



The Herald Square Plot

Report #14 in a NEFA series, "Target: America"
A NEFA analysis of U.S. v. Siraj
March 2008

U.S.-Based Plotters

On January 8, 2007, Shahawar Matin Siraj, a Queens, New York resident, received a thirty-year jail term after being convicted of conspiring to plant explosive devices at a New York City subway station. On March 2, 2007, James Elshafay, a Staten Island, New York resident, received a five-year prison sentence for his involvement in the plot;¹ he had pled guilty in October 2004.²



Shahawar Matin Siraj; DOJ



James Elshafay; DOJ

The Target: The Herald Square Subway Station

Siraj and Elshafay planned to target Manhattan's Herald Square (34th Street) subway station, which United States Attorney for the Eastern District of New York Roslynn R. Mauskopf labeled "one of the most active public transportation hubs in America." At the time of their arrest, neither Siraj nor Elshafay possessed explosive materials;³ however, they believed that Osama Eldawoody, an NYPD informant with whom they established close ties, would supply them with bombs.⁴

Siraj and Elshafay were arrested on August 27, 2004, three days before the start of the Republican National Convention at nearby Madison Square Garden.⁵

¹ "Shahawar Matin Siraj Sentenced to Thirty Years of Imprisonment for Conspiring to Place Explosives at the 34th Street Subway Station in New York," Department of Justice Press Release, January 8, 2007.

² "Shahawar Matin Siraj Convicted of Conspiring to Place Explosives at the 34th Street Subway Station," Department of Justice Press Release, May 24, 2006.

³ "Shahawar Matin Siraj Convicted of Conspiring to Place Explosives at the 34th Street Subway Station," Department of Justice Press Release, May 24, 2006.

⁴ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

⁵ "Shahawar Matin Siraj Convicted of Conspiring to Place Explosives at the 34th Street Subway Station," Department of Justice Press Release, May 24, 2006.

The Goals of the Attack

According to the Department of Justice, "Siraj and Elshafay plotted to plant explosive devices at the Herald Square subway station in order to disrupt commerce and transportation in New York City and damage the economy."⁶ NYPD informant Osama Eldawoody echoed this conclusion, telling CBS News, "they were hoping to take revenge against America...they were hoping — to destroy the country, the economy."⁷ When sentencing Siraj, federal judge Nina Gershon said that the planned actions "had the potential, if not thwarted, to wreak havoc with the New York City transportation system, indeed, the tristate-area transportation system."⁸

The impact of the bombing was to be magnified by the envisioned collapse of the Manhattan Mall, which sits above the Herald Square station.⁹

Conducting Surveillance

On August 21, 2004, Siraj, Elshafay, and Eldawoody drove into Manhattan to conduct surveillance on the Herald Square subway station. To minimize scrutiny, the three men split up, entering the station separately. To further deflect suspicion, Siraj dressed in baggy jeans and a do-rag, eager to "look hip-hop, like a Puerto Rican," rather than "Arabic."¹⁰ (Notably, in a recorded conversation with Eldawoody, Siraj claimed he had previously dressed as a homeless person to scout out subway security.¹¹)

During their mission, the men were interested in gathering various data points, including the strength of the police presence, the location of video cameras, and the best entry/exit points.¹² The Department of Justice further notes that upon returning to their car, they "drew diagrams of the location in order to help them later place a bomb."¹³



New York Police Department

Operational Details of the Planned Attack

On August 23, 2004, Siraj, Elshafay, and Eldawoody met to discuss the operational details of the attack. Informing Siraj and Elshafay that he had received the

⁶ "Shahawar Matin Siraj Convicted of Conspiring to Place Explosives at the 34th Street Subway Station," Department of Justice Press Release, May 24, 2006.

⁷ Armen Keteyian, Phil Hirschhorn, and Michael Rey, "The Cost of Cooperation," *CBS News*, September 14, 2006.

⁸ William Rashbaum, "Man Gets 30 Years in Subway Bomb Plot," *The New York Times*, January 9, 2007.

⁹ William Rashbaum, "Terror Jury Hears Talk of Bombing Subway Stop," *The New York Times*, April 27, 2006.

¹⁰ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

¹¹ William Rashbaum, "Terror Jury Hears Talk of Bombing Subway Stop," *The New York Times*, April 27, 2006. Note: Siraj also told Eldawoody that for a future reconnaissance mission he would seek to blend in by shaving his beard and wearing New York Yankees gear.

¹² Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

¹³ "Shahawar Matin Siraj Convicted of Conspiring to Place Explosives at the 34th Street Subway Station," Department of Justice Press Release, May 24, 2006.

support of "The Brotherhood," a fictitious organization, Eldawoody told the men that he would provide the bombs.¹⁴

As the conversation progressed, Siraj seemingly developed cold feet, expressing sentiments that were in stark contrast to his prior rhetoric. Previously, he had asserted, "I want at least 1,000 to 2,000 to die in one day" and warned "I'm going to f**k this country very bad."¹⁵ However, during this conversation, Siraj indicated he merely wanted to damage the economy: "No killing. Only economy problems. I'm going to work as a planner." He added, "I know about 34th street. I can go with the brother...but I will not be the one who drops it." Siraj told Eldawoody he was so hesitant to place the bomb because "if somebody dies, then the blame will come on me." When Eldawoody probed Siraj's dedication by asking "so are you out jihad?", Siraj responded, "planning is also jihad brother."¹⁶

With Siraj wavering, Elshafay jumped in, announcing, "I'll do it." He then described his plan for placing the bombs: "I'll dress like a Jew. I'll have the bomb on me so it looks like a belly. I'll take it out and put it in the garbage can. I'll tuck in my shirt and walk out the 34th street entrance." As Elshafay saw it, "they'll never check a Jew, 'cause they know Jews aren't the ones doing it." He further explained that if he was "going to do 34th street," he wanted "to go there a few more times...to check it out a little more." Siraj noted that he was willing to "be with" Elshafay when he placed the bombs.¹⁷

However, during his trial, Siraj testified that with a dry run planned, he made additional attempts to back out. In one instance, he tried to convince Eldawoody that explosives-filled backpacks would be too heavy to carry. He also claimed that subway security would be greatly enhanced due to recent death threats to President Bush. But, in the end, he admitted he "couldn't say no to" Eldawoody.¹⁸ (See more below on Siraj's claims of entrapment.)

Assessing the likelihood that Siraj and Elshafay would have carried out the attack, NYPD Deputy Commissioner for Intelligence David Cohen said, "there's no question in our mind that they would have played this out completely...If they couldn't get the explosives or if they just got frustrated, they had other options. All it takes is an AK-47 and a desire to become a martyr."¹⁹ He further stated, "a lot of New Yorkers would have died and been injured."²⁰

¹⁴ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

¹⁵ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

¹⁶ Transcript of conversation between Shahawar Matin Siraj, James Elshafay, and Osama Eldawoody. See: "Band of Brothers," *Harpers*, October 2006. Note: Siraj suggested carrying out the bombing in the early morning, though he accepted that homeless sleeping in the station would likely be killed. See: William Rashbaum, "Terror Jury Hears Talk of Bombing Subway Stop," *The New York Times*, April 27, 2006.

