamud via e-mail under the guise he was an associate of Mohamud's Pakistani contacts.

In May 2010, an unknown source video-recorded with a cell phone Mohamud ranting against westerners and their intervention in Muslim countries in his dorm room.³⁷

On June 14, 2010, Mohamud was stopped at Portland International Airport after he attempted to board a flight to Kodiak, Alaska, where he said he wanted to work as a fisherman during the summer after his first year at Oregon State.³⁸ Mohamud was on the No-Fly List and was interrogated by the FBI in Portland because he attempted to board a plane. In the interview, Mohamud admitted that he had previously wanted to travel to Yemen to meet up with an associate but never obtained a visa or tickets.³⁹ Although the FBI has yet to release why

³⁰ Brettman, "State police investigated Mohamed."

³¹ Brettman, "State police investigated Mohamed."

³² Drogin and Choi, "Mixed portraits."

³³ Lukas I. Alpert, "Neighbors say wannabe Christmas bomber Mohamed Mohamud embraced extremism after parents split," *New York Daily News*, November 28, 2010.

³⁴ Terry, "Family of Portland's bomb suspect." Caryn Brooks, "Portland's Bomb Plot: Who Is Mohamed Mohamud?" *Time*, November 28, 2010.

³⁵ Brooks, "Portland's Bomb Plot."

³⁶ U.S. v. Mohamud, Criminal Complaint and Affidavit, 8-10.

³⁷ Michael Stone, "Portland bomber Mohamed Mohamud caught on angry cell phone video rant," *Portland Progressive Examiner*, December 1, 2010.

³⁸ U.S. v. Mohamud, Criminal Complaint and Affidavit, 10.

³⁹ U.S. v. Mohamud, Criminal Complaint and Affidavit, 10.

Mohamud was on the “No-Fly List,” it is probably the tip from his parents that led to its investigation and surveillance.⁴⁰

In the fall of 2010, Mohamud began taking classes at Oregon State again while living off-campus, but dropped out on October 6 as his plot was beginning to take off with the assistance of the undercover FBI employees.⁴¹ Mohamud continued to be seen around Corvallis even though he was no longer enrolled at the University. Imam Yosof Wanly of the Salman Alfarisi Islamic Center in Corvallis, where Mohamud would occasionally attend services, saw Mohamud a little over a week before his arrest. Wanly claims that Mohamud was acting strange and told him a lie that he was going to be married and move to Florida.⁴²

Mohamud thus privately expoused radical ideas and made plans to go join foreign terrorists while outwardly living the life of a normal college student. It seems likely that the rift in his family somehow spurred radical action from Mohamud since his contacts with the Pakistani recruiter began shortly after his parent’s separation.⁴³ Furthermore, Mohamud once e-mailed that “I was betrayed by my family; I was supposed to travel last year, but Allah had decreed that I stay here longer.” And in a goodbye-video recorded on November 4, 2010, he said “To my parents, who held me back from jihad in the cause of Allah, I say to them, If you make allies with the enemy, then Allah’s power will ask you about that on the day of judgment.”⁴⁴ These sentiments shows that trouble in Mohamud’s home life may have brought along feelings of anger and hate that he channeled with ambitions of violent jihad.

Despite being described as Mariam Barre’s “golden child”⁴⁵ by friends and neighbors of the family, Mohamud’s parents and his two younger sisters have remained extremely quiet since his arrest as have his other relatives.⁴⁶ Mohamud did not acknowledge his mother’s attendance at his plea hearing on November 29, 2010, further showing that anger at his family may have played some role in his behavior.⁴⁷ Law enforcement officials, however, have asserted that Mohamud’s family issues were irrelevant to the FBI investigation.⁴⁸

3. Motivation

No information has been thus far released that shows what first motivated or inspired Mohamed into a life of radical Islam. However, according to Mohamud’s conversations with undercover FBI operatives, he first began

⁴⁰ Brooks, “Portland’s Bomb Plot.” and “Trial by Entrapment,” CAIR California, December 3, 2010. During the trial, the FBI’s original tip-off is likely to be discussed.

⁴¹ Terry, “Family of Portland’s bomb suspect.”

⁴² Terry, “Family of Portland’s bomb suspect.”

⁴³ Drogin and Choi, “Mixed portraits.”

⁴⁴ Brooks, “Portland’s Bomb Plot.”

⁴⁵ Ruud, Brettman, Hunsberger, and Hottle, “Suspect.”

⁴⁶ Brooks, “Portland’s Bomb Plot.” Different media reports have cited Mohamed Mohamud as having a sister, a brother and a sister, or two sisters. Because of the extremely private stance the family has taken throughout Mohamud’s trial, it is difficult to ascertain the make-up of Mohamud’s immediate family except that he definitely has one younger sister.

⁴⁷ Millman, “Suspect Pleads Not Guilty.”

⁴⁸ Jesse McKinley and William Yardley, “Suspect in Oregon Bomb Plot Is Called Confused,” *New York Times*, November 28, 2010.

thinking about radical Islam and jihad during Ramadan at age 15 when he was informed about the virtues of martyrdom which immediately interested him.⁴⁹ Mohamud also told undercover FBI operatives that at the time he made a special prayer for guidance on whether he should conduct jihad overseas in an attack similar to the one in Mumbai in 2008.⁵⁰ However, this might have been fabricated because the Mumbai terrorist attacks did not occur until Mohamud was seventeen years old.

He claimed to the undercover operatives that because he was a rapper, he could get an AK-47 assault rifle or pistol for an attack. However, much of this must have been jihadist bravado and boasting.⁵¹

Additionally in 2009, Mohamud told the undercover FBI operatives that he published three articles under the pseudonym Ibn al-Mubarek in the publication *Jihadist Recollections* which has known ties to jihadist and terrorist organizations.⁵² In an April 2009 article entitled “Getting in shape without weights,” Mohamud described getting yourself into prime physical condition to be able to conduct violent jihad.⁵³

In videos and recorded conversations, Mohamed explained the motivating factors behind his feelings. In a video recorded on May 22, 2010 by a cell phone in an Oregon State University dorm room, Mohamud began ranting about westerners and how they treat Muslims: “You know what the whole West thing is? They want to insult our religion. They want to take our lands. They want to rape our women while we’re bowing down to them. This is what they want. This country and Europe and all those countries, that’s all they want.”⁵⁴

And in a November 4, 2010 video recorded by the FBI undercover employees, Mohamud, dressed in “Sheik Osama Style,” warned that “a dark day is coming your way” for Americans and that “for as long as you threaten our security, your people will not remain safe.”⁵⁵

4. Goals

In all the recorded material, Mohamud is seen to be extremely frustrated with the treatment he believes Muslims and Islamic countries receive from Western nations and he wants to launch jihadi attacks against the United States because he believes it will ensure security in the Muslim world.

