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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
-----x

3 UNITED STATES OF AMERICA, New York, N.Y.
4 v. 25 CR 203 (RMB)
5 TAREK BAZROUK,
6 Defendant.
7 -----x

8 June 11, 2025
9 2:30 p.m.

10 Before:

11 HON. RICHARD M. BERMAN,
12 District Judge

13 APPEARANCES

14 JAY CLAYTON
15 Acting United States Attorney for the
Southern District of New York
16 BY: JAMES A. LIGTENBERG
SAMUEL ADELSBERG
17 Assistant United States Attorneys

18 FEDERAL DEFENDERS OF NEW YORK
Attorneys for Defendant
19 BY: ANDREW J. DALACK

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(Case called)

THE COURT: So I've been notified by the government and the defense that today's stat was originally scheduled to be a conference date. It's going to be more than that, looks to me like, and that is that the defendant is intending to plead guilty at this proceeding today.

So I have to go through a bunch of papers and I hope everybody will bear with me. First of all, did I get that right, counsel, is that the purpose of today's session, that there is going to be a plea of guilty?

MR. DALACK: That's correct, pursuant to the terms of a written plea agreement, your Honor. Yes.

THE COURT: And so I'm going to just go quickly through these documents and then have an allocution.

MR. DALACK: Terrific.

THE COURT: So, for one, I have a document that's called an advice of rights form, which is a document that we use in connection with guilty pleas. And what it does essentially is indicates what rights a person is giving up by pleading guilty as opposed to going to trial.

So I have the document and it's called advice of rights form. And it appears to me to be signed by defense counsel and the defendant in this case. The first question is, counsel, is that correct that you and your client have gone over this document before you signed it and are in agreement

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1 with its terms and conditions?

2 MR. DALACK: Yes, Judge.

3 THE COURT: OK. I'm going to ask Mr. Bazrouk the same
4 question, because you have signed this document, too.

5 Did you go over it with your attorney before you
6 signed it?

7 THE DEFENDANT: Yes, your Honor.

8 THE COURT: OK. So then, not in any particular order,
9 but there's also a document here called waiver of indictment
10 and that has to do with the fact that the plea here would be
11 what's called a superseding information as opposed to an
12 indictment.

13 Since there's not an indictment, there is a
14 superseding information, which for our purposes is appropriate.
15 The superseding information has one count. It's two pages
16 long, and I'll explain it in a little bit. It talks about
17 three overt -- what we call overt -- acts. So there is the
18 document that's related called a waiver of indictment.

19 Again, defense counsel, you have signed this waiver of
20 indictment and so has Mr. Bazrouk. Did you all have an
21 opportunity to go over it, one with the other?

22 MR. DALACK: Yes, your Honor. I had an opportunity to
23 explain to Mr. Bazrouk the benefits and drawbacks, if there are
24 any, to waiving indictment in this context with proceeding by
25 information. He understood the terms, and we executed that

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1 form just moments ago in court.

2 THE COURT: OK. Mr. Bazrouk, you went over that
3 document with your attorney before you signed it.

4 THE DEFENDANT: Yes, your Honor.

5 THE COURT: OK. So then we have the superseding
6 information, which I mentioned.

7 So then we have the plea agreement itself. That's
8 dated today's date, June 11, and it is essentially an agreement
9 with respect to pleading guilty between and among the
10 government attorneys and the defense, defense counsel, and
11 Mr. Bazrouk. It is almost eight pages long and it is the
12 agreement pursuant to which the understanding is that the
13 defendant is going to plead guilty today.

14 Defense counsel, well, let's start with the
15 government. The government has signed the plea agreement,
16 correct?

17 MR. LIGTENBERG: Yes, your Honor.

18 THE COURT: And defense counsel has signed the plea
19 agreement as well?

20 MR. DALACK: Yes, Judge.

21 THE COURT: And, Mr. Bazrouk, you went over this and
22 you signed the plea agreement yourself, is that correct?

23 THE DEFENDANT: Yes, your Honor.

24 THE COURT: OK. So, and, let's see. Hold on one
25 second.

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1 So I think it's appropriate for us to swear in
2 Mr. Bazrouk, because they are going to ask him, in what's
3 called an allocution, a series of questions and answers to
4 ensure that, in fact, he wishes to plead guilty and what he
5 pleads guilty.

6 So, Ms. Murray, if you would swear in Mr. Bazrouk.

7 (Defendant sworn)

8 Mr. Bazrouk, before I go any further, I'm going to
9 indicate again for the record that I have this statement handed
10 to me that we use in plea situations, the so-called advice of
11 rights form, and it advises of certain rights that are waived
12 and other consequences of pleading guilty. You signed that,
13 and I think I asked you before, but I'll ask it again.

14 You went over it carefully with your attorney before
15 you signed it?

16 THE DEFENDANT: Yes, your Honor.

17 THE COURT: Thank you.

18 And then, again, the next document is the letter
19 agreement between the government and the defense. This is the
20 plea agreement between the government and the defense.

21 And, Mr. Bazrouk, you went over that guilty plea
22 agreement with your attorney before you signed it?

23 THE DEFENDANT: Yes, your Honor.

24 THE COURT: OK. So, Mr. Dalack, it's obvious from
25 these preliminary discussions that Mr. Bazrouk wishes to enter

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1 a guilty plea as to Count One of the superseding information.