¹⁷ Transcript of conversation between Shahawar Matin Siraj, James Elshafay, and Osama Eldawoody. See: "Band of Brothers," *Harpers*, October 2006.

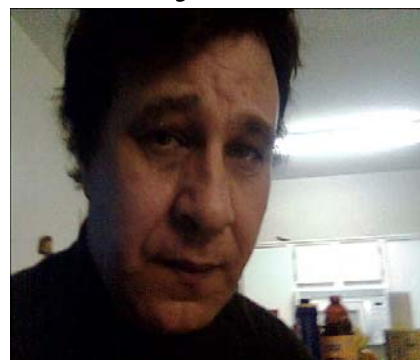
¹⁸ Joseph Goldstein, "Siraj Testifies He Wanted To Back Out Of Plan To Bomb Subway Station," *The New York Sun*, May 16, 2006.

¹⁹ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

²⁰ Judith Miller, "On the Front Line in the War on Terrorism," *City Journal*, Summer 2007.

The NYPD Intelligence Division Informant – Osama Eldawoody

Holding a degree in nuclear engineering from his native Egypt, Osama Eldawoody moved to Brooklyn, New York in 1986. After unsuccessfully attempting to find employment in the engineering field, he drifted through a number of jobs, working as an ice cream vendor, a taxi driver, as well as in real estate and the restaurant business.²¹ While working in real estate in New Jersey, Eldawoody covertly recorded a corrupt building inspector, thus contributing to a successful government investigation. Commenting on his role in the probe, Eldawoody said, "I'm no dummy...I know how to get people to the point."²²



Osama Eldawoody; Washington Post

After 9/11, both the NYPD and FBI visited Eldawoody's Staten Island residence in response to tips about his alleged suspicious behavior.²³ In October 2002, fed up with the scrutiny, Eldawoody asked three NYPD officers who were at his house: "why all this discrimination?" It was during this visit that Eldawoody says he "felt something had to be done...Right away, I said I was ready to help."²⁴ Expounding on his motivations, he explained, "I'm American...I like to do my part for my country."²⁵ Nonetheless, he admitted that when he "signed up" to be an informant, he "didn't know what...[he] was going to do."²⁶

In July 2003, Eldawoody began working as an informant for the NYPD Intelligence Division's Terrorist Interdiction Unit.²⁷ Initially, he was asked to keep his "eyes and ears open" for extremist rhetoric in mosques in Staten Island²⁸ and Brooklyn,²⁹ as well as to note license plate numbers in their parking lots.³⁰ Eldawoody also mentally recorded mundane details such as the number of individuals attending prayers and the

²¹ William Rashbaum, "Police Informer in Terror Trial Takes Stand," *The New York Times*, April 25, 2006 and Robin Shulman, "The Informer: Behind the Scenes, or Setting the Scene?", *The Washington Post*, May 29, 2007.

²² Robin Shulman, "The Informer: Behind the Scenes, or Setting the Scene?", *The Washington Post*, May 29, 2007.

²³ Robin Shulman, "The Informer: Behind the Scenes, or Setting the Scene?", *The Washington Post*, May 29, 2007. Note: For instance, an anonymous caller reported that Eldawoody had received a shipment of eight boxes at his home. See: William Rashbaum, "Police Informer in Terror Trial Takes Stand," *The New York Times*, April 25, 2006.

²⁴ Joseph Goldstein, "Informant in Subway Terror Trial Was Eager To Help in Wake of 9/11," *The New York Sun*, April 25, 2006.

²⁵ Armen Keteyian, Phil Hirschhorn, and Michael Rey, "The Cost of Cooperation," *CBS News*, September 14, 2006.

²⁶ Armen Keteyian, Phil Hirschhorn, and Michael Rey, "The Cost of Cooperation," *CBS News*, September 14, 2006.

²⁷ William Rashbaum, "Window Opens On City Tactics Among Muslims," *The New York Times*, May 28, 2006.

²⁸ Note: This mosque was identified as the al-Noor mosque. See: William Rashbaum, "U.S. Challenges Questions by Defense in Bomb Case," *The New York Times*, May 3, 2006.

²⁹ Note: Eldawoody visited the Al Farooq mosque, as well as the Islamic Society of Bay Ridge. See: William Rashbaum, "Police Informer in Terror Trial Takes Stand," *The New York Times*, April 25, 2006.

³⁰ Armen Keteyian, Phil Hirschhorn, and Michael Rey, "The Cost of Cooperation," *CBS News*, September 14, 2006.

length of such sessions. Asked on the witness stand about one report on an individual who seemingly had no connection to radicalism, he responded, "he doesn't have to be a terrorist to report it. I report what happens and what I saw and what I heard."³¹ In addition to reporting on his surroundings, Eldawoody – who claimed his father was a prominent author in Egypt³² – worked diligently to build an image as a devout Muslim, crying during prayers and complaining when non-Muslims entered the mosque.³³ Islamic Society of Bay Ridge official Zein Ramawi confirmed that Eldawoody "was a very good actor."³⁴



Philip Toledano; N.Y. Magazine

Having proved his skills and earned his handler's trust, Eldawoody was tasked to establish a rapport with Siraj,³⁵ and he began frequenting the Islamic bookstore – next to the Islamic Society of Bay Ridge – where Siraj worked.³⁶ Upon getting to know Siraj, Eldawoody "thought immediately" that "he's a terrorist. He wants to harm the country and the people of the country."³⁷

As the months passed, Siraj's relationship with Eldawoody solidified, and Eldawoody would regularly drive Siraj home from work.³⁸ Siraj felt comfortable enough with his new friend that he showed him CDs with bomb-making instructions.³⁹ In June 2004, shortly after James Elshafay was introduced to Eldawoody, Eldawoody began wearing a recording device.⁴⁰ The wire captures evidence of Siraj's affection for his older mentor, whom he calls his "brother;" at another point, Eldawoody calls Siraj his "son."⁴¹ And, as noted above, the plot accelerated when Eldawoody informed Siraj and Elshafay that he belonged to "The Brotherhood," a group eager to help them launch an attack.⁴²

In total, between July 2003 and August 2004, Eldawoody attended 575 prayer services at New York mosques,⁴³ and after each he would contact his handler, Detective

³¹ William Rashbaum, "Defense Presses Police Informer About His Job," *The New York Times*, May 2, 2006.

³² Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

³³ Robin Shulman, "The Informer: Behind the Scenes, or Setting the Scene?," *The Washington Post*, May 29, 2007

³⁴ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

³⁵ Armen Keteyian, Phil Hirschhorn, and Michael Rey, "The Cost of Cooperation," *CBS News*, September 14, 2006.

³⁶ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

³⁷ Armen Keteyian, Phil Hirschhorn, and Michael Rey, "The Cost of Cooperation," *CBS News*, September 14, 2006.