In the November 4, 2010 recorded video, Mohamud issued his good-bye and gave justifications for his planned attack. In the video, he said “did you think you could invade a Muslim land, and we would not invade you, but Allah will have soldiers scattered everywhere across the globe.”⁵⁶ In a later part of the video, in which he reads a poem he wrote dedicated to “Mujahedeen across the globe,” Mohamud said “explode on these Infidels. Alleviate our pain. Assassinate their

⁴⁹ U.S. v. Mohamud, Criminal Complaint and Affidavit, 16.

⁵⁰ U.S. v. Mohamud, Criminal Complaint and Affidavit, 18.

⁵¹ U.S. v. Mohamud, Criminal Complaint and Affidavit, 18.

⁵² Miner, Robbins, and Eckholm, “F.B.I. Says.”

⁵³ U.S. v. Mohamud, Criminal Complaint and Affidavit, 16.

⁵⁴ Stone, “Portland bomber Mohamed Mohamud caught.”

⁵⁵ U.S. v. Mohamud, Criminal Complaint and Affidavit, 29-31 (includes full text of the video).

⁵⁶ U.S. v. Mohamud, Criminal Complaint and Affidavit, 30.

leaders, commanders, and chiefs from your bother to his brothers.”⁵⁷ In this speech, Mohamud can be seen advocating a global mujahedeen in which “infidels” in all parts of the world are not safe from jihadi attacks.

5. Plans for violence

After graduating from high school, Mohamud began to become interested in the idea of joining a terrorist organization abroad. Mohamud claims that he tried to go to Pakistan while on a family trip to Britain, but was unable to obtain the necessary visa because of an invalid passport.⁵⁸ When he established contact with the Pakistani recruiter in 2009, the FBI claims that the purpose of their coded e-mails was to establish whether and how Mohamud would join with jihadi forces in the Middle East.⁵⁹ Additionally, when he was prevented by the FBI from traveling by plane to Alaska, Mohamud told FBI interrogators that he had previously planned to meet up with an associate in Yemen.⁶⁰

When Mohamud met with the FBI operatives on August 19, 2010 and began developing his plan, he said in a recorded conversation that he had “made a prayer for guidance as a teenager asking Allah whether he should go abroad to join with mujahedeen groups and then had a dream in which he saw the mountains of Yemen.” Evidence for his desire to go abroad can be also be seen when he was discussing with the operatives whether or not his plot should be an act of martyrdom in a recorded September 7, 2010 meeting. However, based on a suggestion by the FBI people, he decided that instead of a suicide bombing, he would go abroad and join fellow terrorists abroad after his attack.⁶¹

The Christmas tree lighting ceremony plot began to develop after the undercover FBI employee got in e-mail contact with Mohamud in June 2010.⁶² They first met face-to-face on July 30, but the meeting was not recorded because the FBI claims they had technical difficulties with the audio surveillance equipment,⁶³ specifically that the recorder ran out of power.⁶⁴ During this meeting, the FBI employee said that he had received Mohamud’s e-mail address from the overseas “ijtimateat,” which in Arabic loosely means “council.”⁶⁵ Mohamud said he wished to become “operational” and that, although he wanted to wage war in the U.S. he would not be able to assist in overseas operations because he was on the U.S. government’s No-Fly List. He seemed extremely interested in supporting “the cause”⁶⁶ and said he wanted to put an explosive in a car that they would park close to a target and detonate it. The FBI employee asked Mohamud to research potential targets, and they made plans to meet again in the future.

⁵⁷ U.S. v. Mohamud, Criminal Complaint and Affidavit, 30-31.

⁵⁸ Brooks, “Portland’s Bomb Plot.”

⁵⁹ “Oregon Resident Arrested,” Department of Justice Press Release.

⁶⁰ U.S. v. Mohamud, Criminal Complaint and Affidavit, 10.

⁶¹ U.S. v. Mohamud, Criminal Complaint and Affidavit, 16, 21.

⁶² U.S. v. Mohamud, Criminal Complaint and Affidavit, 11-12.

⁶³ U.S. v. Mohamud, Criminal Complaint and Affidavit, 14.

⁶⁴ Denson, “Mohamed Mohamud case.”

⁶⁵ U.S. v. Mohamud, Criminal Complaint and Affidavit, 13.

⁶⁶ U.S. v. Mohamud, Criminal Complaint and Affidavit, 13.

They met for the second time on August 19, 2010 at a downtown Portland hotel that was set up by the FBI for audio and recording. In addition the FBI operatives recorded all other conversation for the remainder of their sting operation. Mohamud was introduced to a second FBI operative who would be assisting in the plot. During this meeting, Mohamud suggested his desired target for attack, the Christmas Tree lighting ceremony at Pioneer Courthouse Square in downtown Portland on November 26 at precisely 5:30 pm when the ceremony was scheduled to begin. Mohamud believed that up to 25,000 people might be in attendance for the ceremony. When asked about all the people and even children who would be in attendance at the event, Mohamud responded that he was looking for a “huge mass that will...be attacked in their own element with their families celebrating the holidays. And then for them later to be saying, this was them for you to refrain from killing our children, our women...so when they hear all these families were killed in such a such a city they’ll say you know what your actions you know they will stop you now.” Also during this meeting, Mohamud said that nobody in Portland, Oregon looks for or is expecting any kind of terrorist attack and that they should have no worries about law enforcement.⁶⁷

On several occasions during this meeting, the FBI operatives tried to impress upon Mohamud how difficult this operation would be and whether he should alter his target or was committed to the plot at all. On each occasion, Mohamud reassured them that he was committed in his desire to go through with the plot.