2 And my question to you is, is that correct, and is
3 that the purpose of this afternoon's proceeding?

4 MR. DALACK: Yes, Judge, you're correct, and that's
5 the purpose of today's presentings.

6 THE COURT: Thank you.

7 So before I accept your guilty plea, Mr. Bazrouk, I'm
8 going to ask you a series of questions so that I can establish
9 to my satisfaction that you wish to plead guilty and you do so
10 voluntarily and knowingly and because you are guilty, and also
11 to establish that you know just what rights you'll be giving up
12 by pleading guilty.

13 So if you don't understand any of my questions or if
14 at any time you wish to consult with your attorney for any
15 reason, please say so, and I'll give you as much time as you
16 need to consult with your attorney, because it's essential to a
17 valid guilty plea that you understand each question before you
18 answer.

19 OK?

20 THE DEFENDANT: Thank you, your Honor.

21 THE COURT: Let's see here. You understand also --
22 hold on one second.

23 You understand that, having been sworn under oath,
24 your answers to my questions must be truthful and would be
25 subject to the criminal penalties of perjury or of making a

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1 false statement if you did not answer truthfully?

2 Do you understand that?

3 THE DEFENDANT: Yes, your Honor.

4 THE COURT: Please state your full name.

5 THE DEFENDANT: Bazrouk Tarek.

6 THE COURT: And Tarek is your first name, so to speak,
7 and Bazrouk is a family name, is that right?

8 THE DEFENDANT: Yes.

9 THE COURT: And how old are you?

10 THE DEFENDANT: 20 years old.

11 THE COURT: And are you a United States citizen?

12 THE DEFENDANT: Yes, your Honor.

13 THE COURT: And natural born U.S. citizen, is that
14 right?

15 THE DEFENDANT: Yes, your Honor.

16 THE COURT: OK. How far did you go in school and
17 where was that?

18 THE DEFENDANT: I'm in college.

19 THE COURT: Some college?

20 THE DEFENDANT: Yes.

21 THE COURT: And where, just geographically?

22 THE DEFENDANT: City Tech.

23 THE COURT: City College?

24 THE DEFENDANT: City Tech in Brooklyn.

25 THE COURT: OK. And did you graduate?

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1 THE DEFENDANT: Yes.

2 THE COURT: And what degree did you get?

3 THE DEFENDANT: Associate's degree.

4 THE COURT: Got it.

5 And are you now or have you recently been under the
6 care of a medical doctor?

7 THE DEFENDANT: No.

8 THE COURT: How about a psychiatrist or a mental
9 health physician?

10 THE DEFENDANT: No, your Honor.

11 THE COURT: And so, how is your health today,
12 physically, first of all?

13 THE DEFENDANT: Very good, your Honor.

14 THE COURT: And what about mentally?

15 THE DEFENDANT: Very good, your Honor.

16 THE COURT: OK. And have you ever been addicted to
17 drugs or to alcohol?

18 THE DEFENDANT: No, your Honor.

19 THE COURT: Have you ever been hospitalized or treated
20 for any addiction?

21 THE DEFENDANT: No, your Honor.

22 THE COURT: You have taken any drugs or medicine or
23 pills or drunk any alcoholic beverages in the past 24 hours?

24 THE DEFENDANT: No, your Honor.

25 THE COURT: Anything that might cloud your answers or

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1 your frame of mind?

2 THE DEFENDANT: No, your Honor.

3 THE COURT: And, again, I'm going to ask the same
4 question I just asked a minute or so ago, but it's important to
5 establish that, first of all, how do you feel today physically?

6 THE DEFENDANT: Very good, your Honor.

7 THE COURT: And how do you feel mentally?

8 THE DEFENDANT: Very good, your Honor.

9 THE COURT: And you understand what's happening here
10 in court today?

11 THE DEFENDANT: Yes, your Honor.

12 THE COURT: And here's a question for both the
13 government and the defense.

14 Does either side have any doubts or concerns as to
15 Mr. Bazrouk's competence to plead at this time?

16 MR. LIGTENBERG: No, your Honor.

17 MR. DALACK: No, Judge. Thank you.

18 THE COURT: Neither I do.

19 Based on the record today, including Mr. Bazrouk's
20 testimony, I find that he is competent to plead.

21 Mr. Bazrouk, have you been given a full opportunity to
22 discuss all aspects of this case with your attorney?

23 THE DEFENDANT: Yes, your Honor.

24 THE COURT: Including any possible defenses that you
25 might have?

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1 THE DEFENDANT: Yes, your Honor.

2 THE COURT: To the charges in the information to which
3 you've offered to plead guilty?

4 THE DEFENDANT: Yes, your Honor.

5 THE COURT: And are you fully satisfied with your
6 attorney's representation of you?

7 THE DEFENDANT: Yes, your Honor.

8 THE COURT: How about with the legal advice that he
9 has given you?

10 THE DEFENDANT: Yes, your Honor.

11 THE COURT: Now I'm going to explain certain
12 constitutional rights that you have and pose some questions
13 about them.

14 First, since we have here an information, are you,
15 counsel, and your client waiving indictment in this proceeding?

16 THE DEFENDANT: Yes, your Honor.

17 MR. DALACK: Yes, Judge.

18 THE COURT: Mr. Bazrouk, since you've offered to plead
19 guilty to the count, one count, contained in what is called an
20 information, do you understand that you had the right to have
21 evidence underlying these charges presented to a grand jury and
22 to have those jurors decide whether there was probable cause
23 that you should be charged and that by signing a waiver of
24 indictment, you gave up that right and permitted the government
25 to file this information based only on the signature of the

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1 United States Attorney?