³⁸ Robin Shulman, "The Informer: Behind the Scenes, or Setting the Scene?," *The Washington Post*, May 29, 2007

³⁹ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

⁴⁰ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

⁴¹ Robin Shulman, "The Informer: Behind the Scenes, or Setting the Scene?," *The Washington Post*, May 29, 2007

⁴² Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

⁴³ William Rushbaum, "Window Opens On City Tactics Among Muslims," *The New York Times*, May 28, 2006.

Stephen Andrews.⁴⁴ Those contacts resulted in over 350 reports authored by Detective Andrews.⁴⁵ For his efforts between July 2003 and August 2004, Eldawoody received roughly \$25,000.⁴⁶

The NYPD notified Eldawoody prior to the arrests of Siraj and James Elshafay, and moved his family to Pennsylvania. To assist with relocation expenses and other costs, the NYPD paid Eldawoody approximately \$75,000 over the course of the twenty months prior to Siraj's trial. With the trial complete, he now receives rent payments and \$3,200 per month, payments which are slated to continue indefinitely, and rent expenses.⁴⁷ The NYPD also assisted him in an employment search.⁴⁸

Nonetheless, Eldawoody is extremely bitter about his experience with the NYPD. As he explained, "I got damaged, big-time. I'm in a bad situation."⁴⁹ For one, he expected his real name to be kept secret.⁵⁰ He also blames the NYPD for his financial woes, particularly after he was pressured to turn down a \$90,000/year opportunity with Titan Corporation in Iraq in order to prepare for the Siraj trial.⁵¹ Struggling to find work, Eldawoody told CBS News, "I need something permanent...I need to make a living...I am asking them to fix what they did."⁵²

In an effort to secure increased attention, he wrote a letter to Senator Hillary Clinton, bemoaning the fact that the NYPD guaranteed him "the best quality of life and security... and all their promises were gone after the arrest" of Siraj.⁵³ (Eldawoody reportedly was severely reprimanded by his handlers for writing the letter.⁵⁴)

Commenting on Eldawoody's situation in 2006, NYPD Commissioner Ray Kelly stated, "he's a hero who did a great service to the people of New York. We will continue our dedicated efforts to ensure the safety and well-being of him and his family."⁵⁵

⁴⁴ William Rushbaum, "Window Opens On City Tactics Among Muslims," *The New York Times*, May 28, 2006 and Robin Shulman, "The Informer: Behind the Scenes, or Setting the Scene?," *The Washington Post*, May 29, 2007

⁴⁵ Robin Shulman, "The Informer: Behind the Scenes, or Setting the Scene?," *The Washington Post*, May 29, 2007

⁴⁶ Robin Shulman, "The Informer: Behind the Scenes, or Setting the Scene?," *The Washington Post*, May 29, 2007

⁴⁷ Robin Shulman, "The Informer: Behind the Scenes, or Setting the Scene?," *The Washington Post*, May 29, 2007

⁴⁸ Robin Shulman, "The Informer: Behind the Scenes, or Setting the Scene?," *The Washington Post*, May 29, 2007

⁴⁹ Armen Keteyian, Phil Hirschhorn, and Michael Rey, "The Cost of Cooperation," *CBS News*, September 14, 2006.

⁵⁰ Armen Keteyian, Phil Hirschhorn, and Michael Rey, "The Cost of Cooperation," *CBS News*, September 14, 2006.

⁵¹ Armen Keteyian, Phil Hirschhorn, and Michael Rey, "The Cost of Cooperation," *CBS News*, September 14, 2006.

⁵² Armen Keteyian, Phil Hirschhorn, and Michael Rey, "The Cost of Cooperation," *CBS News*, September 14, 2006.

⁵³ Tom Hays, "Informant's Plea for Help from Sen. Clinton Adds Wrinkle to Bomb-Plot Case," *Associated Press*, September 13, 2006.

⁵⁴ Tom Hays, "Informant's Plea for Help from Sen. Clinton Adds Wrinkle to Bomb-Plot Case," *Associated Press*, September 13, 2006.

⁵⁵ Armen Keteyian, Phil Hirschhorn, and Michael Rey, "The Cost of Cooperation," *CBS News*, September 14, 2006.

The NYPD Intelligence Division Detective – "Kamil Pasha"

Testifying during the Siraj trial, "Kamil Pasha" (a pseudonym) – a member of the NYPD Intelligence Division's Special Services Unit who lived undercover in Bay Ridge, Brooklyn – reported on his 72 contacts with Siraj between 2002 and 2004.⁵⁶ Most significantly, Pasha described a number of statements by Siraj "supporting violent and terrorist activities,"⁵⁷ contradicting Siraj's assertions on the witness stand that he was a moderate thinker before encountering Osama Eldawoody.⁵⁸

According to Pasha, Siraj said that Usama Bin Laden "was a talented brother and a great planner" whom he hoped "planned something big for America."⁵⁹ Pasha also testified that Siraj asserted that "the mission was not completed on 9/11" because "Wall Street was not attacked."⁶⁰ And when Siraj saw news reports on five Al-Qaida members who had purportedly entered the U.S., he said that "he hoped...they blew up the city and the American people."⁶¹ Moreover, Siraj defended Palestinian suicide bombings and claimed that "he would do the same thing" "if anyone did that to his family."⁶² Siraj also gave Pasha a video titled "Illuminazi 9/11," which, a federal judge notes, "contains images of terrorist attacks and the murder of civilians and which blames those atrocities on the U.S. government..."⁶³

Pasha's time on the witness stand also provided unprecedented insight into the NYPD's undercover counterterrorism operations. Pasha, who moved to the U.S. from Bangladesh when he was seven, told the court that he was recruited out of the Police Academy into the Intelligence Division in October 2002. Living in Bay Ridge, he "was told to be a member of the community, act like a citizen and hang out in the community;" as Pasha explained, his "mission was to look out for suspicious activities, criminal activities, terrorism as well."⁶⁴ Moreover, he was instructed to "never...push for information," instead taking "a back seat" and serving as "the ears and eyes."⁶⁵

Three weeks after moving to Brooklyn, Pasha stopped by the Islamic Society of Bay Ridge, a location on which he was instructed to focus.⁶⁶ In addition to periodically visiting the mosque, Pasha also frequented the bookstore next door.⁶⁷ In the vicinity of

⁵⁶ William Rashbaum, "Detective Was 'Walking Camera' Among City Muslims, He Testifies," *The New York Times*, May 19, 2006. Note: During his interactions with Siraj, Pasha never recorded Siraj.

⁵⁷ U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Opinion and Order, Filed January 4, 2007.

⁵⁸ Tom Hays, "Jurors Asked to Name Bomb Plot Mastermind," *Associated Press*, May 22, 2006.

⁵⁹ Tom Hays, "Jurors Asked to Name Bomb Plot Mastermind," *Associated Press*, May 22, 2006.

⁶⁰ William Rashbaum, "Undercover Officer Testifies in Bomb Plot Trial," *The New York Times*, May 18, 2006.

⁶¹ William Rashbaum, "Undercover Officer Testifies in Bomb Plot Trial," *The New York Times*, May 18, 2006.

