

DOJ DEEMS PLAN TO ATTACK MILITARY TARGETS WITH A DRONE, TERRORISM

Last year, I tracked how TSA head (and former FBI Deputy Director) John Pistole used an FBI entrapment plot targeted at the Metro to justify increased TSA surveillance of the Metro.

Which is why I'm intrigued that the FBI's latest entrapment product, Rezwan Ferdaus, is alleged to have wanted to strike the Pentagon with, effectively, a drone (with what Julian Sanchez, in a great post, calls a comic book plot). I wondered whether Ferdaus came up with his comic book plot himself, whether this was projection, or whether the FBI wanted us to fear being struck via the same means we're striking others.

In the affidavit supporting Ferdaus' arrest, the FBI emphasizes that Ferdaus came up with the idea of a drone himself (if you can call replicating our own tactics an original idea). They describe, for example, a March 29, 2011 meeting with two FBI undercover officers at which Ferdaus,

explained that he had this idea of attacking the Pentagon long before he met the [cooperating witness] (and by implication before he met the [FBI undercover officers–UCes]). FERDAUS advised the UCes that he had initially discussed his remote controlled aircraft plans with a friend from Dorchester. FERDAUS told the UCes that his Dorchester friend had a “less complicated idea” – his friend’s idea was to “just get weapons and go after ... a recruitment center.” The UCes asked FERDAUS what was wrong with that idea, to which FERDAUS responded: “nothing.” FERDAUS indicated, however, that he

wanted “to go bigger.”

But they don’t say how the FBI—rather, their cooperating witness—came to find Ferdaus.

Particularly given the FBI’s past misrepresentations about when one of their entrapments began, this seems relevant. All the more so in this case, given that the affidavit appears to support its claim that “FERDAUS told the UCEs that he realized more than a year ago from viewing jihadi websites and videos ‘how evil’ America is” based on an August 1, 2011 conversation with the UCEs (but again, not the cooperating witness) that his jihad,

started last year. I realized I should try to do something to attack them here. I should try to go down to Washington or something like that. I should try to get them here. That is the best thing.

There’s nothing in this quote that says it happened more than a year ago—only that it happened before January 2011. Given that the cooperating witness shows up in the narrative “last year” (in December), the seemingly unsupported claim about how long Ferdaus has been pursuing his comic book plot seems relevant—or perhaps an indication the FBI has reason to know his surfing on jihadi sites happened more than a year ago.

So what about that cooperating witness, who, the affidavit admits, “has a criminal record and has served time in prison”? The affidavit describes his involvement this way:

Initially, FERDAUS met and engaged in conversations with an FBI CW regarding his planned attacks against the United States. These conversations occurred between December 2010 and April 2011; **the majority of them** were consensually recorded. [my emphasis]

Yet the affidavit doesn't say anything about what transpired between Ferdaus and the CW in December, neither how they met nor how many times they conversed or met before January 7, 2011, the first meeting described in the affidavit.

Nor do they tell us the circumstances surrounding that minority of conversations that weren't recorded. There always seems to be a conversation that doesn't get recorded, doesn't there?

Nor does the affidavit explain how long they were monitoring Ferdaus' participation in jihad chat rooms. They describe him saying that's what radicalized him. But they don't admit the obvious, that that's probably what led them to send an informant out to cultivate him to the point where trained FBI agents would take over (assuming, of course, that Ferdaus' friend from Dorchester wasn't another informant, but who knows?).

One more point. The only times the affidavit describes Ferdaus accessing the Internet, he does so via public computers, at a library and internet cafe, though the affidavit also describes him using his own computer to show the UCEs his plan.

It looks very tidy, wrapped up in this affidavit, if you ignore the fact that when the FBI told Ferdaus not to play with chemicals he complied. But this is yet another entrapment that seems to obscure where the plot came from.