2 Do you realize that?

3 THE DEFENDANT: Yes, your Honor.

4 THE COURT: And do you understand that you have the
5 right to plead not guilty if that is what you preferred to do?

6 THE DEFENDANT: Yes, your Honor.

7 THE COURT: Under the Constitution and laws of the
8 United States, you are entitled to a speedy and public trial by
9 a jury on the charges contained in the information.

10 Do you understand that?

11 THE DEFENDANT: Yes, your Honor.

12 THE COURT: And at trial you would be presumed, if you
13 decided to have a trial, you would be presumed to be innocent,
14 the government would be required to prove that you were guilty
15 by competent evidence and beyond a reasonable doubt for the
16 charges contained in the information before you could be found
17 guilty.

18 Do you realize that?

19 THE DEFENDANT: Yes, your Honor.

20 THE COURT: And do you also realize that a jury would
21 have to agree unanimously that you were guilty of the charges
22 in the information and would you not have to prove that you
23 were innocent?

24 Do you realize that?

25 THE DEFENDANT: Yes, your Honor.

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1 THE COURT: Also, if you decided to have a trial
2 instead of pleading guilty, at the trial and at every stage of
3 your case, you would be entitled to be represented by an
4 attorney, as are you today and have been throughout these
5 proceedings, and if you could not afford an attorney, one would
6 be appointed at public expense to represent you?

7 Do you realize that?

8 THE DEFENDANT: Yes, your Honor.

9 THE COURT: And also during a trial, if you decided to
10 have one, the witnesses for the government would have to come
11 to court and testify in your presence, your attorney could
12 cross-examine the witnesses for the government, he could object
13 to evidence offered by the government, and he could offer
14 evidence and subpoena witnesses on your behalf.

15 Do you understand that?

16 THE DEFENDANT: Yes, your Honor.

17 THE COURT: And also at a trial, if you decided to
18 have a trial, although you would have the right to testify if
19 you chose to do so, you would also have the right not to
20 testify. And no one, including especially the jury, could draw
21 any inference or suggestion of guilt from the fact that you did
22 not testify if that is what you chose to do?

23 Do you understand that?

24 THE DEFENDANT: Yes, your Honor.

25 THE COURT: And even now, this afternoon, as you are

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1 entering this guilty plea, you still have the right to change
2 your mind and plead not guilty and go to the trial on the
3 charges contained in the information.

4 Do you realize that?

5 THE DEFENDANT: Yes, your Honor.

6 THE COURT: And if you do plead guilty and if I accept
7 your guilty plea, then you'll give up your right to have a
8 trial and the other rights I've been discussing with you and
9 there will be no trial, but I will still enter a judgment of
10 guilty against you.

11 Do you realize that?

12 THE DEFENDANT: Yes, your Honor.

13 THE COURT: And I will thereafter, not today but
14 sometime that we agree in the future, I will sentence you on
15 the basis of your guilty plea after I've considered what's
16 called a presentence investigation report prepared by the
17 probation department. And that report will include what is
18 called a sentencing guidelines analysis under the 1984
19 Sentencing Reform Act and whatever submissions, written or oral
20 or both, whatever submissions I get from your lawyer and from
21 the government's lawyers.

22 Do you realize that?

23 THE DEFENDANT: Yes, your Honor.

24 THE COURT: Have you received a copy of the
25 superseding information?

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1 I mentioned this before, but I'll ask it again. Have
2 you received a copy of that superseding information which
3 contains the charges against you?

4 THE DEFENDANT: Yes, your Honor.

5 THE COURT: And have you discussed fully with your
6 attorney the charges in the information in which you intend to
7 plead guilty?

8 THE DEFENDANT: Yes, your Honor.

9 THE COURT: And are you fully satisfied with your
10 attorney's legal representation of you?

11 THE DEFENDANT: Yes, your Honor.

12 THE COURT: And how about with the legal advice that
13 he's given you?

14 THE DEFENDANT: Yes, your Honor.

15 THE COURT: Do you understand that you are charged
16 with a felony in the information and the information, I'll just
17 take a moment and read it so that you will be able to respond
18 to it.

19 So there's one count in the superseding information
20 and it says, from at least in or about April 2024 up to and
21 including at least in or about January 2025, in the Southern
22 District of New York and elsewhere, Tarek Bazrouk, the
23 defendant, and others, willfully and knowingly did combine,
24 conspire, confederate, and agree together with each other to
25 commit an offense against the United States; to wit, hate crime

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1 acts.

2 Do you understand that?

3 THE DEFENDANT: Yes, your Honor.

4 THE COURT: And the superseding information goes on to
5 say that it was a part, an object of the conspiracy, that Tarek
6 Bazrouk, the defendant, and others would and did willfully
7 cause bodily injury to multiple victims because of the victim's
8 actual and perceived race, the victim's actual and perceived
9 religion, and the victim's actual and perceived national
10 origin.

11 The superseding information goes on to delineate
12 several overt acts, which I'm going to read to you now, as
13 well. The superseding information says the following:

14 In furtherance of the conspiracy and to affect the
15 illegal object thereof, the following overt acts, among others,
16 were committed in the Southern District of New York and
17 elsewhere:

18 A, the first overt act, on or about April 15, 2024,
19 the defendant willfully caused bodily injury to victim number
20 one because of victim number one's actual and perceived race,
21 victim number one's actual and perceived religion, and victim
22 one's actual and perceived national origin; to wit, it goes on
23 to say, Bazrouk kicked victim one in the chest at a protest
24 where victim one was standing with individuals wearing kippahs,
25 k-i-p-p-a-h-s, carrying Israeli flags, and singing Jewish

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1 songs, causing injury to victim number one.