⁶² William Rashbaum, "Undercover Officer Testifies in Bomb Plot Trial," *The New York Times*, May 18, 2006. Note: According to this report, Siraj believed that "suicide bombings in Palestine...were acts of revenge committed by people whose family members had been raped and killed."

⁶³ U.S. v. Siraj, (E.D. N.Y.), No. 1:05-cr-00104-NG, Opinion and Order, Filed January 4, 2007.

⁶⁴ John Marzulli, "How Mole Dug Up Terror," *The New York Daily News*, May 19, 2006.

⁶⁵ William Rashbaum, "Detective Was 'Walking Camera' Among City Muslims, He Testifies," *The New York Times*, May 19, 2006.

⁶⁶ William Rashbaum, "Window Opens On City Tactics Among Muslims," *The New York Times*, May 28, 2006.

⁶⁷ William Rashbaum, "Detective Was 'Walking Camera' Among City Muslims, He Testifies," *The New York Times*, May 19, 2006.

both locations, he occasionally encountered Osama Eldawoody but had no idea about Eldawoody's involvement with the NYPD.⁶⁸ While working in Bay Ridge, Pasha operated with considerable autonomy from the NYPD, though he did maintain consistent contact with his handler and received support from a back-up team at times.⁶⁹

The Defense Strategy: Entrapment

The defense strategy focused heavily on entrapment, as attorney Martin Stolar asked jurors to consider, "who's in charge here? It's Eldawoody...He's the teacher. He's the mentor. He's the leader."⁷⁰ Moreover, according to Stolar, "Eldawoody continued to talk with him about engaging in violence because he needs someone to make money off of...So he goes to a young, pliable man, not the brightest light bulb in the chandelier...He says it's your duty as a Muslim to do something."⁷¹ And, in Stolar's estimation, "it is clear that [Siraj] is seeking to get approval...he's desperate for approval."⁷²

Responding to this tactic, the prosecution concentrated on proving that Siraj, in the words of Assistant U.S. Attorney Todd Harrison, "knew exactly what was going on and was the initiator of all the steps."⁷³ Prosecutor Marshall Miller asked the jury to consider the argument that "if there are people out there who are ready and willing to bomb the subway system, then law enforcement should be trying to arrest them before the attacks happen."⁷⁴ What's more, Miller reminded the jury that they "heard the defendant carefully, deliberately, and matter-of-factly plan bombing attack after bombing attack without fear or remorse."⁷⁵

In interviews after the trial, a number of jurors revealed that the entrapment question was at the heart of their decision making process. One juror commented, "I believe it could have been entrapment, but the defense didn't come up with the evidence..." Another remarked, "we were trying to find evidence to the entrapment. The defense didn't provide that much." That juror pointed out that "there had to be physical evidence – not what we felt or thought about what may have happened." The juror also noted that holes in the recordings left unanswered questions: "there is a lot of stuff missing...We don't have those conversations [that took place earlier in the Eldawoody/Siraj relationship], and other conversations and the other reports. So we don't know what happened up until that time. It could have happened. He could have been entrapped back then. We don't have the evidence to prove it at that point."⁷⁶

Notably, after Siraj's conviction and before his sentencing, a federal judge definitively rejected the entrapment claims:

⁶⁸ William Rushbaum, "Window Opens On City Tactics Among Muslims," *The New York Times*, May 28, 2006.

⁶⁹ William Rashbaum, "Detective Was 'Walking Camera' Among City Muslims, He Testifies," *The New York Times*, May 19, 2006.

⁷⁰ Tom Hays, "Jurors Asked to Name Bomb Plot Mastermind," *Associated Press*, May 22, 2006.

⁷¹ Joseph Goldstein, "Informant in Subway Terror Trial Was Eager To Help in Wake of 9/11," *The New York Sun*, April 25, 2006.

⁷² Tom Hays, "Jurors Asked to Name Bomb Plot Mastermind," *Associated Press*, May 22, 2006.

⁷³ William Rashbaum, "Man Gets 30 Years in Subway Bomb Plot," *The New York Times*, January 9, 2007.

⁷⁴ Zach Haberman, "Chilling Herald Square Subway Bomber was Ready to 'Blow': Feds," *The New York Post*, May 23, 2006.

⁷⁵ Tom Hays, "Jurors Asked to Name Bomb Plot Mastermind," *Associated Press*, May 22, 2006.

⁷⁶ Jennifer Lee, "Entrapment Evidence Lacking, Jurors Say," *The New York Times*, May 25, 2006.

"I note that defendant's evidence of inducement at trial was scant. The only evidence defendant offered on this subject was his own testimony that the confidential informant constantly talked to him about the war in Iraq and inflamed his anger against the United States and its treatment of Muslims, for example, by showing him pictures of the prisoners at Abu Ghraib. It is questionable whether the statements relied upon by defendant are properly viewed as 'soliciting, proposing, initiating, broaching or suggesting the commission of the offense charged.' Moreover, defendant's testimony was rebutted by the undercover officer's testimony that defendant discussed the same types of issues before meeting the confidential informant...Most importantly, the defendant's own testimony (as well as the testimony of the cooperating witness and the confidential informant and the recordings) established that it was the defendant who originated the plan to blow up the 34th Street subway station, that is, it was the defendant who originated 'the criminal design' and not the government."⁷⁷

The entrapment defense surfaced yet again when Siraj made a statement prior to sentencing, telling the judge, "I'm taking responsibility for 34th Street, but I was manipulated by this person."⁷⁸ And following his sentencing, Siraj's mother, Shahina Parveen, told the media, "the N.Y.P.D., through a paid informant, tricked my son and got him stuck in this...He didn't do anything. I didn't get any justice. It was not a fair sentence."⁷⁹

Responding to entrapment allegations in a post-trial interview with CBS News, Osama Eldawoody said, "no kind of entrapment whatsoever. The opposite is right: He was the one who was pushing me."⁸⁰ Supporting his star informant, the NYPD's David Cohen asserted that their "C.I. [confidential informant] was very careful to let the suspects take the lead and do the talking."⁸¹

Additional Information – Considering Attacking Other Targets

Siraj and James Elshafay considered launching numerous other attacks before deciding to focus on the Herald Square subway station. For example, Elshafay compiled a list of targets that included three Staten Island police stations,⁸² a Staten Island jail, the Verrazano-Narrows Bridge,⁸³ a 42nd Street subway station, and the 59th and Lexington station.⁸⁴ During his trial testimony, Osama Eldawoody reported that Siraj showed him a

⁷⁷ U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Opinion and Order, Filed January 4, 2007.

⁷⁸ William Rashbaum, "Man Gets 30 Years in Subway Bomb Plot," *The New York Times*, January 9, 2007.

⁷⁹ William Rashbaum, "Man Gets 30 Years in Subway Bomb Plot," *The New York Times*, January 9, 2007.

⁸⁰ Armen Keteyian, *Phil Hirschhorn, and Michael Rey, "The Cost of Cooperation,"* CBS News, September 14, 2006.

