

## Case 42: Manhattan's Pair of Lone Wolves

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On May 11, 2011, ten days after Osama bin Laden was killed in Afghanistan, two Muslim men from Queens were arrested in midtown Manhattan for conspiring to commit terrorism. City officials, including Police Commissioner Raymond Kelly and Mayor Michael Bloomberg, held a press conference the next day and explained that the men harbored impressive, even monumental, “aspirations.”<sup>1</sup> Most notable was a plan to “blow up the largest synagogue in Manhattan he can find.”<sup>2</sup> This would be accomplished by entering in disguise after growing a beard and the side curls of a Hassidic Jew “and then taking out the whole entire building.”<sup>3</sup> Also targeted were more synagogues (“one after another”), a church in Queens, and the Empire State Building.<sup>4</sup> According to the indictment, the more voluble of the pair, Ahmed Ferhani, also expressed a desire to “blow up ten synagogues at one time.”<sup>5</sup>

The men were arrested in an arms deal sting. Ferhani paid \$100 toward the full price of \$600 (a substantial bargain) while saying that he was making the purchase “for the cause.” He took possession of three handguns, ammunition, and one inert hand grenade with which he and his sidekick apparently planned to get to work on their monumental, if still distinctly aspirational, deed or multiple deeds. He noted that they also would eventually need a rifle with a sniper scope, a bulletproof vest, a silencer, and a police radio, and that they might need to sell a kilo of heroin to fund the project.<sup>6</sup> The plot had no connection to any wider terrorist group: it was thus a case, declared a city official curiously, of a “pair of lone wolves.”<sup>7</sup>

Ferhani, age 26, was sometimes called “the ringleader” of the group of two (not including the several informants and agents involved).<sup>8</sup> He had come to

<sup>1</sup> Sean Gardner, Pervaiz Sallwani, and Devlin Barrett, “Grenade Attack Suspects Charged,” *Wall Street Journal*, May 13, 2011.

<sup>2</sup> Bob Hennelly, “Feds Say Terror Case Hyped, NYPD Says It’s The Real Deal,” WNYC News, May 14, 2011.

<sup>3</sup> William K. Rashbaum and Al Baker, “Suspects in Terror Case Wanted to Kill Jews, Officials Say,” *New York Times*, May 12, 2011.

<sup>4</sup> Sean Gardiner, Pervaiz Sallwani, and Michael Howard Saul, “Terror Suspect Details Emerge,” *Wall Street Journal*, May 14, 2011.

<sup>5</sup> Indictment, The People of the State of New York against Ahmed Ferhani and Mohamed Mamdoun, Supreme Court of the State of New York, undated.

<sup>6</sup> David Seifman, Jane Schram, and Dan Mangan, “New video shows takedown of 2 Queens men who plotted to blow up Manhattan synagogues,” *New York Post*, May 14, 2011. Indictment.

<sup>7</sup> Hennelly, “Feds Say Terror Case Hyped, NYPD Says It’s The Real Deal.”

<sup>8</sup> Rocco Parascandola, Alison Gendar, and Bill Hutchinson, “NYPD arrests 2 Queens terror suspects, charged with plot to hit NYC synagogues with grenades, guns,” *New York Daily News*, May 12, 2011.

the attention of the police as a potential terrorist seven months earlier when he had been arrested for pulling a gun and then tying up and robbing a prostitute who had invited him into her into her midtown Manhattan hotel room. At that time a detective heard him say he hated Jews and was fed up with how Muslims, especially Palestinians, were treated around the world.<sup>9</sup> Kelly also quoted him as having said, "They're treating us like dogs," and confided that the suspect had inserted an expletive into his comments.<sup>10</sup> An undercover New York Police Department detective worked his way into Ferhani's confidence and recorded many conversations over several months.

Ferhani and his family came to the United States from wartorn Algeria in 1995 when he was 10 years old. The parents were granted asylum, and Ferhani had permanent resident status. However, he faced possible deportation because he failed to appear before an immigration judge who wished to question him about the fact that he had been arrested at least six times not only for the armed robbery but for marijuana possession, disorderly conduct, and weapons possession.<sup>11</sup>

Whatever his political concerns, Ferhani is not very religious. As his father puts it, "He doesn't pray; he drinks."<sup>12</sup> He worked for a while as a cosmetics sales clerk at Saks Fifth Avenue in midtown Manhattan and hoped someday to become a model or an actor. Under the stage name, "Zeus," he was a hip-hop performer and a few days before his terrorism arrest competed in a Manhattan poetry contest to raise money for AIDS.<sup>13</sup> A friend and fellow rapper says Ferhani "has a great heart" and "helps old ladies cross the street."<sup>14</sup>

Completely unmentioned at the initial official press conference and in early reporting on the case is that Ferhani has an extensive record of mental illness, and had been hospitalized for it 20 to 30 times in the previous 10 to 15 years, including some involuntary commitments to a psychiatric facility.<sup>15</sup> At least five of these hospitalizations took place after his family called the police.<sup>16</sup>

<sup>9</sup> Colleen Long and Jennifer Peltz, "2 men accused of plotting to bomb NYC synagogue," troyrecord.com, May 13, 2011. Seifman et al., "New video shows takedown of 2 Queens men who plotted to blow up Manhattan synagogues." Prostitute: Gardiner et al., "Terror Suspect Details Emerge."