2 The second overt act, we'll call it B, says the
3 following:

4 On or about December 9, 2024, Tarek Bazrouk willfully
5 caused bodily injury to victim number two because of victim
6 number two's actual and perceived race, victim number two's
7 actual and perceived religion, and victim number two's actual
8 and perceived national origin; to wit, Bazrouk punched victim
9 number two in the face at a protest where victim number two was
10 wearing a kippah, k-i-p-p-a-h, and had an Israeli flag draped
11 around his shoulders, causing bodily injury to victim number
12 two.

13 And the third overt act, we'll call it C -- as in A,
14 B, and C -- the third overt act states as follows:

15 On or about January 6, 2025, Bazrouk willfully caused
16 bodily injury to victim number three because of victim three's
17 actual and perceived race, victim number three's actual and
18 perceived religion, and victim number three's actual and
19 perceived national origin; to wit, Bazrouk punched victim
20 number three in the face at a protest where victim number three
21 was wearing an Israeli flag around his shoulders and a chain
22 with a Jewish star around his neck, causing bodily injury to
23 victim number three.

24 Here's a question for the counsel first. Counsel, do
25 you agree with that summary of the superseding information,

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1 starting with the government?

2 MR. LIGTENBERG: Yes, your Honor.

3 MR. DALACK: Yes, Judge.

4 THE COURT: So now, Mr. Bazrouk, I want to discuss for
5 a few minutes the maximum possible penalty for the charges in
6 the information which are as follows. It doesn't mean that you
7 will be sentenced to the actual maximums, but these are the
8 maximums for the information.

9 The maximum term of imprisonment is five years. Do
10 you realize that?

11 THE DEFENDANT: Yes, your Honor.

12 THE COURT: The maximum term of supervised release,
13 which is the period of supervision under the court's authority
14 and the probation department supervised release, is that period
15 following incarceration, and the maximum term of supervised
16 release is three years.

17 Do you realize that?

18 THE DEFENDANT: Yes, your Honor.

19 THE COURT: Do you understand that the maximum fine is
20 \$250,000?

21 THE DEFENDANT: Yes, your Honor.

22 THE COURT: And do you understand that there would be
23 a special assessment of \$100?

24 THE DEFENDANT: Yes, your Honor.

25 THE COURT: And do you understand that a felony

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1 adjudication, which this would be if we complete this plea
2 allocution, do you understand that a felony adjudication may
3 result in your being deprived of certain rights, such as the
4 right to vote, the right to hold public office, the right to
5 serve on a jury, and the right to possess a firearm?

6 Do you understand that?

7 THE DEFENDANT: Yes, your Honor.

8 THE COURT: And do you understand that I may also
9 order that you pay what is called restitution to any victim?

10 Do you realize that?

11 THE DEFENDANT: Yes, your Honor.

12 THE COURT: And do you understand that I may require
13 you to notify victims of your conviction?

14 THE DEFENDANT: Yes, your Honor.

15 THE COURT: And do you understand that parole has been
16 abolished in the federal system, which is where we are, and
17 instead of parole, we have what is called, and what I described
18 briefly a minute or so ago, supervised release.

19 Do you understand that you may be subject in addition
20 to incarceration, to a period of supervised release?

21 Do you realize that?

22 THE DEFENDANT: Yes, your Honor.

23 THE COURT: And with respect to supervised release,
24 you need to be aware that there would be terms and conditions,
25 including without limitation possibly community service or drug

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1 rehabilitation, if it were appropriate, or therapeutic
2 counseling, if that were appropriate, and that if you did not
3 comply with any of the terms or conditions of supervised
4 release, you could, following a hearing, be returned to prison.

5 Do you understand that?

6 THE DEFENDANT: Yes, your Honor.

7 THE COURT: Do you understand, if there were such a
8 hearing as to whether or not you violated any terms and
9 conditions of your supervision, that hearing would be a nonjury
10 proceeding just before myself as the presiding judge?

11 Do you realize that?

12 THE DEFENDANT: Yes, your Honor.

13 THE COURT: Are you serving any other sentences at
14 this time, state or federal?

15 THE DEFENDANT: No, your Honor.

16 THE COURT: Are you being prosecuted in state court
17 for any crime?

18 MR. DALACK: Your Honor, there are pending state
19 matters that overlap with the allegations here. We're hopeful
20 that following this guilty plea, those can be resolved.

21 THE COURT: So the answer then --

22 MR. DALACK: The answer --

23 THE COURT: -- to the question would be yes, is that
24 fair?

25 MR. DALACK: Yes. There are open state cases, but

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1 they track the allegations here.

2 THE COURT: Right. In state court, I take it, right?

3 MR. DALACK: Yes, your Honor.

4 THE COURT: In New York?

5 MR. DALACK: Yes.

6 THE COURT: And are there separate court cases, state
7 cases, or just one?

8 There might be one for each of three. I don't know
9 for sure.

10 MR. DALACK: There's certainly not one for each of the
11 three. There were two pending with respect to December and
12 January. I don't know if both of them are still active. At
13 least one of them still is.