⁸¹ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

⁸² Note: These precincts were the 123rd in Tottenville, the 120th in St. George, and the 122nd in New Dorp. See: Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

⁸³ Note: The conspirators subsequently decided that they would be detected if they attempted to place a bomb on the bridge. See: Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

⁸⁴ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

crudely drawn map, compiled by Elshafay, which depicted the four bridges connecting Staten Island to New Jersey and Brooklyn, as well as the Staten Island prison and police stations. According to Eldawoody, Siraj commented that he would "teach these bastards a lesson."⁸⁵ And, James Elshafay testified that Siraj "smiled" when the bridge plot was first discussed.⁸⁶ Siraj was particularly excited about the possibility of causing economic harm with the bridge attack.⁸⁷

In recorded conversations with Eldawoody, who holds a degree in nuclear engineering, Siraj also expressed interest in procuring nuclear weapons to attack the U.S. Army. Siraj asked Eldawoody, "can we do it over here...a big explosion that can...kill the army of America?" He informed Eldawoody that he was eager to "take out the majority of them with one punch."⁸⁸ The two men even discussed how to destroy a nuclear power plant.⁸⁹

Tapes played in court further revealed that Siraj spoke of assassinating Bill Gates, in an effort to impact the U.S. economy.⁹⁰

Additional Information – The Radicalization of Elshafay and Siraj

Considerable data is available on the radicalization trajectories of James Elshafay and Shahawar Matin Siraj.

For Elshafay, 9/11 was a seminal moment, as he was extremely disturbed by the anti-Arab sentiment he encountered. One NYPD detective explained to a reporter that "James saw people he grew up with and went to school with on Staten Island carrying signs that said on the front GOD BLESS AMERICA and on the back KILL ARAB BABIES, and he felt the police didn't do anything about it."⁹¹ Then, in August 2002, Elshafay visited family members in Egypt and returned eager to learn more about Islam.⁹² That curiosity brought him to Islamic Books and Tapes, the bookstore where he encountered Siraj⁹³ and which, in the NYPD's words, served as "an extremist incubator for both as they progressed through the stages of radicalization."⁹⁴

Siraj had taken a job at Islamic Books and Tapes, which was run by his uncle, shortly after 9/11. According to the NYPD, "he started to read the books in the store and

⁸⁵ William Rashbaum, "Police Informer in Terror Trial Takes Stand," *The New York Times*, April 25, 2006.

⁸⁶ William Rashbaum, "Staten Island Man Describes Shattered Life, Then a Plot to Bomb a Subway Station," *The New York Times*, May 10, 2006.

⁸⁷ William Rashbaum, "In Tapes of Subway Plot Suspect, a Disjointed Torrent of Hatred," *The New York Times*, April 26, 2006.

⁸⁸ William Rashbaum, "In Tapes of Subway Plot Suspect, a Disjointed Torrent of Hatred," *The New York Times*, April 26, 2006.

⁸⁹ William Rashbaum, "Lawyer Confronts Informer in Subway Bomb Plot Case," *The New York Times*, May 5, 2006.

⁹⁰ William Rashbaum, "In Tapes of Subway Plot Suspect, a Disjointed Torrent of Hatred," *The New York Times*, April 26, 2006.

⁹¹ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

⁹² U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Trial Transcript, May 9, 2006, p. 1928-1931 and "Radicalization in the West: The Homegrown Threat," New York Police Department, August 2007.

⁹³ U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Trial Transcript, May 9, 2006, p. 1950 and "Radicalization in the West: The Homegrown Threat," New York Police Department, August 2007.

⁹⁴ "Radicalization in the West: The Homegrown Threat," New York Police Department, August 2007.

attend prayers at the mosque and took an interest in learning more about Islam."⁹⁵ Concurrently, Siraj became enraged by U.S. actions in the Middle East, particularly American support for Israel, the invasion of Iraq, and the Abu Ghraib prison abuses. A picture of a dog purportedly raping a handcuffed Iraqi girl particularly tormented Siraj, who admitted to his psychologist: "I exploded and I couldn't take it. I couldn't see the rapes."⁹⁶ (Eldawoody testified that Siraj told him "that if we do not attack the Americans, they will keep on harming Muslims."⁹⁷ And Siraj testified that he "was just trying to save the people who were dying in Iraq."⁹⁸) Documentaries such as "Fahrenheit 9/11" and "Illuminazi 9-11" reportedly further angered Siraj.⁹⁹

The NYPD states that "as Siraj's commitment to fundamentalist Islam deepened, the Islamic bookstore in Bay Ridge, Brooklyn became his venue for transferring his Salafi-like mindset to his perception of global issues." Further, the NYPD writes, "Elshafay regularly visited Siraj at the bookstore, looking to him for religious guidance. They would watch jihadi videos. Also, Siraj would give Elshafay books¹⁰⁰ that claimed Jews were conspiring to take over the world economically."¹⁰¹

According to the NYPD, "political discussions coupled with the constant exposure to extremist literature sold in the bookstore¹⁰² hardened the Herald Square plotters' political views and they began forming their political agenda."¹⁰³ Then, in the "spring of 2004, less than two years from the time that both began to become radicalized, Siraj and Elshafay progressed to the jihadization phase—having now decided to put thought to action."¹⁰⁴

Additional Information – The Conspirators' Backgrounds: Siraj

Shahawar Matin Siraj grew up in Karachi, Pakistan, where he attended St. Paul's English High School. Although school officials describe him as "hard working," he consistently struggled academically, with grades primarily in the 60's. When he moved to

⁹⁵ U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Trial Transcript, May 15, 2006, p. 2657 and "Radicalization in the West: The Homegrown Threat," New York Police Department, August 2007.

⁹⁶ U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Privileged and Confidential Forensic Psychological Evaluation of Shahawar Matin Siraj.

⁹⁷ Armen Keteyian, Phil Hirschhorn, and Michael Rey, "The Cost of Cooperation," *CBS News*, September 14, 2006.

⁹⁸ John Marzulli, "Bomb plotter pals no friends. Testimony secured conviction," *The New York Daily News*, June 2, 2006.

⁹⁹ John Marzulli, "Bomb Plotter Pals No Friends. Testimony Secured Conviction," *The New York Daily News*, June 2, 2006.

¹⁰⁰ Note: According to Elshafay, Siraj suggested he buy *The New World Order*, a book that "advises the Muslim mujahideen to fight a war against Western capitalism and the world's power brokers." See: U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Opinion and Order, Filed January 4, 2007.

¹⁰¹ U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Trial Transcript, May 9, 2006, p. 1959-62 and p. 973-74 and "Radicalization in the West: The Homegrown Threat," New York Police Department, August 2007.

¹⁰² Note: Elshafay testified that he bought *Jihad*, a book that "advises that jihad involves violent attacks on nonbelievers from the bookstore. See: U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Opinion and Order, Filed January 4, 2007.

¹⁰³ U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Trial Transcript, May 17, 2006, p. 3270-72 and "Radicalization in the West: The Homegrown Threat," New York Police Department, August 2007.

¹⁰⁴ U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Trial Transcript, May 9, 2006, p. 1973-74 and "Radicalization in the West: The Homegrown Threat," New York Police Department, August 2007.