In a September 7, 2010 meeting at the hotel, the operatives told Mohamud that “the Council” was impressed by his plans, but did not desire him to become a martyr because then he could take his skills and use them in jihad overseas. During this meeting, they discussed whether Mohamud should conduct a suicide bombing by driving the van with explosives directly to the target or whether he should park the vehicle and then remote detonate the explosives after which they would then hide for a few days before making their way overseas to join fellow mujahedeen there. Mohamud decided on remote detonation option because he said that he did not have the necessary “highest level of faith” for martyrdom after living in the United States and attending college. The operatives asked Mohamud to find a parking spot for the vehicle bomb and told him that it could be up to a block away and still be effective. They then gave him \$2700 to rent an apartment to use as a hide-out after the attack. They also asked him to buy certain bomb components with the money that he would then mail to them.⁶⁸

On September 27 and 30, the FBI received components (two Nokia prepaid cell phones, five 9-volt battery snap connectors, stereo phone jacks, and a heavy-duty toggle switch) from Mohamud, who had bought all of the items at RadioShack.⁶⁹

On October 3, the operatives met Mohamud in Corvallis, Oregon, near Oregon State University. They discussed the plot more specifically, including an initial parking spot as well as potential back-up parking spots and a location to

⁶⁷ U.S. v. Mohamud, Criminal Complaint and Affidavit, 15-17.

⁶⁸ U.S. v. Mohamud, Criminal Complaint and Affidavit, 21-22.

⁶⁹ U.S. v. Mohamud, Criminal Complaint and Affidavit, 24.

remote-detonate the explosives-laden van. The operatives asked Mohamud to conduct more thorough research on the parking spots and on Pioneer Courthouse Square and informed him that they will use a cell phone detonator device for detonation. Mohamud again assured them of his commitment to the plot as well as to leaving the country after the attack. The operatives then told Mohamud that they would help him procure a fake passport and asked him to send passport photographs to their address.⁷⁰

On November 4, the three men met again in Corvallis, but soon after drove to a remote location in Lincoln County, Oregon. While on the drive, Mohamud gave the operatives a thumb drive containing Google street view photographs of the parking spots, a photograph of Pioneer Courthouse Square, Google maps that showed routes in and out of downtown Portland, directions to and from Corvallis to downtown Portland, and detailed instructions on how to ensure that they park the van in one of the three planned spots. Also on the drive, Mohamud again expressed his desire to go abroad to join his “brothers” already in Yemen or similar countries.⁷¹

In Lincoln County, the three men practiced remote detonating a smaller version of the explosive that they will be using in the attack. Based on existing media reports, this appears to be the first experience Mohamud had with weapons. The operatives showed Mohamud how to use the detonator. Unbeknownst to him, hidden bomb technicians and law enforcement were in full control of the practice bomb which they set off once they received notification that Mohamud had properly triggered the detonator.⁷²

Upon their arrival back in Corvallis, the three men discussed the harm they would inflict on people at the tree lighting ceremony. Mohamud said “do you remember when 9-11 happened when those people were jumping from skyscrapers...that was awesome” and later “I want whoever is attending that event to leave, to leave either dead or injured.” Mohamud then recorded his video, dressed in what he described as “Sheik Osama Style” garb, issuing his call for continual attacks on countries everywhere until attacks on Muslim people stopped.⁷³

On November 18, they drove to Pioneer Courthouse Square to walk around the target, and Mohamud decided upon the exact parking spot where he would park the van. Rejecting other suggestions by the operatives, he picked the spot closest to the target.

On November 23, the three men loaded 55-gallon barrels, a gasoline can, electrical wire, and screws into the car of one of the operatives from a storage unit that Mohamud had rented. The supplies had been placed in the storage unit by the FBI in advance. Mohamud also gave the operatives the reflective traffic markers, hard hats, reflective gloves and vests they had asked Mohamud to obtain so that the men could walk away from the van once it was parked and tell any onlookers that they worked for a public works company. They planned to throw away the

⁷⁰ U.S. v. Mohamud, Criminal Complaint and Affidavit, 25-26.

⁷¹ U.S. v. Mohamud, Criminal Complaint and Affidavit, 26-27.

⁷² U.S. v. Mohamud, Criminal Complaint and Affidavit, 28.

⁷³ U.S. v. Mohamud, Criminal Complaint and Affidavit, 29.

disguises on their way to the place where they would remotely detonate the explosive.⁷⁴ Mohamud also informed the operatives that he would like his name to be “Beau Coleman” on the fake passport they were supposedly procuring for him.

After months of planning and preparation, one of the operatives picked up Mohamud in Beaverton, Oregon at noon on November 26, 2010 and took him to a downtown Portland hotel room. The three men drove to view the explosives in the white van that was parked nearby. Inside the van were inert bombs constructed by the FBI consisting of six 55-gallon drums and a cell phone detonating device. Mohamud described the explosives as “beautiful.”⁷⁵ The operatives again asked Mohamud whether he wanted to pull out of their plot, but he assured them of his commitment. At 4:45 pm, one of the operatives dropped Mohamud and the other operative off at the white van which the two men then drove to the pre-arranged parking spot near Pioneer Courthouse Square. The FBI and Portland Police Bureau ensured that the parking spot and the street were open for the conspirators.

Mohamud then attached the blasting cap to the explosives and flipped the toggle switch on the cell phone detonator as he had been taught during the November 4 practice explosion in Lincoln County. Mohamud and his companion then donned their disguise and walked to the prearranged detonation point. The operatives read off the phone number for Mohamud to call to detonate the explosives, which Mohamud in his excitement dialed before the undercover operatives could finish reading the number aloud. After nothing seemingly happened, it was suggested that Mohamud step out of the vehicle and call the number again. He complied and, shortly after the second attempt, law enforcement swept in, arresting Mohamud at 5:40 pm.⁷⁶ As he was being arrested, Mohamud began screaming and kicking violently while yelling “Allahu akbar.”

6. Role of informants

The role of informants obviously played a major role in the plot. Through the involvement of the FBI operatives Mohamud was able to develop a complicated bomb plot and obtain what he thought was the necessary resources and assistance to execute what he thought was going to be a violent, deadly attack. However, because Mohamud’s trial has not even begun, no information exists on the operatives except that they are “undercover FBI employees.” Until the trial begins, it is impossible to tell whether they were paid informants or FBI agents. Furthermore, there is no way at present to determine what incentive they had to be a part of the FBI’s sting operation or their credibility.