14 THE COURT: OK. That would be December 2024 and
15 January 2025?

16 MR. DALACK: Correct, your Honor.

17 THE COURT: OK. Thank you.

18 Do you agree with that, Mr. Bazrouk?

19 THE DEFENDANT: Yes, your Honor.

20 THE COURT: And do you understand, Mr. Bazrouk, that
21 the court is required to consider, but is not obligated, to
22 following what we call the Sentencing Reform Act of 1984 and
23 what are called the sentencing guidelines developed by the
24 United States Sentencing Commission?

25 Do you understand that?

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1 THE DEFENDANT: Yes, your Honor.

2 THE COURT: And do you understand that the court is
3 obligated to calculate the applicable sentencing guideline
4 range, and to consider that range, any possible departures
5 under the sentencing guidelines, and other sentencing factors
6 under 18, United States Code, Section 3553(a)?

7 Do you realize that?

8 THE DEFENDANT: Yes, your Honor.

9 THE COURT: And the factors that really drive what the
10 sentence will be are those factors found at 18, United States
11 Code, Section 3553(a). They are the following:

12 Number one factor is the nature and the circumstances
13 of the offense or the crime and the history and characteristics
14 of the defendant;

15 Number two is the need for the sentence imposed to
16 reflect the seriousness of the offense, to promote respect for
17 the law, to provide a just punishment for the offense, to
18 afford adequate deterrence to criminal conduct, to protect the
19 public from further crimes of the defendant, and to provide the
20 defendant with needed educational or vocational training, or
21 medical care, or other correctional treatment in the most
22 effective manner. And in doing all that, that is to say in
23 assessing those factors, we look at the kinds of sentences that
24 are available, the kinds of sentence, and the sentencing range
25 established in the sentencing guidelines or under the

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1 sentencing guidelines. We look at any policy statements that
2 may have been issued by the United States Sentencing Commission
3 that apply. We seek to avoid unwarranted sentence disparities
4 among similarly situated defendants. And in appropriate cases,
5 to provide for restitution.

6 These are the factors that are most pertinent when it
7 comes time to establish an appropriate sentencing.

8 Have you discussed this aspect of your case as to say
9 sentencing, with your counsel?

10 THE DEFENDANT: Yes, your Honor.

11 THE COURT: And have you discussed with counsel how
12 the sentencing guidelines might apply, if at all, in your case?

13 THE DEFENDANT: Yes, your Honor.

14 THE COURT: And are you aware that I am not bound by
15 any estimates that you might have had or your counsel may have
16 discussed in connection with sentencing?

17 THE DEFENDANT: Yes, your Honor.

18 THE COURT: And even if you don't like the sentence
19 that is imposed, you would still not be able to withdraw your
20 guilty plea.

21 Do you realize that?

22 THE DEFENDANT: Yes, your Honor.

23 THE COURT: There in the plea agreement that we talked
24 about at the beginning of this session, there is in the
25 June 11, 2025 letter, there's a sentence that says in quotes,

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1 the sentence to be imposed upon the defendant, Tarek Bazrouk,
2 is determined solely by the court.

3 Starting with counsel first, do you agree with that
4 concept?

5 MR. DALACK: Yes, your Honor.

6 THE COURT: And do you, Mr. Bazrouk, as well?

7 THE DEFENDANT: Yes, your Honor.

8 THE COURT: Then do you think, bottom line,
9 Mr. Bazrouk, do you think that you understand the consequences
10 of pleading guilty here today?

11 THE DEFENDANT: Yes, your Honor.

12 THE COURT: Has anyone threatened you or in any way
13 forced you to plead guilty?

14 THE DEFENDANT: No, your Honor.

15 THE COURT: Including any attorneys?

16 THE DEFENDANT: No, your Honor.

17 THE COURT: So we've already noted that there is a
18 plea agreement, and I asked you this before, but I will ask it
19 again at this point.

20 That plea agreement, did you carefully go over it and
21 discuss it with your attorney?

22 THE DEFENDANT: Yes, your Honor.

23 THE COURT: And we've identified the letter as
24 June 11, 2025. Did you review that plea agreement carefully
25 with your counsel?

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1 THE DEFENDANT: Yes, your Honor.

2 THE COURT: And did you think you understood its
3 contents?

4 THE DEFENDANT: Yes, your Honor.

5 THE COURT: And so, here's that letter agreement has a
6 few points that I want to highlight here during the course of
7 this plea allocution.

8 First of all, there is what we call an offense level,
9 and in that plea agreement, the offense level is designated 13.

10 Is that your understanding?

11 THE DEFENDANT: Yes, your Honor.

12 THE COURT: There's also a consent of the criminal
13 history category in the plea agreement and it is I.

14 Do you understand that?

15 THE DEFENDANT: Yes, your Honor.

16 THE COURT: And there's a sentencing guideline range
17 in the plea agreement that is from 12 to 18 months of
18 incarceration.

19 Do you understand that?

20 THE DEFENDANT: Yes, your Honor.

21 THE COURT: Next, the defendant agrees in the plea
22 agreement that you will not file a direct appeal or otherwise
23 challenge by petition, pursuant to 28, United States Code,
24 Section 2255, this so-called habeas provisions or any other
25 provision, your conviction.

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1 In other words, you are waiving your right to appeal
2 your conviction; do you understand that?