Karachi's St. Andrew's High School, he performed similarly. (See Appendix 1 for a transcript from St. Andrew's). In a report submitted as evidence in his trial, a psychologist who evaluated Siraj wrote: "Mr. Matin explained that he was the object of ridicule and physical punishment in school, often by his teachers 'because I was Agakahana, a different set of Muslim,¹⁰⁵ disliked by Shias and Sunnis. I didn't know how to read Koran."¹⁰⁶ Testifying during his trial, Siraj confirmed that as a youth he was more concerned with cricket and video games than academic pursuits and learning about Islam.¹⁰⁷ While living in Pakistan, Siraj claims he also killed two people, though that assertion has not been confirmed.¹⁰⁸

In 1999, Siraj came to the U.S., with police theorizing he entered illegally through Canada; he joined his sister, mother, and father.¹⁰⁹ In the U.S., Siraj held a number of jobs, working as a Blimpie's deliveryman, a sandwich-maker at a grocery store, a cell phone salesman, and then at his uncle's bookstore.¹¹⁰ He also attended computer technician classes at the A-Technical Institute in Forest Hills, New York.¹¹¹

Prior to his arrest in the Herald Square plot, Siraj had at least two other encounters with law enforcement, as he was twice arrested on assault charges. As he explained to the psychologist, the second incident occurred in the Islamic bookstore and involved an altercation with a customer; according to Siraj, "they dropped it. It was just an appearance ticket..."¹¹²

Describing his personality to the psychologist, Siraj stated, "I get angry and upset...I used to get angry over small stuff. I would drink cold water and lay down for a few minutes..."¹¹³

And noting the results of tests he administered to Siraj, the psychologist wrote that "Matin's...Full Scale IQ of 78 falls within the Borderline range of intellectual functioning and would be surpassed by 93% of the general population." (During Siraj's trial, his attorney stated that Siraj was not "the brightest bulb in the chandelier."¹¹⁴) Further, according to the psychologist, "Matin's analytical skills are significantly limited. His thinking tends to be overly concrete, superficial, and overly simplistic."

¹⁰⁵ Note: The NYPD writes that Siraj was a "member of the Ismaili sect of Islam, a persecuted minority in Pakistan..." See: "Radicalization in the West: The Homegrown Threat," New York Police Department, August 2007.

¹⁰⁶ U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Privileged and Confidential Forensic Psychological Evaluation of Shahawar Matin Siraj.

¹⁰⁷ Joseph Goldstein, "Siraj Testifies He Wanted To Back Out Of Plan To Bomb Subway Station," *The New York Sun*, May 16, 2006.

¹⁰⁸ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

¹⁰⁹ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

¹¹⁰ U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Privileged and Confidential Forensic Psychological Evaluation of Shahawar Matin Siraj.

¹¹¹ U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Privileged and Confidential Forensic Psychological Evaluation of Shahawar Matin Siraj.

¹¹² U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Privileged and Confidential Forensic Psychological Evaluation of Shahawar Matin Siraj.

¹¹³ U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Privileged and Confidential Forensic Psychological Evaluation of Shahawar Matin Siraj.

¹¹⁴ William Rashbaum, "Closing Arguments in Trial of Subway Bombing Case," *The New York Times*, May 23, 2006.

In the psychologist's opinion, "Matin is a relatively naïve, suggestible person."¹¹⁵ The Islamic Society of Bay Ridge's Zein Ramawi agreed that Siraj was "somewhat gullible and immature."¹¹⁶ Still another Matin associate wrote to the court that "Matin...is a grown up child; he looks big in size but [is] substantially immature...naïve, and most of all trusting of others."¹¹⁷ Echoing these assessments, Siraj's mother said that her son was "immature based on his age."¹¹⁸

Additional Information - The Conspirators' Backgrounds: Elshafay

As the NYPD writes in its report "Radicalization in the West," James Elshafay "was a troubled young man who was looking for direction in life."¹¹⁹ Born to an Irish-Catholic mother and an Egyptian father, Elshafay was raised predominantly by his mother and aunt¹²⁰ following his parent's separation.¹²¹ When he was about 12 years old, his father pressured him to convert to Islam.¹²² As a child, he was also sexually abused by a male relative.¹²³

His life began a downward spiral, as he failed ninth grade three times¹²⁴ and eventually dropped out of Tottenville High School.¹²⁵ Then, according to the NYPD, he "spent his teen years drinking and taking drugs."¹²⁶ Testifying during the Siraj trial, he also admitted sniffing glue.¹²⁷ In general, he has been described as "lost," for he was confused about his identity, did not have a job, and had virtually no friends, other than Siraj.¹²⁸

In an effort to turn his life around, Elshafay attempted to enlist in the U.S. Army, but was rejected when the Army determined he was emotionally disturbed. Reflecting this condition, two months before his August 2004 arrest, he suffered delusions and was

¹¹⁵ U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Privileged and Confidential Forensic Psychological Evaluation of Shahawar Matin Siraj.

¹¹⁶ U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Letter from Zein Rimawi.

¹¹⁷ U.S. v. Siraj, (E.D. N.Y.) No. 1:05-cr-00104-NG, Letter from Abdessadek Boumahchad.

¹¹⁸ John Marzulli, "Bomb plotter pals no friends. Testimony secured conviction," *The New York Daily News*, June 2, 2006.

¹¹⁹ "Radicalization in the West: The Homegrown Threat," New York Police Department, August 2007.

¹²⁰ Note: Elshafay reported that his mother, aunt, and uncle all battled depression. See: William Rashbaum, "Staten Island Man Describes Shattered Life, Then a Plot to Bomb a Subway Station," *The New York Times*, May 10, 2006.

¹²¹ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

¹²² "Radicalization in the West: The Homegrown Threat," New York Police Department, August 2007.

¹²³ William Rashbaum, "Staten Island Man Describes Shattered Life, Then a Plot to Bomb a Subway Station," *The New York Times*, May 10, 2006.

¹²⁴ "Radicalization in the West: The Homegrown Threat," New York Police Department, August 2007.

¹²⁵ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

¹²⁶ "Radicalization in the West: The Homegrown Threat," New York Police Department, August 2007.

¹²⁷ William Rashbaum, "Staten Island Man Describes Shattered Life, Then a Plot to Bomb a Subway Station," *The New York Times*, May 10, 2006.