At Mohamud’s plea hearing, his defense attorneys made it clear they would argue an entrapment defense. His attorneys argued that the government is “manufacturing crime” in this case and that the arrest was “timed for maximum impact and maximum publicity.” Mohamud’s attorney, Stephen Sady, was suggesting that by allowing the arrest to take place on a Friday night during the winter holiday season, the media and public opinion would condemn Mohamud

⁷⁴ U.S. v. Mohamud, Criminal Complaint and Affidavit, 32-33.

⁷⁵ U.S. v. Mohamud, Criminal Complaint and Affidavit, 33-34.

⁷⁶ U.S. v. Mohamud, Criminal Complaint and Affidavit, 34.

before he was even arraigned in court. However, the prosecution ignored this accusation and asserted that it was Mohamud himself who picked the time and place of his planned bombing.⁷⁷

According to the Center on Law and Security at New York University School of Law, which follows domestic terrorism trials, since September 11, 2001, one in four people who are prosecuted in U.S. courts argue that the government entrapped them but not one of these arguments have ever been successful.⁷⁸ In a 2009 trial against plotters who wound up in a sting operation while plotting to blow up synagogues in the Bronx, NY (Case 25), the judge instructed jurors to ignore the defense's entrapment argument if they believed the defendants acted with full knowledge of the consequences of the plot.⁷⁹ Additionally, Professor Tung Yin of Lewis & Clark Law School explained entrapment as "a legal concept that means the government has planted the idea of committing a crime in the mind of a target who ordinarily wouldn't have considered it on his own."⁸⁰

Based on these definitions, it appears the FBI insured the court would be able to dismiss the entrapment argument easily by having their undercover operatives take certain steps during their sting operation: they continually questioned Mohamud on his commitment to the plot, reminded him that many children would be severely harmed as a consequence of his plot, and urged Mohamud that he could back out of the plot as late as hours before they began to execute the plans for the attack.⁸¹ Not only did Mohamud continually assure the operatives that he was committed to the plot, but he seemed thrilled at the idea of killing women and children.⁸² In an August 27, 2010 e-mail to one of the operatives responding to whether he had thought the plot over and considered whether he wanted to be involved, Mohamud wrote that he prayed for guidance and when he woke up his "faith was sky high for no apparent reason. So I see it as a sign [God-willing] that the traffic light is green."⁸³

Using Yin's entrapment definition, it must also be determined where the idea for the bombing originated to determine if an entrapment argument is valid.

⁷⁷ William Yardley, "Entrapment Is Argued in Defense of Suspect," *New York Times*, November 29, 2010.

⁷⁸ Bryan Denson, "Portland bomb plot case likely to serve as primer on entrapment, FBI sting issues," *The Oregonian*, December 4, 2010. Article looks in depth at the validity of the entrapment argument in the case.

⁷⁹ Joel Millman and Evan Perez, "Teen in Oregon Bomb Sting to be Arraigned," *Wall Street Journal*, November 29, 2010.

⁸⁰ Denson, "Portland bomb plot."

⁸¹ Christopher Dickey, "Spooking the Terrorists—and Ourselves," *Newsweek*, November 27, 2010, a well-written article arguing that the sting operation was run in a manner ensuring an entrapment argument would not hold in court. Eric Schmitt and Charlie Savage, "In U.S. Sting Operations, Questions of Entrapment," *New York Times*, November 29, 2010, another excellent discussion of entrapment in the case, containing a brief discussion of a FBI guidebook on undercover investigations that is only available for the public in heavily redacted form.

⁸² "Oregon Resident Arrested," Department of Justice Press Release.

⁸³ U.S. v. Mohamud, Criminal Complaint and Affidavit, 21.

Agreeing in principal with this concept of entrapment, Mohamud's attorney Sady said "in cases involving potential entrapment, it's the first meeting that matters."⁸⁴

According to the FBI affidavit, in their first face-to-face meeting, an operative asked Mohamud would he would do "for the cause." Mohamud answered he initially wanted to wage war in the U.S. but later had dreams about going to the Middle East to support jihadist causes overseas. When asked the same question again, Mohamud answered that he "could do anything," but the operative said Mohamud had to decide what actions to do on his own and that they must come from his heart. The operative then suggested five possibilities of how he could support the cause: 1) pray five times a day and spread Islam to others, 2) continue studying and get an engineering or medical degree so he could help his brothers overseas, 3) raise funds for the brothers overseas, 4) become "operational," or 5) become a "shaheed" (martyr). Mohamud immediately answered that he would like to become operational, which he then explained to mean putting together an explosive and discussed that he had heard of "brothers" putting stuff in a car, parking it, and detonating it. The operative then explained that he could assist Mohamud with this type of operation.⁸⁵

This initial meeting would seem to kill the defense's entrapment argument immediately. However, as noted, although the operative was wired with audio-surveillance equipment, this meeting was not recorded due to "technical difficulties."⁸⁶ The FBI later added that the recorder failed to work because it ran out of power.⁸⁷ Therefore, the credibility of the operative will surely be tested in trial. However, Federal Prosecutors Ethan D. Knight and Jeffrey S. Sweet filed papers contending that, even though the recordings failed, FBI agents were listening in through earpieces and walkie-talkies, and there are reports based on their notes from the live transmission.⁸⁸ The prosecution notes that "taken to its logical conclusion, the defense theory appears to be not only that multiple government witnesses are lying but also that all of the subsequent recorded meetings belie the 'true' nature of the half-hour meeting on July 30."⁸⁹

Additionally, the operatives had to provide all the training for detonating the explosive, money for housing and bomb components, and other logistical support to aid Mohamud in his foiled plot.

In a May 6, 2011 court filing, Mohamud's attorneys submitted evidence that Mohamud was contacted via e-mail by a "Bill Smith" starting on November 9, 2009.⁹⁰ Federal prosecutors have acknowledged that "Smith" was working on behalf of the government and sent e-mails that appeared to be inciting Mohamud into committing violent acts against the United States. However, they argued that "Smith" and the e-mail correspondence were unrelated to the bomb plot for which Mohamud is on trial. Mohamud's attorneys countered that Smith "was acting as

⁸⁴ Yardley, "Entrapment is Argued in Defense."