3 THE DEFENDANT: Yes, your Honor.

4 THE COURT: The plea agreement also says that you
5 agree to waive all interest in the amount of \$750,062.06 in
6 United States Currency, which was seized from your residence on
7 or about May 7, 2025, in any administrative or judicial
8 forfeiture proceeding, whether criminal or civil, state or
9 federal, and you, Mr. Bazrouk, have agreed to consent to the
10 entry of orders of forfeiture for such property, and you've
11 also waived the requirements of the Federal Rules of Criminal
12 Procedure 32.2 and 43(a) regarding the notice of forfeiture in
13 the charging instrument, announcement of the forfeiture at
14 sentencing, and incorporation of the forfeiture in the
15 judgment, the criminal judgment in this case, and knowingly and
16 voluntarily waived the 60-day deadline requirement for notice
17 in the administrative forfeiture proceedings pursuant to
18 19, United States Code, Section 1607, and 18, United States
19 Code, section 983.

20 So that section that I just read to you in summary
21 relates to forfeiture of property. In fact, in cash in the
22 amount of \$750,062.06, which was seized from your residence on
23 or about May 7, 2025, and this provision that you forfeit that
24 amount of money.

25 THE DEFENDANT: Yes, your Honor.

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1 THE COURT: You also agree in the plea agreement that
2 you would not file a direct appeal or otherwise challenge by
3 petition, pursuant to 28, United States Code, Section 2255, or
4 any other provision, any sentence that is within or below the
5 stipulated guideline range of 12 to 18 months of incarceration.

6 Do you understand that?

7 THE DEFENDANT: Yes, your Honor.

8 THE COURT: There are a few more provisions in the
9 plea agreement that I want to go over with you. Just a few
10 left.

11 First, the defendant agrees not to appeal -- this is
12 another waiver of appeal -- or bring a collateral challenge of
13 any term of supervised release that is less than or equal to
14 the statutory maximum of three years or any condition of
15 supervised release imposed by the court for which you had
16 notice, including from a recommendation by the probation office
17 in the presentence investigation report, and an opportunity to
18 object. So that was a waiver simplified somewhat, that you
19 waived your right to appeal supervised release if it's less
20 than three years. That three years is the maximum that we
21 discussed before of supervised release.

22 Do you realize that?

23 THE DEFENDANT: Yes, your Honor.

24 THE COURT: There's another waiver of appeal, and you
25 agree in this waiver not to challenge your conviction or

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1 sentence on direct appeal or through litigation under Title 28,
2 United States Code, Section 2255 and/or Section 2241, on the
3 basis of any actual or perceived adverse immigration
4 consequences, including removal or denaturalization, resulting
5 from your guilty plea and conviction.

6 I'm not sure if that, how to what degree, if any, that
7 pertains to you, but that is what is included in the plea
8 agreement.

9 And are you aware of that?

10 THE DEFENDANT: Yes, your Honor.

11 THE COURT: Counsel, did you have another quarrel with
12 the way that I have described some of the provisions of the
13 plea agreement?

14 MR. LIGTENBERG: No, your Honor.

15 MR. DALACK: No, Judge. Thank you.

16 THE COURT: And Mr. Bazrouk?

17 THE DEFENDANT: No, your Honor.

18 THE COURT: There is a provision in the plea agreement
19 also that says that the sentence to be imposed on Tarek Bazrouk
20 remains within the sole discretion of the court.

21 Do you, starting with the counsel, agree with that
22 principle?

23 MR. LIGTENBERG: Yes, your Honor.

24 MR. DALACK: Yes, Judge.

25 THE COURT: Has anybody, Mr. Bazrouk, made any promise

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1 or inducement to cause you to plead guilty?

2 THE DEFENDANT: No, your Honor.

3 THE COURT: Has anyone made any promise to you as to
4 what your sentence will be?

5 THE DEFENDANT: No, your Honor.

6 THE COURT: Including any attorneys?

7 THE DEFENDANT: No, your Honor.

8 THE COURT: And, again, have you discussed the
9 sentencing guideline process with counsel?

10 THE DEFENDANT: Yes, your Honor.

11 THE COURT: So I'm going to turn now to government
12 counsel for a moment. I would ask the government to tell us,
13 in summary, what the government believes it would be able to
14 prove, that is to say the evidence if this case were to go to
15 trial, instead of being resolved at this plea session.

16 MR. LIGTENBERG: Yes, your Honor.

17 The evidence would show that, from at least in or
18 about April 2024 to in or about January 2025, at protests
19 relating to the Israel-Gaza war, Bazrouk conspired to assault
20 Jewish individuals due to their race, religion, and perceived
21 national origin. The evidence would further show that on three
22 occasions, Bazrouk, in fact, targeted and assaulted Jewish
23 protesters due to their race, religion, and perceived national
24 origin.

25 First, on April 15, 2024, Bazrouk attended a protest

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1 concerning the Israel-Gaza war in Lower Manhattan outside the
2 New York Stock Exchange. During the protest, Bazrouk was
3 arrested by officers from the NYPD after lunging at a group of
4 pro-Israel protestors. As Bazrouk was being escorted to an
5 NYPD vehicle, he kicked a different individual, a Jewish
6 college student, in the stomach, causing bodily injury. And at
7 the time of the assault, the victim was standing near other
8 Jewish protestors who were wearing kippahs, carrying Israeli
9 flags, and singing Jewish songs.