¹²⁸ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

placed in a psychiatric ward.¹²⁹ And during his trial testimony, Elshafay stated that he was on depression and schizophrenia medication.¹³⁰

Additional Information – The Investigation’s Origins

According to open sources, the NYPD first became aware of Siraj’s extremist leanings after a member of the public called the NYPD’s terrorism hotline. Following a consistent stream of reports, the NYPD – in the words of David Cohen, NYPD Deputy Commissioner for Intelligence – elected “to send assets to that location” by tasking Eldawoody to establish ties with Siraj.¹³¹

Additional Information – The Detention of Siraj’s Parents and Sister

Immigration officials detained Shahawar Matin Siraj’s parents and sister the day after he was sentenced by a federal judge; the family members had reportedly been in the U.S. since 1999 and first requested asylum in 2003. Mark Thorn, an Immigration and Customs Enforcement spokesman, asserted that “the administrative arrests were timed so they would not conflict with the criminal prosecution or sentencing.”¹³² Siraj’s sister and mother were released from custody after two weeks.¹³³

Additional Information - Other Plots Targeting the NYC Subway System

For more than a decade, the New York City subways have been a frequent terrorist target, as plotters have been enticed by the opportunity to inflict substantial civilian casualties and attack a key node supporting the city’s economy. According to the Metropolitan Transit Authority, on average, 4.9 million people ride the subway each weekday.¹³⁴

On July 31, 1997, the NYPD disrupted a plot to bomb a Brooklyn subway when they raided an apartment and discovered an explosives cache; two suspects, Gazi Ibrahim Abu Mezer and Lafi Khalil, were shot during the raid.¹³⁵ The indictment in the case states, “On or about July 30, 1997, while in the Apartment, defendant Gazi Ibrahim Abu Mezer showed another individual a pipe bomb that was located in a backpack and told the individual that he intended to detonate the bomb on a subway train the next day.”¹³⁶ Then-New York City mayor, Rudy Guiliani, commented, “it looks like they were going to set off a suicide bomb and try to make the point that the United States and Israel are wrong, and strike against U.S. and Jewish interests.”¹³⁷ (The Brooklyn subway line Abu Mezer planned to target served the heavily Jewish Borough Park neighborhood).¹³⁸ Authorities reportedly discovered a portrait of imprisoned terrorist Sheikh Omar Abdel Rahman in the apartment¹³⁹ and seized a note¹⁴⁰ demanding the

¹²⁹ William Rashbaum, “Staten Island Man Describes Shattered Life, Then a Plot to Bomb a Subway Station,” *The New York Times*, May 10, 2006.

¹³⁰ William Rashbaum, “Staten Island Man Describes Shattered Life, Then a Plot to Bomb a Subway Station,” *The New York Times*, May 10, 2006.

¹³¹ Craig Horowitz, “Anatomy of a Failed Plot,” *New York Magazine*, November 29, 2004.

¹³² Robin Shulman, “Terrorism Convict’s Family Held for Deportation,” *The Washington Post*, January 11, 2007.

¹³³ Jeneen Interland, “Family (Terror) Ties,” *The Village Voice*, May 8, 2007.

¹³⁴ “Subways,” <http://www.mta.info/nyct/facts/ffsubway.htm>.

¹³⁵ “Suspects Admit New York Subway was Bomb Target,” *CNN*, July 31, 1997.

¹³⁶ U.S. v. Abu Mezer (E.D. N.Y.), CR-97-804, Indictment, Filed August 28, 1998.

¹³⁷ “New York was ‘Close to Disaster’ from Suicide Bomb Plot,” *CNN*, August 1, 1997.

¹³⁸ Tom Hays, “Life Sentence in Subway Bomb Plot,” *Associated Press*, March 2, 1999.

¹³⁹ “Suspects Admit New York Subway was Bomb Target,” *CNN*, July 31, 1997.

release of Rahman, 1993 World Trade Center bomber Ramzi Yousef, Hamas leader Ahmad Yassin, and others.¹⁴¹ Abu Mezer received a life sentence,¹⁴² while Khalil, who was acquitted in the bomb plot, was sentenced to three years in prison for immigration fraud¹⁴³ and deported.¹⁴⁴

Then, according to the NYPD, in 2003 and 2004,:

"on three occasions security personnel from Iran's Mission conducted surveillance of New York City landmarks and infrastructure including bridges and the subway system leading into Manhattan. The U.S. Government and the NYPD are concerned that they were building 'off the shelf' reconnaissance of New York targets in advance of any future attacks against New York by terrorists supported by Iran, such as Hezbollah."¹⁴⁵

Also in 2003, authorities arrested a Bahrain-based cell that planned to launch a cyanide gas attack on the New York City subway system.¹⁴⁶ According to former CIA Director George Tenet, "the extremists had created a clever homemade dispersal device called the 'mobtaker' – Arabic roughly translated as 'invention'—a lethal device that could be constructed entirely from readily available material."¹⁴⁷ The NYPD reports that "surveillance of the subway stations" was "undertaken" by the cell.¹⁴⁸ And George Tenet asserts that when the Bahrain cell asked Al-Qaida's central leadership for permission to launch the attack, "word came back from [Al-Qaida number two] Ayman al-Zawahiri himself in early 2003 to cancel the operation and recall the operatives, who were already staged in New York – because 'we have something better in mind.'"¹⁴⁹

Additional Information - The NYPD's Intelligence Division

The NYPD's Intelligence Division is at the cutting edge of local law enforcement efforts to combat terrorism. Shortly after 9/11, David Cohen – former deputy director of the CIA's Directorate of Operations – was hired as Deputy Commissioner for Intelligence to overhaul the Intelligence Division's counterterrorism strategy. As laid out above, the activities of the Special Services Unit and the Terrorism Interdiction Unit form the backbone of the Intelligence Division's operations, which are supplemented by a robust analytical component.¹⁵⁰ Further, utilizing funding from the private Police Foundation,

¹⁴⁰ The note vowed they would "burn the Jews" if their demands were not met. See: Tom Hays, "Life Term in N.Y. Subway Bomb Plot," *Associated Press*, March 1, 1999.

¹⁴¹ Copy of note seized by authorities in author's possession.

¹⁴² Tom Hays, "Life Sentence in Subway Bomb Plot," *Associated Press*, March 2, 1999.

¹⁴³ "Former Terror Suspect Sentenced to 3 Years for Immigration Fraud," *Associated Press*, December 3, 1998.

¹⁴⁴ Tom Hays, "Life Term in N.Y. Subway Bomb Plot," *Associated Press*, March 1, 1999.

¹⁴⁵ "The Republican National Convention: The NYPD Intelligence Program,"

http://nefafoundation.org/miscellaneous/FeaturedDocs/NYPD_NYCTerrorism.pdf.

¹⁴⁶ George Tenet, *At the Center of the Storm*, Harper Collins, New York, NY, © 2007, p. 273.

¹⁴⁷ George Tenet, *At the Center of the Storm*, Harper Collins, New York, NY, © 2007, p. 273-274.

¹⁴⁸ "The Republican National Convention: The NYPD Intelligence Program,"

http://nefafoundation.org/miscellaneous/FeaturedDocs/NYPD_NYCTerrorism.pdf.

¹⁴⁹ George Tenet, *At the Center of the Storm*, Harper Collins, New York, NY, © 2007, p. 273-4.

