

**CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK**

THE PEOPLE OF THE STATE OF NEW YORK,

-against-

1. Ahmed Ferhani (M 26)
2. Mohamed Mandouh (M 20)

Defendants.

FELONY

Detective Steve Pinkall, Shield No. 7779 of the NYPD Intelligence Division, deposes and states as follows:

During the dates set forth below, in the County and State of New York and elsewhere, the defendants, acting in concert, committed the offenses of:

1. PL105.15/490.25(1) Conspiracy in the Second Degree as a Crime of Terrorism (1 count)
2. PL105.15/485.05(1)(b) Conspiracy in the Second Degree as a Hate Crime (1 count)
3. PL265.03(3)/490.25(1) Criminal Possession of a Weapon in the Second Degree as a Crime of Terrorism (3 counts)
4. PL110/265.04(1)/490.25(1) Attempted Criminal Possession of a Weapon in the First Degree as a Crime of Terrorism (1 count)

**Conspiracy in the Second Degree as a Crime of Terrorism**

The defendants, from in or about October 2010 to in or about May 2011, with intent that conduct constituting the crime of ARSON IN THE FIRST DEGREE, a class A-I Felony, be performed, agreed with another to engage in and cause the performance of such conduct, as a CRIME OF TERRORISM, committed with intent to intimidate and coerce a civilian population; and

**Conspiracy in the Second Degree as a Hate Crime**

The defendants, from in or about October 2010 to in or about May 2011, with intent that conduct constituting the crime of ARSON IN THE FIRST DEGREE, a class A-I Felony, be performed, agreed with another to engage in and cause the performance of such conduct, as a HATE CRIME, intentionally committing the act and acts constituting the offense in whole or in substantial part because of a belief and perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, disability and sexual orientation of a person, regardless of whether the belief and perception was correct; and

**Criminal Possession of a Weapon in the Second Degree as a Crime of Terrorism**

The defendants, on May 11, 2011, possessed a loaded firearm outside of their home and place of business, as a CRIME OF TERRORISM, committed with intent to intimidate and coerce a civilian population; and

**Attempted Criminal Possession of a Weapon in the First Degree as a Crime of Terrorism**

The defendants, on May 11, 2011, attempted to possess an explosive substance with the intent to use the same unlawfully against the person and property of another, as a CRIME OF TERRORISM, committed with intent to intimidate and coerce a civilian population.

The offenses were committed under the following circumstances:

I am a detective assigned to the Intelligence Division of the New York Police Department, where my duties for the past six years have included the investigation and monitoring of terrorist organizations. During that time, I have become very familiar with the workings of terrorist organizations and of individuals who plot to commit terrorist acts.

Over the past six months, I have participated in a long-term investigation into the defendants' involvement in terrorist activities. The investigation involved an undercover detective, operative number 242 (UC 242), with whom defendant Ahmed Ferhani discussed his goals of engaging in terrorist activities on repeated occasions. The statements and conversations recounted below were statements made by the defendants to UC 242, and I have reviewed audio recordings, draft transcripts derived from the recordings and I have discussed the conversations with UC 242. Because this affidavit is submitted for the limited purpose of establishing reasonable cause to believe that the defendants committed the crimes charged, I have not set forth all of the facts developed during the course of the investigation. In addition, the conversations as reported are in sum and substance.

Defendant Ferhani is a 26 year-old immigrant from Algeria who, during the course of his involvement with UC 242, proposed and developed a plan to bomb synagogues and kill Jews. UC 242 met Ferhani in October 2010. Ferhani discussed his goal of providing support for "Gaza," which UC 242 understood to refer to the Palestinian movement, and possibly traveling to Gaza to aid those he termed his Muslim brothers and sisters to fight against Israel and to kill Israeli soldiers. Ferhani also stated that if he were to die in that pursuit, he would become a martyr. During the course of their relationship, Ferhani introduced UC 242 to defendant Mohamed Mamdouh.

Ferhani also expressed his intent to participate in a "Jihad." Over time, Ferhani began to express more immediate violent goals within New York City generally, and Manhattan specifically. In April 2011, during a conversation among Ferhani, Mamdouh and UC 242, Ferhani raised the idea of blowing up a synagogue. As they discussed synagogues, Mamdouh said, in substance, "Hell yeah, I would love to blow that motherfucker up." The three men – Ferhani, Mamdouh, and UC 242 – discussed their plans to blow up a synagogue. Mamdouh also discussed training, and also noted the importance of paying for things in cash rather than credit cards, so they wouldn't get caught like "this dickhead got caught, the one that put the car in Times Square."

In a subsequent conversation in April 2011, Ferhani said they would target the biggest synagogue in Manhattan. Ferhani went on to describe his plan, which was to disguise himself as a Jewish worshipper, attend services at a synagogue and, while pretending to pray, leave a bomb in the synagogue. Both defendants then stated that they hate Jews.