<sup>10</sup> Gardner et al., "Grenade Attack Suspects Charged."

<sup>11</sup> Gardner et al., "Grenade Attack Suspects Charged." Parascandola et al., "NYPD arrests 2 Queens terror suspects."

<sup>12</sup> Rashbaum and Baker, "Suspects in Terror Case Wanted to Kill Jews, Officials Say."

<sup>13</sup> Gardiner et al., "Terror Suspect Details Emerge."

<sup>14</sup> Hendrick Koroliszyn, Rocco Parascandola, and Larry McShane, "Terror twit cries a river: Suspect Mohamed Mamdouh declares his innocence in jailhouse interview," *New York Daily News*, May 14, 2011.

<sup>15</sup> Willaim K. Rashbaum and Colin Moynihan, "Most Serious Charges Are Rejected in Terror Case," *New York Times*, June 15, 2011.

<sup>16</sup> "Lawyers of Suspect Accused of Plot to Blow Up NYC Temples Want Case Dropped," Fox News, November 9, 2011.

The other member of the “ring” is Mohamed Mamdouh, 20, who came to the country with his parents in 1999 from Casablanca, Morocco. A United States citizen, he worked as a taxi service dispatcher. A grade-school mate, who stresses that he himself is not a Muslim and has never been convicted of any crime, writes that “Mo” was against 9/11 “and I know he wasn’t just saying it.” He “was a genuinely kind hearted person,” a quality that came out during a “blizzard” when “as we walked past this old lady shoveling he made me stop and help her.”<sup>17</sup> Others have had less pleasant experiences with him. In October 2010, Mamdouh burglarized a home in Queens and stole a laptop, jewelry, and a bottle of vodka. Although the owner was not home at the time, her French poodle, Lulu, was, and Mamdouh kicked the dog during the robbery, bruising its ribs. None of the stolen property has been recovered.<sup>18</sup> Under a plea deal, he was set to serve 90 days in prison for the offence.<sup>19</sup>

Neighbors expressed less than full admiration for the capacity of the accused terrorists. “There’s no way they could be terrorists. They are too stupid,” said one, “Him and his brother are always out in the street smoking pot and fighting.” The word, “knuckleheads” was also used as a descriptor.<sup>20</sup>

It is not clear how Ferhani and the undercover detective met, but according to the Criminal Complaint they hooked up in October 2010, at the time of Ferhani’s arrest for assaulting and robbing the prostitute. Ferhani voiced his support for the Palestinian cause and considered traveling to the area to fight against the Israelis. Eventually Ferhani brought Mamdouh in and, in April 2011, in a conversation among the three, Ferhani broached the idea of blowing up a synagogue, preferably the biggest one in Manhattan. As time went on, the discussions developed, and Ferhani expressed an interest in obtaining weapons. The undercover detective linked him up with another detective who played the role of a dealer in illegal arms. The three drove in to Manhattan where Ferhani consummated the deal and was arrested as he took possession of the arsenal and put it in the trunk of his car.<sup>21</sup> Up to a dozen police converged on the arrest scene.<sup>22</sup> Mamdouh, who for some reason had been let out of the car earlier, was then arrested where he was waiting, some four blocks away.<sup>23</sup>

The Criminal Complaint says little about Mamdouh, and at one point specifically identifies the authors of the bombing plans as Ferhani and the undercover detective: “Ferhani explained his motivation for executing the plans he and [the undercover officer] devised by stating, that ‘Muslims is getting abused

<sup>17</sup> Comment “...from NYC” posted October 29, 2011, on Hennelly, “Feds Say Terror Case Hyped, NYPD Says It’s The Real Deal.”

<sup>18</sup> Kerry Wills and Joe Kemp, “Queens’ terror suspect Mohamed Mamdouh already facing a burglary rap,” *New York Daily News*, May 13, 2011.

<sup>19</sup> “Al Qaeda’s hardmen,” *dailymail.co.uk*, May 14, 2011.

<sup>20</sup> Parascandola et al., “NYPD arrests 2 Queens terror suspects.”

<sup>21</sup> Criminal Complaint: The People of the State of New York against Ahmed Ferhani and Mohamed Mamdouh, May 12, 2011.

<sup>22</sup> Parascandola et al., “NYPD arrests 2 Queens terror suspects.”