10 Approximately eight months later, on December 9, 2024,
11 Bazrouk assaulted another individual at a protest relating to
12 the Israel-Gaza war next to Columbia University in Upper
13 Manhattan. The victim of the second assault is a Jewish
14 student who attended Columbia. On the date of the assault, the
15 victim and his brother were wearing kippahs, the victim had an
16 Israeli flag draped over his shoulders, and the victim was
17 singing Jewish songs. As the protest continued, Bazrouk, with
18 his mouth covered, stole an Israeli flag from the victim's
19 brother and fled. After the victim and his brother followed
20 Bazrouk through a crowd to retrieve the flag, Bazrouk snuck up
21 beside the victim and struck him in the face with a closed
22 fist, causing bodily injury.

23 Third, roughly one month later, on January 6, 2025,
24 Bazrouk assaulted a third Jewish individual at a protest
25 concerning the Israel-Gaza war near First Avenue and East 18th

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1 Street in Manhattan. At this protest, the victim was wearing
2 an Israeli flag around his shoulders, a hat with an Israeli
3 flag, and a chain with a Jewish star. During the protest,
4 Bazrouk, whose face was covered, made contact with the victim's
5 shoulder and wrapped his foot around the victim's ankle. The
6 victim attempted to push Bazrouk away and cursed at him.
7 Bazrouk then punched the victim in the nose with a closed fist,
8 causing bodily injury.

9 During each of these three assaults, Bazrouk targeted
10 and attacked the victims because they were Jewish. Law
11 enforcement subsequently searched Bazrouk's phone. Evidence
12 from that device revealed anti-Semitic bias and support for
13 anti-Jewish terrorist groups, including Hamas, demonstrating
14 his motivation for repeatedly assaulting Jewish victims.

15 In text messages, for example, he identified himself
16 as a Jew-hater, labeled Jews as worthless, extorted Allah to
17 get us rid of Jews, called an acquaintance a fucking Jew, and
18 told a friend to 'slap that bitch' in reference to a women with
19 an Israeli sticker on her laptop. He also told a friend he was
20 mad happy to have learned that certain of his family members
21 overseas are part of Hamas. His phone was also littered with
22 pro Hamas and pro Hezbollah propaganda. And his phone showed
23 him communicating with at least one other individual about his
24 assaults on Jewish protestors and his intent to hurt them.

25 The evidence at trial would include testimony from

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1 witnesses, including victims and law enforcement officers,
2 videos of the assaults, including body-worn camera footage, and
3 cell phone camera footage, messages from Bazrouk's cell phone,
4 including the messages that I just discussed, where he
5 discusses the assaults and his intent to harm Jewish
6 protesters, and messages, social media evidence, and other
7 materials from Bazrouk's phone revealing anti-Semitic and
8 anti-Israel animus and support for a group, such as Hamas and
9 Hezbollah.

10 And the government's evidence as to venue would be
11 that all of these assaults occurred in Manhattan in the
12 Southern District of New York.

13 THE COURT: Thank you.

14 Back to you, Mr. Bazrouk. In light of the statements
15 of the government that you've just heard and in view of the
16 questions that I've asked you so far and the answers you have
17 given, do you wish to plead guilty or not guilty at this time?

18 THE DEFENDANT: I wish to plead guilty.

19 THE COURT: So, please tell me in your own words what
20 it is that you did that makes you believe that you are guilty
21 of the crime of conspiracy to commit hate crime acts to which
22 you are pleading guilty today.

23 THE DEFENDANT: Between April 2024 and January 2025,
24 in Manhattan, I participated in protests against Israel's
25 conduct in the Gaza Strip. In the course of those protests, I

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1 agreed with others to physically assault counterprotestors who
2 appeared to be Jewish or Israeli because of our perception of
3 their identity.

4 In particular, I admit that I kicked a person who
5 appeared to me to be Jewish or Israeli in the torso on
6 April 15, 2024. I also punched a person in the face at a
7 protest on December 9, 2024, who I believed was Jewish or
8 Israeli because of the clothing he wore and because he had an
9 Israeli flag draped around his shoulders.

10 I further admit to punishing a different person in the
11 face on January 6, 2025, who I believed was Jewish or Israeli
12 because he also had an Israeli flag draped over his shoulders.
13 In each of these incidents, I acted willfully to cause bodily
14 injury. I am very sorry for all of this.

15 I am Palestinian and began participating in the
16 protests to express my outrage over Israel's widespread killing
17 and displacement of Palestinian civilians in the Gaza Strip. I
18 should have never used violence and should have never targeted
19 any counterprotestors because of my perception of them as
20 Jewish or Israeli.

21 I hope my family, my community, and the victims of my
22 assaults can forgive me.

23 THE COURT: Thank you.

24 Are you pleading guilty to the crime charged in the
25 information because you are, in fact, guilty of that crime?

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1 THE DEFENDANT: Yes, your Honor.

2 THE COURT: And does the government counsel agree that
3 there is a sufficient factual predicate for today's guilty
4 plea?

5 MR. LIGTENBERG: We do, your Honor.

6 And just for the record, I might spell out the
7 elements that I do think were satisfied by the allocution.

8 So, under 18 U.S.C. 371, the government would have to
9 prove at trial four elements beyond a reasonable doubt:

10 First, that two or more persons agreed to commit an
11 offense against the United States. Here, that offense is
12 committing hate crimes, and I'll lay out those elements in a
13 moment;

14 Second, that the defendant was a party to or a member
15 of that agreement;

16 Third, that the defendant joined the agreement or
17 conspiracy knowing of its objective and intending to join
18 together with at least one other conspirator to achieve that
19 objective; and

20 Fourth, that at some time during the existence of the
21 agreement or conspiracy, at least one of its members performed
22 an overt act in furtherance of the objective of the agreement.
23 And the object of the conspiracy here is committing hate crimes
24 causing bodily injury, in violation of 18 U.S.C. Section
25 249(a) (1) (A).

