

Department of Justice

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TWO CHARGED WITH TERROR VIOLATIONS IN CONNECTION WITH NEW YORK SUBWAY PLOT

WASHINGTON – The Justice Department announced that a federal grand jury in the Eastern District of New York has returned a superseding indictment charging Zarein Ahmedzay and Adis Medunjanin with terrorism violations stemming from, among other activities, their alleged roles in the plot involving Najibullah Zazi to attack the New York subway system in mid-September 2009. Ahmedzay and Medunjanin are scheduled to appear in federal court today in Brooklyn at 11:00 a.m.

Ahmedzay, 25, a U.S. citizen and resident of Queens, N.Y., was previously indicted on Jan. 8, 2010 in the Eastern District of New York on charges of making material false statements to the FBI about his travels to Pakistan and Afghanistan and about his conversations with a fellow traveler. Medunjanin, 25, a U.S. citizen and resident of Queens, N.Y., was previously indicted on Jan. 8, 2010 in the Eastern District of New York on charges of conspiracy to commit murder in a foreign country and receiving military-type training from a foreign terrorist organization, namely al-Qaeda.

The five-count superseding indictment unsealed this morning charges both Ahmedzay and Medunjanin with conspiracy to use weapons of mass destruction (explosive bombs) against persons or property in the United States. Specifically, they are charged with conspiring with Zazi to conduct an attack on Manhattan subway lines that would take place on Sept. 14, Sept. 15, or Sept. 16, 2009. The maximum statutory penalty for this offense is life in prison.

“The facts alleged in this indictment shed further light on the scope of this attempted attack and underscore the importance of using every tool we have available to both disrupt plots against our nation and hold suspected terrorists accountable for their actions,” said Attorney General Holder. “This attack would have been deadly, and the many agents, prosecutors and intelligence professionals who worked together seamlessly to thwart it deserve our thanks.”

Both defendants are also charged with conspiracy to commit murder in a foreign country. Specifically, the superseding indictment alleges that on or about Aug. 28, 2008, both Ahmedzay and Medunjanin accompanied Zazi on a flight from Newark Liberty International Airport in Newark, N.J., to Peshawar, Pakistan, in furtherance of the conspiracy. The maximum statutory penalty for this offense is life in prison.

The superseding indictment also charges both defendants with providing material support, including currency, training, communications equipment and personnel, to a foreign terrorist organization, namely al-Qaeda. The maximum statutory penalty for this offense is 15 years in prison.

In addition, Ahmedzay and Medunjanin are charged with receiving military-type training from al-Qaeda. The maximum statutory penalty for this offense is ten years in prison.

Finally, Ahmedzay is further charged with making false statements to the FBI in a terrorism investigation. According to the indictment, Ahmedzay falsely told the FBI he had disclosed all the locations he visited during his trip to Pakistan and Afghanistan, when he had failed to disclose all these locations. The maximum statutory penalty for this offense is eight years in prison.

This case is being prosecuted by the U.S. Attorney's Office for the Eastern District of New York, with assistance from the U.S. Attorney's Office for the District of Colorado and the Counterterrorism Section of the Justice Department's National Security Division. The investigation is being conducted by the New York and Denver FBI Joint Terrorism Task Forces, which combined have investigators from more than fifty federal, state and local law enforcement agencies.

The public is reminded that an indictment is merely an accusation of a crime, and the defendants are presumed innocent until proven guilty.

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