⁸⁵ U.S. v. Mohamud, Criminal Complaint and Affidavit, 13-14.

⁸⁶ U.S. v. Mohamud, Criminal Complaint and Affidavit, 14.

⁸⁷ Denson, "Mohamed Mohamud case."

⁸⁸ Denson, "Mohamed Mohamud case."

⁸⁹ Denson, "Mohamed Mohamud case."

⁹⁰ Bryan Denson, "Mohamed Mohamud case: New court filing says man working for government tried to provoke teen into violent acts," *The Oregonian*, May 6, 2011.

an agent provocateur, attempting to encourage (Mohamud) to engage in violent activity in this country.”⁹¹ Because Mohamud did not take any action in response to these e-mails, his defense team is arguing that this demonstrates Mohamud was not predisposed to violence when he first began e-mailing and then meeting with the undercover employees in December 2009.

Based on past terrorism trials in the United States, as shown by the Center of Law and Security at New York University’s School of Law study,⁹² Mohamud’s argument of entrapment will likely fail. Even before being investigated by the FBI, Mohamud was in contact and musing on ways to join jihadist causes in the Middle East. Furthermore, on at least four separate occasions⁹³ he turned down opportunities offered by the operatives to back out of his terrorist plot. In a conversation recorded on November 18, 2010, Mohamud said he had intended to travel to Yemen after making money when asked by the operatives what he would be doing had he not met them, but he did not say directly in that conversation that he would be joining the mujahedeen.⁹⁴

Possibly most important, Mohamud believed up till his arrest that he was a part of an actual terrorist plot and that the explosives he twice tried to detonate would inflict substantial death and injury. Summing up the government’s arguments against entrapment, Kenneth Weinstein, a former assistant attorney general for the Justice Department’s national security division, said “It doesn’t matter whether it’s a would-be terrorist who has expressed his desire to launch an attack, or a would-be drug dealer who has indicated an interest in moving a kilo of crack cocaine. So long as that person has expressed an interest in committing a crime, it’s appropriate for the government to respond by providing the purported means of carrying out that crime so as to make a criminal case against him.”⁹⁵

7. Connections

Few connections exist between overseas terrorist sources and Mohamud once the plot actually began. Although one might suspect as a Somali immigrant that Mohamud would have sympathized with or tried to establish ties with Somali-terrorist groups, such as al-Shabab, no links to Somalia at all were ever discovered or discussed.⁹⁶ However, Mohamud had been in contact with one suspected terrorist recruiter in Pakistan, and he was trying to make contact with another when the FBI decided to intercede.⁹⁷ As of now, no information exists on the two suspected terrorist associates that Mohamud contacted or attempted to contact, except that Mohamud had met one of them when Mohamud was a high school student and that the suspected terror recruiter was a student studying in the United States between August 2007 and July 2008.⁹⁸

⁹¹ Denson, “Mohamed Mohamud case.”

⁹² Denson, “Portland bomb plot.”

⁹³ Denson, “Portland bomb plot.”

⁹⁴ U.S. v. Mohamud, Criminal Complaint and Affidavit, 31.

⁹⁵ Schmitt and Savage, “In U.S. Sting Operations.”

⁹⁶ Miner, Robbins, and Eckholm, “F.B.I. Says.”

⁹⁷ U.S. v. Mohamud, Criminal Complaint and Affidavit, 7-11.

⁹⁸ Miner, Robbins, and Eckholm, “F.B.I. Says.”

In 2009, under the pseudonym Ibn al-Mubarak, Mohamud wrote and published three articles and planned a fourth one on the website *Jihadist Recollections*, which is known to have terrorist ties to Yemen and Pakistan.⁹⁹ In an article entitled “Getting in shape without weights,” he wrote “So the one who wants to prepare their own selves for Jihad and raise the banner of La Illaha Illallah, they must make their intentions and prepare themselves spiritually, militarily, financially, and logistically. And from amongst preparing oneself militarily is to exercise the body and to prepare it for war which necessitates that it be able to withstand long journeys and carry heavy equipment and to be fit, generally speaking.”¹⁰⁰ In another article, “Preparing for the long night,” he discussed how to mentally and physically prepare oneself for “Ribaat.”¹⁰¹ According to Islamic websites, this is the concept of guarding the frontiers of Muslim lands with the intention of defending them against the enemies of Islam.¹⁰² In both articles, Mohamud discusses exercise and training one must do to be prepared to defend Muslim lands at any time instantly. In the third article, “Assessing the Role and Influence of As-Sahab Media,” he discussed his views on why As-Sahab Media is the most successful Jihadi-supporting media outlet in the world.¹⁰³ Viewed as a whole, the issues of *Jihadist Recollections* provide for vague advice for terrorists, inspirational support for jihad, and other assorted collections of editorials appealing to radical Muslims.

According to the *New York Times*, *Jihadist Recollections* was published by a Saudi-born American, Samir Khan, from his home in North Carolina.¹⁰⁴ Khan has since moved to Yemen where he works on *Inspire*. Mohamud also claims he submitted and had an article published in the publication *Inspire*, but this could not be found on the internet. *Inspire*, according to the FBI affidavit, is an extremist publication published by al Malahim media, the media arm of al-Qaeda of the Arabian Peninsula.¹⁰⁵

Although the FBI believes that Mohamud’s contact in Pakistan urged Mohamud to travel abroad, which he attempted to do on several occasions, his actions in the tree lighting ceremony plot were largely self-motivated.¹⁰⁶ However, Mohamud was pleased to believe that his plot was continually

⁹⁹ Miner, Robbins, and Eckholm, “F.B.I. Says.” U.S. v. Mohamud, Criminal Complaint and Affidavit, 15.

¹⁰⁰ Ibn al-Mubarak, “Getting in shape without weights,” *Jihadist Recollections*, Issue 1, April 2009, 22-26. *Jihadist Recollections* can be found in pdf form on www.teapartytribune.com/2011/04/11/al-qaedas-inspire/

¹⁰¹ Ibn al-Mubarak, “Preparing for the long night,” *Jihadist Recollections*, Issue 2, May 2009, 59-60.

¹⁰² <http://www.pakistanarmy.biz.tc/ribaat.html>

¹⁰³ Ibn al-Mubarak, “Assessing the Role and Influence of As-Sahab Media,” *Jihadist Recollections*, Issue 3, August 2009, 36-37.