¹⁵⁰ Note: In 2007, Judith Miller wrote, "Kelly says that the division has 23 civilian intelligence analysts, with master's degrees and higher from Columbia, Cornell, Harvard, and other universities; some have come from leading think tanks, even from the CIA—giving the force a

the NYPD has deployed detectives to a number of overseas locations, including Amman, London, and Singapore, to gather New York-specific intelligence, as well as identify trends in terrorist tactics.¹⁵¹

The NYPD's strategy is rooted in a belief that, while assistance from the federal government is extremely helpful, it cannot be counted on. According to NYPD Commissioner Ray Kelly, "in New York City, we're on our own. We have to protect our own turf."¹⁵² And for the NYPD, the Herald Square investigation encapsulates why their efforts are so necessary. David Cohen explained, "these kinds of homegrown, lone-wolf incidents start way below the level the federal government would focus on. If we weren't doing it, nobody would be."¹⁵³ Following Siraj's conviction, Ray Kelly asserted that the verdict "validates so much of what we've done to protect the city."¹⁵⁴

Appendices

- 1) Academic Transcript of Shahawar Matin Siraj: Board of Secondary Education; Karachi, Pakistan.
- 2) Shahawar Matin Siraj Police Clearance Certificate: Jamshed Town Capital City Police; Karachi, Pakistan.
- 3) Letters to the judge: Siraj Abdul Rahman/Shahina Parveen Siraj (Siraj's parents) and Samiya Siraj (Siraj's sister).

capability, he says, 'that exists no place else.'" See: Judith Miller, "On the Front Line in the War on Terrorism," *City Journal*, Summer 2007.

¹⁵¹ Judith Miller, "On the Front Line in the War on Terrorism," *City Journal*, Summer 2007.

¹⁵² Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004. Note: NYPD counterterrorism official Richard Falkenrath also argues that the NYPD is "far more action-oriented than the feds..." See: Judith Miller, "On the Front Line in the War on Terrorism," *City Journal*, Summer 2007.

¹⁵³ Craig Horowitz, "Anatomy of a Failed Plot," *New York Magazine*, November 29, 2004.

¹⁵⁴ William Rushbaum, "Window Opens On City Tactics Among Muslims," *The New York Times*, May 28, 2006.

Appendix 1

BOARD OF SECONDARY EDUCATION KARACHI

STATEMENT OF MARKS
S.S.C. EXAMINATION
(FOR SUCCESSFUL CANDIDATES ONLY)

EXAMINATION ANNUAL 1999 ROLL NUMBER 171291
GROUP SCIENCE
NAME SHAWAR MATIN
FATHER'S NAME SIRAJ
SCHOOL/PRIVATE ST. ANDREW'S HIGH SCHOOL,
3-A, DEFENCE SOCIETY MAIN KORANGI ROAD.



Student Identity

S U B J E C T S					
C O M P O N E N T I		M A R K S	C O M P O N E N T II		M A R K S
SINDHI SALEES	45	090	M A T H E M A T I C S		045
URDU NORMAL	45	/150			/100
ENGLISH (COMP) PAPER I	38	081	B I O L O G Y T H E O R Y		28 / 75
ENGLISH (COMP) PAPER II	43	/150	B I O L O G Y P R A C T I C A L		12 / 25
P A K I S T A N S T U D I E S		39 / 75	P H Y S I C S T H E O R Y P H Y S I C S P R A C T I C A L		28 / 75 08 / 25
I S L A M I A T		33 / 75	C H E M I S T R Y T H E O R Y C H E M I S T R Y P R A C T I C A L		38 / 75 13 / 25

GRAND TOTAL: 415 OUT OF 850

GRADE:

D

GRADE IN COMPONENT III
AWARDED BY THE SCHOOL IN

XXXXXXXXXXXXXXXXXX

GRADE: XXXX

DATED 26-07-1999


A - 99

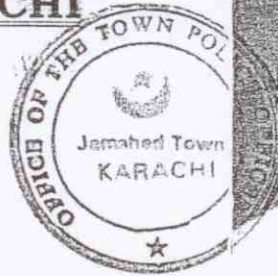
(SYED JAWED IFTIKHAR)

CONTROLLER OF EXAMINATIONS

E. & O. E.

Appendix 2

OFFICE OF THE TOWN POLICE OFFICER
JAMSHED TOWN CAPITAL CITY POLICE
KARACHI



POLICE CLEARANCE CERTIFICATE

NO: TPO/J-TOWN/PAB/VC/2006- 1195 DATED: 01-08-2006.

This is to certify that SHAHAWAR MATIN (Agha Khani Muslim).

S/O SIRAJ.

r/o D-17, Noorani view Plot No.3033, Golden Street, Opp: Jamat Khana
Garden East, Karachi.

bears good moral character and he/ she has been living on this address
since Birth to 06-06-1999.

There is nothing adverse against him/her on the record of local Police Station,

As reported by SHO Soldier Bazar PS His/Her Photograph is affixed above.

Profession of the Applicant Student.


Date of Birth 26-05-1982.

National Identity Card No. 420009-887348-1

Date of Issue. 12-04-2003.

Passport No. G-429741.

Date of Issue. 20-04-1999.


TOWN POLICE OFFICER JAMSHED TOWN
CAPITAL CITY POLICE, KARACHI

Appendix 3

June 20, 2006

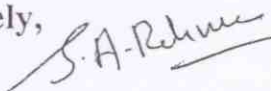
To the honorable Judge
Nina Goshen;

We are the parents of Shahwar Matin. Matin is our only son who we tried to raise to become a productive and a peace loving boy. We are not praising Matin because he is our son, but for what he really is in character and behavior.

Matin is a peace loving and non-violent person. He has never been into serious violent fights or tried to hurt anybody or anyone's property. Instead he always tried to bring peace and mend things, not destroy. He loves people and is a very likable, friendly, and a sociable young man. He is a loving child who always shows care and love towards old people, children and even animals. He is a good, honest and friendly person who is always looking out to help others, not harm others. He is 23 years old but he is little immature for his age but good hearted. He has an impressionable mind and is venerable to be easily guided or misguided. Matin is social and trusting of others and gives out his heart with too much sincerity. That's why so many people have taken advantage of him. This quality has been taken by others as his weakness.

Matin is a smart, hardworking, honest, loving, non-violent, friendly, trusting, goodhearted, immature and harmless young man whose only goal was to study and work hard to help support his family and serve the mankind, not to hurt anyone.

Sincerely,





Siraj Abdul Rahman and Shahina Parveen Siraj
Parents of Shahwar Matin

July 19, 2006

RE:

Dear Most Honorable Judge:

I am writing this letter as a loving sister of a boy who is totally innocent. My brother has always been so good to me, and to all members of our family. Our futures lie in the hard work and dedication of my brother. My brother has done no wrong, and committed no crime. Please grant mercy to my brother in regards to your decision in his court hearing.

I grew up with my brother, and I can testify of his sincere, honest and loving nature. He always stood up for me when we were in school, with wisdom and kindness. My brother never ever was involved in any school fights, arguments, or any trouble. At home, we used to sit and play games, watch television, laugh and talk. What has happened is so unfair, and so wrong! My brother has never ever been involved in any criminal activity. I am 100% sure of my brother's innocence and I am praying that you will also see the truth and allow my brother freedom from this very unfair situation.

He is my only brother. He is my hero. He is everything to us. Please be merciful to my ~~only son~~^{brother} in your decision.

With sincerest regards and hope,

Saniya Sinaj

Saniya

Sister of *Shahwar Matin*

*77-10 34 Ave Apt # A25
Jackson Height N.Y 11372 .*