Ferhani further stated that they would never get caught, because how would anyone "know that I'm not a Jew coming in there, dressed like that? Shalom. Shalom." Additionally, in discussing Zionists, Mamdouh stated that "they look like little fucking rats" and Ferhani responded, "Shoot that nigga."

In the days and weeks following these conversations, Ferhani continued to refine the plans in his conversations with UC 242. He discussed, among other things, buying a grenade to throw into a synagogue, buying a gun with a silencer, and buying multiple guns to use as part of the plan in case they were caught. On other occasions, Ferhani discussed learning to build bombs so he could blow up a synagogue, and also discussed blowing up a number of synagogues.

In these conversations, Ferhani proposed many variations in the details. The consistent themes in all of these conversations were his desire to blow up a synagogue and his hatred of Jews. Ferhani repeatedly told UC 242 that he wanted to buy guns to train for the operation. He discussed wanting to buy “clean guns” – which UC 242 understood to mean guns that were new and had not been used in other crimes and could not be traced. UC 242 stated that he could introduce Ferhani to someone who dealt in clean guns, and Ferhani expressed an interest in meeting with the weapons dealer. UC 242 also told Ferhani that the same gun dealer could get grenades, and Ferhani expressed an interest in buying grenades. Ferhani also discussed what he could do with the grenades, and described pulling the pins and throwing them into the synagogues.

During the above conversations, Ferhani also repeatedly took measures to protect the secrecy of their plan. For instance, on May 3, 2011, Ferhani criticized UC 242 for saying the word “synagogue” during an earlier phone call with Ferhani. Ferhani directed UC 242 that any discussion about “synagogues” or “Jews” or “protests” should take place in person because the government may be listening to their phone calls.

On May 5, 2011, Ferhani accompanied UC 242 into Manhattan to meet with the purported illegal weapons dealer, who was actually another undercover detective, operative number 225 (UC 225). During their meeting, Ferhani told UC 225, among other things, that he wanted “clean” guns, a couple of clips, and some rounds. Ferhani also told UC 225 that he needed the guns “for the cause,” which UC 242 understood to refer to violent jihad. Ferhani also told UC 225 that the Jews take care of their own kind, which is why they will never starve; but that Muslims don’t work together, which is a shame. Ferhani then stated that “we gonna be victorious;” and repeated “y’all can do whatever, we gonna win at the end.”

In the days before May 11, 2011, Ferhani continued to discuss his plans with UC 242. He discussed a few variations, including selling two of the guns on the street to raise money to fund their operation and keeping the other gun and the grenade to execute the operation; or possibly keeping two of the guns and the grenade and selling the other gun. He also told UC 242 that they would need to train for this operation to make sure they were prepared. On another occasion he pointed out a church in Queens and told UC 242 that they could blow up the church with just two grenades.

On May 11, 2011, Ferhani and Mamdouh drove into Manhattan with UC 242 to meet with UC 225. They planned to drop Mamdouh near the meeting location, and then UC 242 and Ferhani were to continue on to meet with UC 225 to buy three firearms, ammunition, and one grenade.

They dropped off Mamdouh as planned, and then drove a few blocks to 58<sup>th</sup> Street and 12<sup>th</sup> Avenue in Manhattan, where they met UC 225. At the meeting, Ferhani told UC 225, among other things, that he had \$100 on him, and would bring the rest of the money that night or the next day. UC 225 said he would do the deal because Ferhani was "a brother" and because Ferhani said that it was "for the cause." Ferhani confirmed that it was for the cause, "that's all it is for." Ferhani went on to say that he and UC 242, "have some fucking plans." Ferhani further said that he had "one target in [his] eye" and that he would "never quit until we reach that shit." Ferhani explained his motivation for executing the plans that he and UC 242 devised by stating that "Muslims is getting abused all over the world," and added, "I ain't gonna accept it."

During this conversation, Ferhani also asked UC 225 if UC 225 could get Ferhani a bulletproof vest, a silencer, and a police radio. Additionally, Ferhani asked UC 225 how much a box of grenades would cost.

UC 225 agreed to "front" the weapons to Ferhani, meaning to hand them over in exchange for future payment. UC 225 handed Ferhani a bag containing two operable Browning .380 caliber semi-automatic pistols, one operable Smith and Wesson .9 mm semi-automatic pistol, three boxes of ammunition (one per firearm), each containing 50 rounds, and one inert grenade. Ferhani took the grenade from UC 225 and placed it in a drawstring pouch he brought. Ferhani then took the three firearms and corresponding ammunition from UC 225 and placed the items in a bag he brought to the meeting. Ferhani then placed the bag containing the three firearms, ammunition, and the inert grenade into the trunk of the car. He was arrested immediately, and Lieutenant Joseph Sullivan of the New York City Police Department Intelligence Division removed the weapons and ammunition from the trunk of the car and secured them.

**False statements made herein are punishable as a class A misdemeanor pursuant to section 210.45 of the penal law.**



Deponent

5/12/11 2:20 pm  
Date and Time