

The Free the Fort Dix 5 Support Committee & Project SALAM

Rally In Support of
The Fort Dix 5
Five Muslim Men Targeted by
Preemptive Prosecution
Appeal to be Filed
Tuesday, August 31, 2010, Noon



The appeal to the Federal Appeals Court in the Fort Dix 5 case will be filed today. Many people believe that five Muslim men, Dritan, Eljvir, and Shain Duka, Mohamad Shnewer and Serdar Tatar were preemptively prosecuted by the use of a long and costly FBI “sting” operation that resulted in their convictions and long prison sentences (four men received life plus 30 years). All five men are still in prison — hundreds of miles from their wives and children and families. Three of the men - Dritan, Eljvir, and Shain Duka are serving their sentence at the ADX in Colorado, spending 23 hours a day in tiny cells. Mohamad Shnewer is in the special Muslim prison, called the Communication Management Unit in Marion, Illinois. Appeals in their case will be filed today. This rally is to bring attention to the terrible injustice done to these five innocent men, and hope that the Appeals Court will realize that there is no evidence at all that these men are terrorists.

Schedule of Events

12 Noon, Tuesday, August 31 — Rally at US Courthouse, 601 Market Street, Philadelphia, PA

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The Fort Dix 5—Entrapment by Agents Provocateur

In January 2006, a store clerk in South Jersey, NJ gave the FBI a videotape of some young men riding horseback, having a pillow fight, shooting guns at a firing range, and shouting Islamic phrases. The men—brothers Dritan, Eljvir, and Shain Duka, along with Mohammed Shnewer and Serdar Tatar—had given the videotape, which had been shot during their vacation together in the Pocono Mountains, to the clerk to copy. The FBI decided that the group was suspicious and sent in two agents provocateur—Muslim men who had been convicted of serious crimes and were willing to cooperate with the government in exchange for leniency—to try to entrap the young men in criminal activity.

The agents showered attention on the young men and used money and manipulation to build up their interest in jihad. They showed the young men jihadist videos, taunted the men on their lack of resolve to take action, and followed the young men around with a hidden recording device to record every word spoken in passion or anger. By May 2007, the agents had persuaded one of the defendants to discuss a possible attack on Ft. Dix when the other youths were not present. Another defendant gave the agent a map of the base in response to the agents' demands. The agents then persuaded the defendants to buy some automatic weapons, supposedly for target shooting. At this point, the whole group was arrested and charged with conspiracy, even though no definite plan had been made to attack anything and most of the defendants had never had a conversation with the agent about any plan to attack Ft. Dix. They were eventually convicted and sentenced to life plus thirty years. (That is to say, their sentences will expire thirty years after they have died.)

The young men who became the Ft. Dix 5 were foreign-born, but they had grown up American. Three of them ran a roofing business and took vacations together with their friends and families in the Poconos. They wanted the guns so that they would not have to wait in line at the firing range. None of them had ever been involved in terrorism, and it does not appear that any of them would have been involved, save for the long and expensive effort of the U.S. government to entrap them.

All of the defendants are vouched for by a community of supporters who know the character of the defendants, know that the defendants were not terrorists, and had no intention of hurting anyone. They were men with families; people who love America; people who supported their communities. They had everything to lose and little, if anything, to gain by becoming involved in the FBI plot. For people who know the defendants' characters, the FBI's "evidence" is simply trickery, lies, and manipulation. It is unpersuasive and unjust.

The Albany, NY Resolution Asking for Justice for Muslims

The City of Albany's Common Council passed a resolution on April 5 that urges the U.S. Justice Department to implement the recommendation of its own Inspector General and establish an independent panel to review the convictions of Muslims who have been "preemptively prosecuted" to ensure their fair treatment under the Constitution and Bill of Rights.

The resolution was inspired by a declassified July 2009 report by the Justice Department's Inspector General on domestic surveillance programs. His report recommended that the Justice Department carefully consider whether it should re-examine past [terrorism] cases to see whether potentially exculpatory evidence was collected under President George Bush's secret President's Surveillance Program (PSP), which was established in 2001 and included the National Security Agency's (NSA) warrantless wiretapping program.

Under the preemptive prosecution program, hundreds of Muslims all over the country have been prosecuted and convicted to "preempt" them from committing crimes in the future. If people are being prosecuted before they commit a crime, there is a substantial danger that innocent people will be convicted who had no intention of ever breaking the law. Clearly, the Fort Dix 5 were "preemptively prosecuted" and deserve to be freed.