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METROPOLITAN DESK

F.B.I. Has Kept 2 in Bomb Trial Under Surveillance Since 1989

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Government agents began conducting surveillance of some defendants in the terror conspiracy trial of Sheik Omar Abdel Rahman as early as 1989, when law-enforcement officials photographed two of them taking target practice on Long Island with three men who were later convicted in the World Trade Center bombing.

That information, which came out in testimony yesterday during the conspiracy trial of Mr. Abdel Rahman and 10 others in Federal District Court in Manhattan, indicated that law-enforcement agencies were collecting information about the trade center bombers and other terrorism suspects considerably earlier than had previously been disclosed.

The prosecution testimony about the 1989 activities of the men seemed aimed at showing the jury that the defendants had ties with each other going back several years -- beginning well before Mr. Abdel Rahman, the main defendant in the trial, even came to live in the United States.

Among the elements in the case that the Government needs to prove is the existence of a "jihad organization" that plotted terrorist acts against the United States.

But the testimony seemed to deepen questions that had been raised earlier about the F.B.I.'s failure to take

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measures to avert the trade center explosion in February 1993, which killed six people and injured more than 1,000.

Some of the questions have been raised over the role of an F.B.I. informer, Emad Salem, who is expected to be a crucial witness in the trial. Mr. Salem worked as an informer for the Federal Bureau of Investigation in 1991 and 1992, when the relationship was broken off.

In 1993, after the trade center attack, Mr. Salem recorded conversations he had with his F.B.I. contacts in which he seemed to scold them for ignoring his warnings that a terror attack was being planned.

And the information disclosed in court yesterday indicated that the F.B.I. had put the trade center plotters under surveillance even before Mr. Salem presumably began providing information about them.

Testimony in the case resumed yesterday after a postponement caused on Monday by the decision of a principal witness in the case, Siddig Ibrahim Siddig Ali, to change his plea from not guilty to guilty. Yesterday morning, before the jurors entered the courtroom, there was some angry wrangling between Judge Michael B. Mukasey and defense lawyers over Mr. Siddig Ali's changed plea -- and the detailed statement he made in court implicating each of the other defendants.

Defense lawyers asked for a mistrial, arguing that Mr. Siddig Ali's plea-bargain negotiations, which began a week before opening statements, took place without the knowledge of lawyers for the other defendants, thereby depriving them of the opportunity to attack Mr. Siddig Ali's credibility in their opening remarks.

Yesterday morning, Judge Mukasey did not formally rule on the motion, but his comments to lawyers and his eagerness to resume testimony suggested that he was inclined to reject the mistrial motion.

With the jury back in the courtroom, the prosecution called several law-enforcement officials to the stand, including James P. Fogle, an F.B.I. agent, who said he photographed several suspects as they came in and out of a mosque at 552 Atlantic Avenue in Brooklyn on July 2, 1989.

Mr. Fogle said he saw several men carrying boxes and other objects draped in cloth out of the mosque and

loading them into vans and cars parked nearby. He and other agents then followed the men as they drove to the Calverton shooting range near Riverhead, L.I., where Mr. Fogle photographed them firing what he said were AK-47 assault rifles and 9-millimeter semiautomatic pistols at targets.

Among the men visible in Mr. Fogle's photographs were two of the defendants in the case now under way, El Sayyid A. Nosair and Clement Hampton-El, along with three of the men convicted last year in the trade center bombing, Mohammed A. Salameh, Nidal A. Ayyad and Mahmud Abouhalima.

Mr. Nosair was later tried in the assassination of Rabbi Meier Kahane in 1990, and though he was acquitted of that charge, he was convicted on related weapons charges. The Kahane assassination is now seen by the Government as one element in the overall terrorist conspiracy. Mr. Hampton-El is charged with helping to organize military training for the defendants and with obtaining bomb-making materials.

Mr. Fogle of the F.B.I. said that at one point, one of the men at the shooting range fired an AK-47 into the ground three or four feet in front of himself, whereupon Mr. Abouhalima "came over, grabbed the weapon and like slapped the person for, you know, carelessness."

None of the witnesses yesterday specified what led the F.B.I. to begin surveillance of the men at the mosque, though Valerie S. Amsterdam, one of the defense lawyers, asked Mr. Fogle if the bureau was looking into Muslim groups that at the time were sending money and men to help in the Muslim struggle against the Soviet Union in Afghanistan.

The Government's theory, which it is seeking to prove to the jury, is that the "jihad organization," whose "ideological leader" was Mr. Abdel Rahman, aimed at waging "a war of urban terrorism against the United States" by plotting to blow up buildings, tunnels and bridges in the New York metropolitan area.

Photo: As early as 1989, Federal agents had some men under surveillance who are now on trial in a bombing plot. Two of the men were photographed that year at a shooting range with three others who were later convicted in the trade center bombing. One of the three was Mohammed A. Salameh, taking aim. (Edward Keating/The New York Times) (pg. B4)

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