<sup>23</sup> Parascandola et al., “NYPD arrests 2 Queens terror suspects.”

all over the world,' and added, 'I ain't gonna accept it.'"<sup>24</sup> The indictment mentions Mamdouh more, usually as someone who was in the room at the same time as Ferhani, though it does record his rather ill-informed opinion that the explosive, C4, could "blow up a whole city block."<sup>25</sup>

In a weepy jailhouse interview with a New York newspaper reporter, Mamdouh insisted that he and Ferhani were not real friends but acquaintances who hung out together and drank occasionally. Ferhani "has anger issues," he said, and "gets mad and says things." Mamdouh says he "never spoke about guns and blowing things up." Rather, "That was him. It was all his idea. I had nothing to do with it." The whole thing emerged out of a conversation between the two of them and the undercover detective in April after the three had watched a documentary, "The Ultra Zionists." "I was drunk....It was just a conversation. It was not serious." However, "I swear I don't think he would kill anyone either. I don't think he has the b- - - ."<sup>26</sup>

From the beginning there were questions about why this operation was carried out entirely by the NYPD with no participation either from the FBI or from the FBI-NYPD Joint Terrorism Task Force. The NYPD's Intelligence Division had notified the JTTF about the case, but the JTTF had opted not to get involved. At the initial press conference, there were conflicting explanations for this.<sup>27</sup> However, in a couple of days two Federal law enforcement sources, speaking under condition of anonymity, said they did not take the case because the operation was problematic, because it might not hold up in court as a terrorism case, and because the result was being over-hyped.<sup>28</sup>

In fact, when the state grand jury heard the evidence against the "pair of lone wolves" in June, it declined to indict on the main charge of conspiring to commit a crime of terrorism, which carries with it a maximum of life in prison without parole, and on the second charge of conspiracy to commit a hate crime. Instead, the panel accepted lesser charges—though hardly trivial ones—that the defendants wanted to destroy a synagogue when it was empty.<sup>29</sup>

Labeling the episode "another terrorism air ball," crime writer and NYPD watcher Leonard Levitt says Federal authorities distrusted the undercover detective—described in one news report as "a foreign-born officer trained outside

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<sup>24</sup> Criminal Complaint: The People of the State of New York against Ahmed Ferhani and Mohamed Mamdouh, May 12, 2011.

<sup>25</sup> Indictment. See also "District Attorney Vance, Mayor Bloomberg, Police Commissioner Kelly Announce Arrests in Terror Cases," Press Release, Office of the District Attorney, New York County, May 11, 2011.

<sup>26</sup> Koroliszyn et al., "Terror tweet cries a river." Word obfuscation in the original.

<sup>27</sup> Rashbaum and Baker, "Suspects in Terror Case Wanted to Kill Jews, Officials Say." Rashbaum and Moynihan, "Most Serious Charges Are Rejected in Terror Case."

<sup>28</sup> Hennelly, "Feds Say Terror Case Hyped, NYPD Says It's The Real Deal."

<sup>29</sup> Rashbaum and Moynihan, "Most Serious Charges Are Rejected in Terror Case." See also "Mayor Bloomberg, Police Commissioner Kelly Announce Arrests."

the Police Academy”—and were discomfited when the police would not allow them to interview him. Levitt quotes Ferhani’s lawyer, Elizabeth Fink, whom he characterizes as “an old-time lefty,” as saying “this case is bogus... It’s total entrapment.”<sup>30</sup>

Defending her Jew-hating client, Fink insisted that Ferhani’s “unfortunate statements” were nothing other than “hyperbole and speculation.” Meanwhile, Mamdouh’s lawyers have argued that the alleged remarks and the gun sale don’t constitute an “intent to intimidate or coerce a civilian population” as required under the state’s terror law.<sup>31</sup>

Another lawyer called it “predatory policing,”<sup>32</sup> and Fink asserts that it was perpetuated by politics and grandstanding tied to the financial, political and personal ambitions of the police commissioner, mayor, and district attorney.<sup>33</sup>

Interesting is a comment Mayor Bloomberg made during the initial press conference. He denounced a potential cut of \$100 million in federal terror funding for New York, a development, city officials said, that would have an immediate impact on their efforts to secure lower Manhattan. The cut was nonetheless approved by a House of Representatives subcommittee the next day.<sup>34</sup>

This full study for this case has yet to be written.

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<sup>30</sup> Leonard Levitt, “Another Take on Terror,” [nypdconfidential.com](http://nypdconfidential.com), June 20, 2011. News report: Parascandola et al., “NYPD arrests 2 Queens terror suspects.”

<sup>31</sup> “Lawyers of Suspect Accused of Plot to Blow Up NYC Temples Want Case Dropped,” Fox News, November 9, 2011.

<sup>32</sup> “Lawyers of Suspect Accused of Plot to Blow Up NYC Temples Want Case Dropped,” Fox News, November 9, 2011.

<sup>33</sup> Rashbaum and Moynihan, “Most Serious Charges Are Rejected in Terror Case.”

<sup>34</sup> Gardiner et al., “Terror Suspect Details Emerge.”