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1 That object itself contains two elements:

2 First, that the defendant willfully caused bodily
3 injury; and

4 Second, that the defendant acted because of the race,
5 color, religion, or national origin of any person.

6 And, obviously, the government would also have to
7 prove venue beyond a reasonable doubt. We do think the
8 allocution the defendant just gave is sufficient to achieve all
9 of those elements.

10 THE COURT: Thank you.

11 I'm going to ask defense counsel and Mr. Bazrouk, do
12 you agree that, starting with defense counsel, that there is a
13 sufficient factual predicate for today's guilty plea?

14 MR. DALACK: Yes, your Honor.

15 THE COURT: And Mr. Bazrouk?

16 THE DEFENDANT: Yes, your Honor.

17 THE COURT: OK. It is then the finding of this court
18 in this case, *U.S. v. Tarek Bazrouk*, that the defendant is
19 fully competent and capable of entering an informed plea, that
20 the defendant is aware of the nature of the charges and the
21 consequences of the plea, and that the plea of guilty is a
22 knowing and voluntary plea supported by an independent basis in
23 fact supporting each of the essential elements of the crime
24 charged in the information.

25 The plea is, therefore, accepted and the defendant is

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1 now adjudged guilty of the offense.

2 Is there any reason, in the opinion of counsel, why I
3 should not direct that a presentence investigation report be
4 prepared?

5 MR. LIGTENBERG: No, your Honor.

6 MR. DALACK: No, your Honor.

7 I just would ask that no interview be conducted
8 outside of my presence.

9 THE COURT: I'll get to that.

10 And, counsel, do you wish then to be present for any
11 interview in connection with the development of that
12 presentence report?

13 MR. DALACK: Sorry to jump the gun.

14 Yes, I do.

15 THE COURT: That's OK.

16 So, in any event, I'm ordering that there be no
17 interview of your client unless counsel has been given the
18 opportunity to be present.

19 So, I hereby order a presentence investigation report
20 be made. Mr. Bazrouk, it's in your best interest, in my
21 opinion, to cooperate with the probation department, who will
22 prepare the presentence report, since the report will be
23 important in my decision as to what your sentence will be. I
24 suggest that you tell them whatever they ask, consulting with
25 your attorney, both the good things and not-so-good things,

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1 because if you don't disclose something that they ask about and
2 they find it out themselves, then they may say that you were
3 not being truthful with them, and that would not be helpful to
4 you.

5 You and your counsel and the government will have a
6 right and will have the opportunity to examine the presentence
7 report before the sentencing date, and you'll also have the
8 opportunity to file any objections. So, I urge you to,
9 Mr. Bazrouk, review this report carefully with your attorney
10 and discuss it with your attorney before sentencing. If there
11 are any mistakes in the report, please point them out to your
12 attorney so that he can point them out to me before the
13 sentencing, and so that I don't proceed on the basis of
14 mistaken information.

15 My thought is that the sentencing take place at
16 10:00 a.m. on October 1, 2025. Mr. Bazrouk and his counsel and
17 the government will have the opportunity, of course, to be
18 heard at that time.

19 With respect to sentencing submissions, including any
20 letters or documents, should be filed by September 16, 2025, by
21 the defense, and the government sentencing submission is to be
22 filed by September 23, 2025.

23 The remand will continue to the date of sentence. All
24 orders are continued, if there are any that are extant,
25 including remand.

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1 And finally, let me ask if counsel wish to add
2 anything to today's plea proceeding, starting with the
3 government?

4 MR. LIGTENBERG: No, your Honor.

5 THE COURT: Defense counsel?

6 MR. DALACK: With the court's indulgence, if the court
7 has availability on October 2 for sentencing, I would be
8 grateful.

9 MR. LIGTENBERG: I think it's a holiday.

10 THE COURT: It is. It's a Jewish holiday on that
11 date.

12 MR. DALACK: Why don't we do that, Judge. I'll go
13 ahead and resolve my conflict for the first.

14 THE COURT: Either that, or we can leave the date that
15 I mentioned, and then you and the government could get
16 together, if there is need to change that date, and let me know
17 by letter.

18 MR. DALACK: That makes good sense to me.

19 THE COURT: OK. Christine points out that our
20 calendar is available on October 7 or 8, if that's better for
21 you.

22 MR. DALACK: I think let's stick with the first, and
23 if I can't move my conflict, we'll write to the court.

24 THE COURT: Fair enough. Good.

25 Did the government wish to add anything further?

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1 MR. LIGTENBERG: No, your Honor.

2 THE COURT: No?

3 And, finally, is the government satisfied with the
4 plea allocution?

5 MR. LIGTENBERG: Yes, your Honor.

6 THE COURT: And how about the defense?

7 MR. DALACK: Yes, Judge. Thank you.

8 Just for clarification, the defense submission is due
9 September 16?

10 THE COURT: September 16 for the defense.
11 September 23 for the government to respond.

12 So, I think then, I thank you for your indulgence,
13 everybody, and that concludes our work for today. We are
14 adjourned.

15 Thank you.

16 MR. LIGTENBERG: Thank you.

17 MR. DALACK: Thank you, Judge.

18 (Adjourned)

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