

# FBI informant in “Newburgh 4” terror frame-up caught in perjury

Sandy English  
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Attorneys for four men charged with plotting to bomb two Jewish synagogues in New York City are currently cross-examining an FBI informant in federal district court in Manhattan, threatening to expose one of the most transparent government efforts at entrapping Muslims in a series of highly publicized “terror” trials in recent years.

James Cromitie, David Williams, Onta Williams (no relation to David) and Laguerre Payen are accused of conspiring to bomb the Riverdale Temple and the nearby Riverdale Jewish Center in the borough of the Bronx and to shoot down Air National Guard planes at Stewart International Airport in upstate New York with a heat-seeking missile.

The four were arrested on May 20, 2009 in a sting operation involving agents from the Federal Bureau of Investigation (FBI) and the New York Police Department (NYPD) among other law-enforcement agencies, as they attempted to place fake bombs at the synagogues in the Bronx.

The government informant, Shahed Hussain recruited them at a Mosque in Newburgh, New York, which he was sent to infiltrate in 2008. Over the next ten months he recorded hundreds of hours of audio- and videotapes, which, the government alleges, show that Cromitie had planned the bombings.

Newburgh is a small city of 28,000 about 60 miles north of New York City with a pre-recession poverty rate of 22 percent. In May, a massive operation of over 300 police officers and federal agents rounded up over 80 alleged gang members in the city.

The four defendants in the terrorism trial all come from impoverished backgrounds, and have done various amounts of time in jail, where some ostensibly converted to Islam. Cromitie, the so-called ringleader of the group is a high-school dropout without a stable

source of income. Another defendant, Lauguare Payan, had a deportation order stayed because he was judged to be mentally ill, and, according to his cousin, may not even be able to read.

The focus of the trial is now on the cross-examination of Shahed Hussain. Hussain claims that he is member of a wealthy Pakistani family that was close to the assassinated leader Benazir Bhutto. According to his testimony, he immigrated to the United States in 1994, fleeing a trumped-up murder charge. He came to own gas stations and other businesses near Albany, NY.

In 2003, Hussain was arrested on fraud charges while working as a translator for the Department of Motor Vehicles. He was only a few weeks away from becoming a naturalized US citizen. The FBI intervened, offering to vacate a jail sentence and deportation in return for his becoming an informant for Albany’s Joint Terrorism Task Force. He was sent to various mosques in upstate New York, where, according to his own description, he was “to listen, to hear, to talk with the attendees.”

In 2004 he infiltrated a storefront Mosque in Albany where he helped to implicate the imam, an Iraqi Kurd named Yassin Muhidin Aref and a pizza shop owner named Mosharref Hossain, an immigrant from Bangladesh. Aref had been targeted by the FBI because a notebook of his had been found in Iraqi Kurdistan by US troops.

Hussain offered to loan Hossain \$50,000 that he could launder at his pizza business in return for a fee. Aref was brought in as a witness to this transaction, as is traditional among Muslims. Shahed Hussain was secretly recorded the proceedings.

Hussain told the pair that he had gotten the money from the sale of a shoulder-fired missile launcher, to be used by Jaish-e-Mohammed (JEM), a Pakistani Islamist

group, to assassinate a Pakistani diplomat.

Based on this and other recordings, Hossain and Aref were convicted of providing material aid to terrorists and sentenced in 2007 to 15 years in a federal prison for providing material aid to terrorists.

A year later, when Hussain appeared at the Masjid al-Khulas Mosque in Newburgh, sometimes driving a silver Hummer and using the name Maqsood, he offered meals and advice on employment to worshipers. Some in the congregation felt that he was suspect, and warned others to stay away from him. James Cromitie, however, did not.

In cross-examination during the Newburgh 4 trial, Hussain admitted that he bought food and paid rent for Cromitie, and used a variety of psychological tactics to lure the four into committing a crime. Referring to one conversation that was recorded on April 7, 2009, Hussain suggested that his own life might be in danger if Cromitie did not follow through on the plot.

Hussain not only suggested that the Cromitie would receive \$250,000, he also promised to relocate him to Puerto Rico where he could open a barbershop.

When Hussain suggested that "\$250,000" was really a code word for the bomb-plot and that didn't mean he was going to pay Cromitie the money, one of the defense attorneys remarked, "That's a pretty good code word. No one's going to guess that one, right?" Later, Hussain admitted that he had not told Cromitie, or anyone else, that he had used the sum as a code word.

Later, as the *New York Times* noted, one of the defense lawyers "played a recording of a phone conversation from early May 2009 in which Mr. Hussain told Mr. Cromitie that he was traveling to Florida to pick up their money. Mr. Cromitie is heard shouting, 'Oh my God.' And soon afterward, he called one of the co-defendants, Laguerre Payen, and said, 'The cash rolls in.'"

Defense attorneys have urged US District Judge Colleen McMahon, to require prosecutors to investigate perjury charges against Hussain.

Evidence supporting charges that the defendants organized the bombing independent of Hussain was so shaky before the case went to trial that the FBI agent in charge of the case, Robert Fuller, directed Hussain to encourage Cromitie to purchase an illegal gun as a backup charge. In an e-mail message to Hussain, Fuller said that he wanted a further criminal charge against

Cromitie, "in our back pocket if things went south."

Kathy Manley, an attorney for Yassin Aref and secretary of Albany's Project SALAM (Support and Legal Advocacy for Muslims), which is devoted to exposing cases of the "preemptive prosecution" of Muslims, told the *World Socialist Web Site*:

"Maybe they went too far with this trial. This case seems dependent on the credibility of a pathological liar and con man. This is the same guy in the Aref case in Albany, but there they relied on tape recordings and not so much on [Hussain's] credibility."

In the Newburgh case, Manley noted, "They wanted to have him explain the records but now it's kind of blowing up in the prosecution's face. In this case, they didn't have someone they were targeting in particular. They were looking for just anybody at the Newburgh Mosque. The defendants are very down and out. None of them had a car, no one had a driver's license. They were just looking for money and whatever they could get out of this."

The trial of the Newburgh 4 is only the latest in a string of bogus "terrorist" cases manufactured by the FBI, which are continuing under the Obama administration just as under its predecessor. Others included the prosecution of five men charged with plotting to kill soldiers at Fort Dix in New Jersey, a Pakistani immigrant accused of conspiracy to plant a bomb in New York City, and five men in Miami—convicted only after two mistrials—who allegedly told a paid FBI agent-provocateur that they wished to blow up the Sears Tower in Chicago.



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