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## THEY DIDN'T READ POLICE ISSUES

## Two more wannabe Jihadists accept bombs from the FBI

*By Julius (Jay) Wachtel.* "The threat was very real. Our investigation shows that Mohamud was absolutely committed to carrying out an attack on a very grand scale." That's how Oregon's top FBI agent described the menace posed by Mohamed Osman Mohamud, 19, a naturalized citizen who was arrested for attempting to bomb a Portland Christmas-tree lighting ceremony on November 26.

A criminal complaint charged the Somali native with attempting to use a weapon of mass destruction, an offense that could land him in prison him for life. According to the FBI it all began last year when Mohamud, who was eager to become a Jihadist, exchanged e-mails with a terrorist in Pakistan. That man referred Mohamud to someone else, but a mixup involving e-mail addresses kept Mohamud from making contact. Not to worry! In August 2010 the FBI, who had been monitoring the e-mails, had an undercover agent contact Mohamud and identify himself as a representative of the group he was trying to reach.

Mohamud bought the story line, hook and sinker. He couldn't fly (the FBI had placed him on the "no fly" list, preventing a trip to Alaska) so going overseas was out of reach. Happily, the informer offered Mohamud a range of options that he could exercise in the good old U.S.A., from praying five times a day to "becoming a martyr." Guess which one Mohamud chose.

A second undercover was brought in, and from that point on it was a piece of cake. To avoid later claims of entrapment they had Mohamud select the target (the Christmas tree lighting ceremony) and specify the means (a bomb). They even had him buy some of the components. Mohamud was clueless about explosives, so the FBI helpfully built a "bomb" and installed it in their van. To show Mohamud how to set it off they had him participate in a practice run where they remotely detonated a small device.

On the appointed day the FBI delivered the van. Mohamud looked at the bomb and called it "beautiful". He rode in the vehicle as an agent parked it near the location where the ceremony would take place. As celebrants gathered, Mohamud dialed the appropriate number.

Gotcha!

Why do real terrorists need amateurs to help? Alas, that question apparently never crossed the mind of Antonio Martinez, aka Muhammad Hussain. Only twelve days after Mohamud's arrest the 21-year old Maryland man tried to blow up a military recruitment office using a car bomb given to him by, you know, the FBI.

Described as "a recent convert to Islam" in the criminal complaint, Martinez had told an FBI informer in October that he wished to attack the recruitment station. In subsequent meetings, many caught on tape, Martinez suggested approaches ranging from armed assault to propane bombs. He even suggested

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forming an armed band that would stage "short, small attacks or ambushes, which is how the brothers in Chechnya...dominated." If POW's were captured he would "talk to them about accepting Islam, and ransom them for something what would benefit the mujahideen."

Martinez apparently tried to enlist others in his schemes but found no takers. One man whom Martinez described as a potential gun source said that it would take a long time to form a guerrilla army and to forget it. Unable to stir up followers, Martinez soon asked to meet the "Afghani Jihadist" (actually, an undercover FBI agent) that the informer had previously mentioned.

The informer happily obliged. During the meeting the FBI agent negotiated the strike down to a single car bomb, which he would provide. He repeatedly asked Martinez to affirm that attacking the recruiting station was his idea and that no one had talked him into it. Martinez helpfully insisted that the plan was his, and his alone.

Indeed, everything was going swimmingly when Muhamad's arrest hit the news. An "agitated" Martinez called the informer and said "that he needed to know who this brother [the agent] is...I'm not falling for no b.s." After a little bit of reassurance the plot was back on track and Martinez, who was definitely not intent on suicide, started talking passports and escape routes.

On December 7, one day before the planned attack, the FBI agent brought in the bomb-laden SUV and showed Martinez how to arm the device. He returned with the vehicle the next day. Martinez "armed" the bomb and parked the SUV at the recruiting station. The informer picked him up and they waited nearby. A call came in from the FBI man, confirming that soldiers were present in the center. Martinez tried to activate the device.

Gotcha!

It's hard to work up sympathy for either Mohamud or Martinez (let's call them M & M for short.) They're clearly very sick puppies. Yet if the government's only goal was to protect the public, it was completely unnecessary to stage such elaborate ruses. M & M could have been arrested much earlier in the game for violating 18 USC 373, solicitation to commit a Federal crime. It's a serious offense, carrying a penalty of one-half the solicited crime or twenty years if the maximum is life.

M & M are the latest in a string of terrorist wannabes to accept bombs from the FBI. As we discussed in Taking Bombs From Strangers, neither can expect any relief from the entrapment doctrine, as their extensive yakking about killing and Jihad would surely convince a judge and jury that they were predisposed. Stung by past criticism, the FBI took special care to demonstrate that M & M weren't roped in. Mohamud could have chosen prayer. But he didn't. Martinez didn't have to say it was all his idea. But he did.

Why were these cases taken to such extreme ends? Several reasons come to mind. Pretend bombings make a big splash, giving the FBI and the U.S. Attorney a lot of favorable publicity. These really big shows, with really big ends, help justify the government's phenomenally expensive counterterrorism program (at last count, involving one out of three FBI agents) and prove that taxpayer money is being well spent.

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Internally, rope-a-dopes are good for morale. FBI agents assigned to traditional crimes like fraud and bank robbery actually get to arrest people and go to trial. That's far more satisfying than the countless hours of surveillance and innumerable dead ends that confront the poor souls assigned to terrorism squads. Getting a dope to plant a bomb must be a welcome relief. For agents and attorneys who run such cases it's a great career booster as well.

Of course, there are downsides. Rope-a-dope cases create the illusion that we're really doing something about terrorism. After all, leaving aside the Times Square fiasco (well, the bomb *did* fizzle out) the FBI has apparently prevented one-hundred percent of all planned attacks! Worse, when agents deposit fake bombs at synagogues (The Men Who Talked Too Much), public places and military recruiting stations, they may be planting ideas in some very unstable minds. Now that their celebration has been validated as a terrorist target, citizens who intend to attend Portland's 2011 tree-lighting ceremony will have something new to worry about.

At least one thing's for sure. It won't be Martinez.