¹⁰⁴ Miner, Robbins, and Eckholm, “F.B.I. Says.” Further discussion of *Inspire*, including a copy of an issue, can be found at homelandsecurityus.com/archives/3908

¹⁰⁵ U.S. v. Mohamud, Criminal Complaint and Affidavit, 15.

¹⁰⁶ Mohamud’s actions can only justifiably argued as self-motivating on the assumption that his entrapment argument fails in court.

monitored and supported by an organization overseas called “the Council,”¹⁰⁷ a hoax established by the FBI undercover operatives.

Additionally, Mohamud paid homage to Osama bin Laden by dressing in his style when he was filmed on November 4, 2010 delivering his good-bye and justifications for attack.

8. Relation to the Muslim community

Mohamed Mohamud grew up in a modern Muslim household. His mother did not wear a hijab, but the family was observant of Ramadan, was involved in the community, and would sporadically attend local mosques.¹⁰⁸ While studying at Oregon State University, Mohamud would continue to attend religious services at the local mosque once every month or every other month.¹⁰⁹ Many Muslim community and religious leaders in Portland and Corvallis knew Mohamud or his family, but saw no reason to expect any radical behavior from him and emphatically assured the media Mohamud’s plot had nothing to do with mosques he attended. Jesse Day, spokesman for the Islamic Center of Portland and for Masjed As-Saber, which Mohamud would occasionally attend, spoke to the media days after Mohamud’s arrest and assured them “if this kid’s being radicalized, it’s not from the locals.”¹¹⁰ However, Yosof Wanly, the imam at the Salman Al-Farisi Islamic Center that Mohamud attended in college, noticed that Mohamud’s behavior just days before his arrest seemed strange. According to Wanly, “He seemed to be in a state of confusion. He would say things that weren’t true. ‘I’m going to go get married,’ for example. But he wasn’t getting married.”¹¹¹

The day after the arrest of the young Somali, Muslim and Arab leaders in the Pacific Northwest issued a joint statement condemning his actions, calling them “inexcusable and without any justification in Islam or authentic Muslim tradition.”¹¹² Isgow Mohamed, executive director of the Northwest Somali Community Organization, made it clear that the Somali community condemned Mohamud’s plot and were equally shocked by his actions: “First of all, we’re really sorry, we do not support terror. We came to live here and not bother anyone. We left a civil war.”¹¹³ Furthermore, representatives from Portland mosques asserted their confidence in law enforcement’s handling of such issues.

Around 2 am on Sunday, November 28, 2010, an unknown arsonist set fire to the Salman Al-Farisi Islamic Center in Corvallis, in likely response to Mohamud’s plot and arrest two days prior.¹¹⁴ No one was injured, but according to mosque members, extensive damage was done to the mosque including burned Korans and wedding and death certificates.¹¹⁵ Many Muslim community leaders

¹⁰⁷ U.S. v. Mohamud, Criminal Complaint and Affidavit, 13.

¹⁰⁸ Molly Hottle, “Portland’s Somali community unites to condemn alleged Pioneer Courthouse Square bomb plot,” *The Oregonian*, November 27, 2010.

¹⁰⁹ Terry, “Family of Portland’s bomb suspect.”

¹¹⁰ McKinley and Yardley, “Suspect in Oregon Bomb Plot.”

¹¹¹ McKinley and Yardley, “Suspect in Oregon Bomb Plot.”

¹¹² Miner, Robbins, and Eckholm, “F.B.I. Says.”

¹¹³ Brooks, “Portland’s Bomb Plot.”

¹¹⁴ Miner, Robbins, and Eckholm, “F.B.I. Says.”

¹¹⁵ McKinley and Yardley, “Suspect in Oregon Bomb Plot.”

and private individuals began to worry that an effect of Mohamud's arrest would result in negative treatment towards Muslims.¹¹⁶ In response to the fire at the Corvallis mosque, the Council on American-Islamic Relations (CAIR) publicly called on the FBI and state law enforcement to increase their protection of the regional Muslim community.¹¹⁷

As the community had time to process the circumstances and details of the FBI's investigation as they were available after the arrest, the opinions of the community began to change, and some local Muslims began to question the tactics and methods of investigation that the FBI pursued in the case. Imtiaz Khan, president of the Islamic Center which Jesse Day represents, said he was worried his mosque and the Islamic community would be unfairly portrayed because of Mohamud's plot, and relayed the opinion of several members of his mosque questioning why the FBI would help orchestrate such a violent and elaborate plot: "They're saying, 'Why allow it to get to this public stunt? To put the community on edge?'"¹¹⁸ Additionally, Day said the circumstances of Mohamud's plot and arrest has brought on feelings of "some distrust, a little bit, in the tactics" of the FBI's investigation.¹¹⁹ Sam Adams, the mayor and police commissioner of Portland, urged the community to be fair in their reaction to Mohamud's arrest. In an interview, Adams said "bad actions by one member of any group does not and should not be generalized or applied more widely to other members of that same group."¹²⁰ Adams also noted that the police chief, the city commissioner, and he would be conducting outreach to leaders in the Somali community in Portland to maintain good relations.

CAIR also has brought up questions regarding the FBI's sting operation. The Director of CAIR's California branch, Hussam Ayloush, said "When the FBI engages in tactics that involve fabricating fake terrorist attacks, it undermines that faith in the community. We have a fake, FBI-manufactured terrorist incident resulting in a real terrorist attack on the Portland mosque." He conceded that "from a technical legal perspective, many of these cases might not amount to entrapment. However, there is something immoral, or at least questionable, about the FBI luring confused, socially alienated, and sometimes unstable individuals into becoming terrorists."¹²¹

9. Depiction by the authorities

Authorities strongly insisted that the plot was severe and potentially dangerous following the arrest. In the Department of Justice's official press release, Dwight C. Holton, U.S. Attorney for the District of Oregon, said, "This defendant's chilling determination is a stark reminder that there are people—even here in Oregon—who are determined to kill Americans. The good work of law

¹¹⁶ McKinley and Yardley, "Suspect in Oregon Bomb Plot."

¹¹⁷ "CAIR: Oregon Mosque Arson Prompts Call To Protect Muslims," *PR Newswire*, November 28, 2010.

