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## A case of terror or entrapment?

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A federal prosecutor urged a jury Thursday to convict seven Miami men on terrorism conspiracy charges for an alleged plot to bomb Chicago's Sears Tower, saying they offered themselves as a ready-made cell to a man they believed was an emissary from Al Qaeda.

But defense attorneys for two of the men on trial called the case an outrageous example of government entrapment, in which the men pledged allegiance to Al Qaeda and promised to commit criminal acts in hopes of getting \$50,000. The men had neither the will nor the means to carry out the crimes, the lawyers said.

"Like we don't have enough people who want to do harm to the United States that we have to fabricate a crime!" Ana Jhones, attorney for alleged ringleader Narseal Batiste, said in her closing argument to the jury hearing the so-called Liberty City 7 case.

Batiste and six other members of the Moorish Science Temple sect that Batiste ran out of a windowless warehouse in the impoverished Liberty City neighborhood were arrested in June 2006. Each is charged with four counts of conspiracy to commit terrorism. If convicted, they face up to 70 years in prison.

The government's case rests heavily on the testimony of two Middle Eastern men the FBI set up as undercover informants. Both had track records of paid government service in spotting terrorist threats and posing as foreign extremists to gather evidence against their marks.

Assistant U.S. Atty. Jacqueline M. Arango opened the government's two-hour summation by replaying a video showing the seven defendants being sworn to uphold "the secrecy of oaths and directives of Al Qaeda." The pledge was administered by confidential informant Elie Assad, who identified himself as "a representative of Sheik Osama bin Laden."

The allegiance ritual was conducted on March 16, 2006, shortly after the informants had bankrolled a move by Batiste's band of carpenters and martial arts enthusiasts to a modest, sparsely furnished office outfitted with hidden cameras and microphones.

"Ladies and gentlemen, that is material support" for terrorism, Arango told the jurors, pointing to the screen where the defendants were shown pledging their loyalty. "It doesn't matter whether the defendants did so for philosophical reasons or for money. That's irrelevant," she said.

She noted the seven couldn't carry out "these grandiose plans alone," which was why they sought "an unholy alliance" with Al Qaeda.

Arango urged the jury to return a guilty verdict affirming that "the government need not wait until buildings come down or people get shot to prove people are terrorists."

During the trial, Batiste spent eight days on the stand insisting he had only played along with Assad and fellow undercover operative Abbas al Saidi in an effort to scam them of money he intended to use to start a construction business.

Other prosecution exhibits included four wish lists Batiste gave to Assad detailing what he needed to raise an army to bomb the 110-story Sears Tower and the FBI building in Miami, and to sow chaos across the country with the goal of toppling the U.S. government.

The first list, scribbled on a Radisson hotel notepad, mentioned only boots, uniforms and vehicles. Weapons, bulletproof vests and the sum of \$50,000 were added later.

Among the charges against the seven is conspiracy to levy war against the U.S. government. In the course of the nine-month operation, the men got only a pair of boots each and a camera for casing the FBI building, which Jhones said Batiste pawned for \$56 to feed his children.

Batiste was usually the only one of the seven talking in the hundreds of phone calls and meetings taped during the investigation.

Roderick Vereen, attorney for defendant Stanley Grant Phanor, challenged the jurors to find one comment in the volumes of evidence to suggest his client planned to take part in any criminal acts. He said Batiste never spoke for the other defendants, and that the terrorism schemes were "jive talking."

Vereen described undercover operative Al Saidi as "a clumsy liar" who had traded in illegal weapons before his latest undercover gig, and Assad as a dubious character denied entry in Mexico, Syria and Yemen.

Al Saidi, a Liberty City shopkeeper, raised the terror-plot allegations only because he needed a fresh undercover assignment, said Jhones.

The two men earned more than \$130,000 plus hotel lodging and expenses for their services in the case, she told the jurors.

Some legal analysts attributed the June 2006 indictment of the seven men, who have remained in jail since their arrest, to the Bush administration's interest in demonstrating success in its proclaimed war on terrorism during an election year.

In her instructions to the jury, U.S. District Judge Joan Lenard said they must follow federal anti-terrorism laws even if they disagreed with them. She also noted that the government didn't have to prove that any crimes were actually committed or that the illegal acts discussed by the defendants were feasible. Prosecutors need only prove that at least two of the defendants entered into a conspiracy.

Attorneys for the five other defendants were expected to make closing statements today, with jury deliberations to begin early next week.

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