¹¹⁸ Schmitt and Savage, "In U.S. Sting Operations."

¹¹⁹ Schmitt and Savage, "In U.S. Sting Operations."

¹²⁰ James Mayer, "Portland Mayor Sam Adams did not know about bomb plot, urges fairness," *The Oregonian*, November 27, 2010.

¹²¹ "Trial by Entrapment," CAIR California, December 3, 2010.

enforcement protected Oregonians in this case—and we have no reason to believe there is any continuing threat arising from this case.”¹²² Additionally, Arthur Brazilian, Special Agent in Charge of the FBI in Portland, commented that “The threat was very real. Our investigation shows that Mohamud was absolutely committed to carrying out an attack on a very grand scale. At the same time, I want to reassure the people of this community that, at every turn, we denied him the ability to actually carry out the attack.”¹²³

Portland Mayor Sam Adams told the press that he was not aware of the investigation until he was debriefed by the FBI at 9:15 am on November 26, a few hours after Mohamud was arrested.¹²⁴ He then explained that he was not informed because of strict protocol issued from Washington, D.C. and that only select law enforcement circles are notified about undercover terrorism investigations. In 2005, Portland City Council passed an ordinance, based on concerns for residents’ civil liberties, that put limitations on the city’s participation with the F.B.I.’s Joint Terrorism Task Force in Portland. However, following Mohamud’s arrest, Adams discussed the idea of better cooperation between the city and federal law enforcement.¹²⁵

Attorney General Eric Holder issued a statement expressing his confidence “that there is no entrapment here, and no entrapment claim will be found to be successful.” He called the sting operation “part of a forward-leaning way in which the Justice Department, the FBI, our law enforcement partners at the state and local level are trying to find people who are bound and determined to harm Americans and American interests around the world.”¹²⁶

10. Depiction by the media

The media became captivated and gave a great deal of press coverage for the entire week following Mohamud’s arrest. Many reports immediately following Mohamud’s arrest portrayed law enforcement’s opinion that, although Mohamud’s plot did not have potential to bring harm to the public, his intent was extremely violent and hateful. However, demonstrating responsible journalism, as early as the day after the arrest, newspaper articles began appearing questioning the investigation.¹²⁷

Additionally, many investigative articles appeared in the following days and weeks that explored Mohamud’s past, including countless conversations with neighbors, classmates, former friends, community members, and community leaders. These reports are extremely varied: some offer reports from people who knew Mohamud that are shocked that the man was capable of such actions¹²⁸ while other articles feature interviews that portray Mohamud in a much different,

¹²² “Oregon Resident Arrested,” Department of Justice Press Release.

¹²³ “Oregon Resident Arrested,” Department of Justice Press Release.

¹²⁴ Mayer, “Portland Mayor.”

¹²⁵ Beth Slovic, “After Thwarted Attack, Question is ‘Why Portland?’” *New York Times*, November 28, 2010.

¹²⁶ Schmitt and Savage, “In U.S. Sting Operations.”

¹²⁷ See Dickey, “Spooking the Terrorists.”

¹²⁸ For example, see McKinley and Yardley, “Suspect in Oregon Bomb Plot,” and Brettman, “State police investigated Mohamed.”

darker light.¹²⁹ As the trial has not yet begun and much information about Mohamud's plot still unrevealed, it is difficult to further speculate about which accounts reveal Mohamud's true nature.

11. Policing costs

The FBI began investigating Mohamud between December 2009 and June 2010 when an undercover operative made contact with Mohamud via e-mail, but it is currently unknown when it began conducting surveillance on him. Two FBI undercover operatives worked with Mohamud from July 30, 2010, and more closely in the autumn of 2010 until his arrest on November 26.¹³⁰ According to the Department of Justice's press release, the investigation was conducted by the FBI with assistance from the Oregon State Police, the Corvallis Police Department, the Lincoln County Sheriff's Office, and the Portland Police Bureau. The prosecution is being conducted by two Assistant U.S. Attorneys, Ethan D. Knight and Jeffrey Sweet, from the U.S. Attorney's Office for the District of Oregon with the assistance of Jolie F. Zimmerman and David Cora, from the Counterterrorism Section of the Justice Department's National Security Division. Mohamud's arraignment was conducted on November 29, 2010, initiating the first stage of his trial. It is not clear under what circumstances the operatives were employed or how they were paid for their services.

12. Relevance of the internet

The internet played a prominent role in the plot's formulation and an even bigger one in the FBI investigation and sting operation. In the summer of 2009, Mohamud used e-mail to correspond with a suspected terrorist recruiter in Pakistan,¹³¹ and visited jihadi websites. He also published three articles on the website *Jihadist Recollections* in 2009.¹³²

The FBI, which began investigating Mohamud because of a tip suspected to be from one of his relatives, likely his father,¹³³ took advantage of Mohamud's failure to contact a second terrorist associate to set up their undercover sting operation by having an undercover FBI employee contact Mohamud by e-mail until gaining enough trust to get Mohamud to meet face-to-face.

While developing his bombing plot, Mohamud used the internet to conduct surveillance and gain information, using the Google Street-View feature to find parking spots and Google Maps to find quick routes in and out of downtown Portland.¹³⁴

13. Are we safer?

Often the most asked question after the arrest of a suspected terrorist in an FBI sting operation is whether the arrest of the suspect results in any real change

¹²⁹ For example, see Stone, "Portland bomber Mohamed Mohamud caught," and Drogin and Choi, "Mixed portraits."

¹³⁰ "Pioneer Courthouse Square bomb plot: a timeline," *The Oregonian*, November 27, 2010.

¹³¹ U.S. v. Mohamud, Criminal Complaint and Affidavit, 8-10.

¹³² Miner, Robbins, and Eckholm, "F.B.I. Says."

¹³³ Terry, "Family of Portland's bomb suspect."

¹³⁴ U.S. v. Mohamud, Criminal Complaint and Affidavit, 27.

in the safety of the American public from terrorists. In his *Newsweek* article, “Spooking the Terrorists—and Ourselves,” Christopher Dickey attempts to answer this question. Dickey writes “When it comes to ‘home-grown terror’ plots and FBI stings, there is a great divide between those would-be jihadis who think they can do everything they want to do with a few local buddies and those who make contact with the pros in Pakistan, Yemen or elsewhere overseas. The second category is much more dangerous. Mohamud was somewhere in between.”¹³⁵ Dickey goes on to explain that Mohamud comes from the subset of angry, young displaced Somali immigrants that al-Qaeda is known to be targeting for recruitment. Dickey also argues that such sting operations send a psychological blow to terrorists looking for recruits to bring abroad for operations in the Arab world or to use them to develop terrorist plots in the United States by sowing mistrust, making it nearly impossible for terrorists abroad to know whether they are talking to actual radical, wanna-be jihadists or undercover U.S. law enforcement agents. The stings also send a message that communications in and out of the United States are heavily watched, limiting terrorists’ ability to find like-minded allies in the United States.¹³⁶ Dickey’s thought-provoking article brings up many strong arguments for the continued use of often-criticized investigation methods by the FBI.

It is less easy to say that the American people are actually safer. Mohamud clearly possessed a violent intent and believed he was going to cause extensive death and injury, but, without the FBI’s assistance, he would never have been able to obtain the weaponry or resources necessary to develop an attack anywhere near the magnitude of the one he believed he was going to carry out.

One could also argue that even if Mohamud had not met with the undercover FBI operatives, he might still have gone abroad to join with violent mujahedeen forces in the Middle East or North Africa. However, he was unable to travel overseas due to the No-Fly List and other obstacles.

Whatever his problems with conducting jihad at home or with joining a terrorist organization overseas, however, he showed continual desire and interest in joining jihadist causes. His apparently immediate willingness to become “operational” suggests that, although he might not have possessed the tactics, training, or intelligence to develop a plausible and dangerous terrorist plot on his own, he was more than willing to participate in a plot if he came in contact with the right person. As Dickey concludes, “Mohamud sounds like a mad dog, and putting him out of action is probably a good thing any way you cut it.”¹³⁷

14. Conclusions

Mohamud’s arrest brings up interesting questions on the FBI’s sting operation tactics that have been so successful in bringing about the conviction of terrorists. According to the Terrorist Trial Report Card prepared by Karen Greenberg’s Center on Law and Security at NYU School of Law, “93% of federal terrorism prosecutions between 2001 and 2009 brought about at least in part by an

¹³⁵ Dickey, “Spooking the Terrorists.”

¹³⁶ Dickey, “Spooking the Terrorists.”

¹³⁷ Dickey, “Spooking the Terrorists.”

informant resulted in conviction.”¹³⁸ Mohamud’s trial will serve as an important test as to whether an entrapment argument will ever hold as a viable defense for suspected terrorists investigated by the FBI—as noted, all previous attempts have failed.¹³⁹

Also, the fact that the FBI recorder failed to properly record the first, and possibly most important meeting, between Mohamud and FBI undercover employees, brings up striking similarities to some other cases of domestic terrorism in the United States. Mohamud’s defense attorney argues that the first meeting between a government undercover agent/informant is the key behind showing entrapment.¹⁴⁰ This idea is supported in another article in *The Oregonian* where a law professor defines entrapment as “a legal concept that means the government has planted the idea of committing a crime in the mind of a target who ordinarily wouldn’t have considered it on his own.”¹⁴¹ However, the first face-to-face meeting with an undercover FBI operative in which Mohamud discusses his motivation for wanting to do jihad and allegedly becomes emphatically eager to become a part of a terrorist plot failed to be recorded due to “technical issues.” Similarly, in the 2009 Bronx synagogue bomb plot (Case 25), the informant did not begin recording conversations until well after the plot had begun to be formulated, and the same holds for the Herald Square plot (Case 12) and for the Springfield plot (Case 29). And in Rockford, Illinois in 2006 (Case 21), the FBI never released their initial source for determining that the suspect was discussing radical jihadist ideas and recordings began only at the stage when potential targets were already being discussed. The fact that in all these cases the FBI seemed to mishandle the initial start of these investigations leads one to wonder whether the FBI’s accounts, and those of their paid informants, are wholly and completely factual, particularly because the informants in the Rockford and Bronx case were both questionable characters—one had been a crack dealing gang member and the other avoided a jail sentence for fraud by cooperating with the FBI. Although this could all be completely coincidental, it is an interesting consideration in the use of the FBI’s anti-terrorism tactics in combating homegrown terrorists.

Additionally, Mohamud’s case again brings up considerations about the effect of sting operations on the American Muslim community which should be the FBI’s most important tool in searching for radical, violent Muslims. If Osman Barre did in fact report his own son to the FBI, it could discourage other parents from reporting their children’s questionable behavior to the authorities. Thus, another Somali-born engineer in Portland questioned whether he would be capable of reporting his own son to the authorities because, even if his son harbored radical ideas, he would never want him to get caught in a somewhat questionable sting operation like the one sprung on Mohamud.¹⁴² Perhaps, as

¹³⁸ Stewart Ain, “Implications of Riverdale Case Unclear,” *Jewish Week*, October 12, 2010.

¹³⁹ Denson, “Portland bomb plot.”

¹⁴⁰ Yardley, “Entrapment is Argued in Defense.”

¹⁴¹ Denson, “Portland bomb plot.”

¹⁴² Steve Duin, “Mohamed Mohamud: Betrayed by his family?” *The Oregonian*, November 30, 2010.

suggested by Haris Tarin, director of the Washington, D.C., office of the Muslim Public Affairs Council, the government should focus on existing criminal activity and spend more resources aiding and assisting the Muslim community in letting community experts and leaders deal with radicalization of local Muslims.¹⁴³ Allowing the community to largely self-police itself could free up FBI resources and impinge less on the necessary and important relationship between local Muslim communities and law enforcement agencies, especially the FBI.

Finally and most troublesome, the arrest of Mohamed Mohamud should cause the American public to question whether a pre-engineering college student from a middle-class, two-income, two-parent household actually became a radical would-be terrorist or whether he was manipulated by the government. If, as argued by friends and neighbors, it was the divorce of his parents that led Mohamud on his path to radical Islam, the case should inspire discussion within law enforcement and the American public of how to ensure that disassociated, troubled teens can find lawful and helpful outlets instead of becoming potential public dangers and destroying their lives.

¹⁴³ “Trial by Entrapment,” CAIR California, December 3, 2010.