

MPR 04014762

**MEMORANDUM FOR THE RECORD**

**Event:** Interview of NYPD Detective Louis Napoli

**Type of event:** Interview

**Date:** September 4, 2003

**Special Access Issues:** None

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**Team Number:** 6

**Location:** FBI New York Field Office

**Participants – Non-Commission:** Robert Sinton, Assistant General Counsel FBI

**Participants – Commission:** Senior Counsel Barbara A. Grewe, Professional Staff Member Douglas MacEachin, Senior Counsel John Farmer

**Background**

Louis Napoli is a New York Police Department (NYPD) detective assigned to the FBI New York Field Office's (NYFO) Joint Terrorism Task Force (JTTF). He initially spent 10 years as an NYPD patrol officer, 4 years as an undercover in narcotics, and then 1 year as a regular officer in narcotics. He joined the JTTF in 1983. He initially worked on FALN bombs, Weather Underground, Black Panthers and other domestic terrorism matters. In 1987 he moved to International Terrorism (IT) – Foreign Counterintelligence (FCI) matters. He initially focused on Abu Nadal/Palestinian matters. He made this switch because the domestic side had become slow and Debbie Stafford, who was on the IT side, needed help. Napoli said he did not need to get permission from NYPD to switch to the IT side. Napoli testified NYPD does not play a role in the specific assignments he received.

**Information sharing**

He said that his assignment to the JTTF was of benefit to the NYPD because there was always the contention that the FBI was hiding information from the NYPD. Through the JTTF the NYPD knew that it would have individuals who would be participating in the investigations and thus know what was happening. This made the NYPD a little more comfortable that if something was going to happen that the NYPD would be told. Napoli argued that if people have the clearances, then they should be trusted with the information. Napoli said Commissioner Kelly knows information should not be leaked about a particular threat – he should just deploy manpower to address the threat. He said,

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however, that information sharing between the FBI and the NYPD generally happened at higher levels than the street agent/detective level.

Anticev and Napoli briefed the NYPD Police Commissioner on the TERRSTOP matter (the plan to simultaneously blow up various bridges and landmarks in New York in 1993). According to Napoli the Commissioner knew how to deploy personnel to address the plot and where to deploy them.

Pre 9/11 there was no one above an NYPD lieutenant assigned to the JTTF. As a result One Police Plaza was not generally kept abreast of what was happening on the JTTF. After 9/11 there is a two-star chief assigned to the JTTF who deals directly with Joe Billy (Special Agent in Charge for Counterterrorism). After 9/11 Napoli thought there were problems because there were "more chiefs than Indians" from NYPD at the JTTF. But Napoli believes that the level of cooperation is such that the city is confident that the FBI will tell them about information relevant to NY City. He said Commissioner Kelly has been briefed since 9/11 and in Napoli's view, the negativity between NYPD and the FBI predated 9/11.

Napoli did not believe, however, that all information should be shared with everyone. People need to understand that some information is so singular that it could get a source killed if the information got out. He argued that there needs to be compartmentalization and need to know to protect information. He said for example [redacted] the supervisor knows about but not the rest of the squad. On the other hand, Napoli argued that when the information is properly controlled, there is an increased possibility can stop plots. He said you need to ensure that your best and most trusted people have the necessary information.

### Salem and the early 1990s

Napoli was working with FBI Special Agent John Anticev when Kahane was assassinated by Nosair. Napoli said they had "a handle" on the case when the state took the case back from them two days later. When that happened the state took all the evidence back. Napoli said they (he and Anticev) sent a teletype to the Legats to get information regarding Nosair's associates. They received information that Sheik Rahman was associated with Nosair and was in New York at that time. Later they found out that these same individuals were involved in the 1993 bombing of the World Trade Center. Thus, when the bombing happened they had done their homework and knew where to go.

Napoli said that Salem was brought in as an informant against these individuals during the Nosair trial. [redacted] At one point, approximately a year later, Salem went to Attica to visit Nosair. Nosair wanted Salem to commit "acts of violence" against the judge and the district attorney. FBI management put Salem "on the box." According to Napoli, this was the first time the FBI began polygraphing Arabic individuals. Thus, when Salem's polygraph came back as inconclusive the FBI did not know what to make of this result. Napoli said that Carson Dunbar and [redacted] thought Salem was not being truthful. There were also problems

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because Salem did not want to testify against anyone. Dunbar wanted Salem to wear a wire but, when the FBI could not guarantee that he would not have to testify if he wore a wire, Salem refused. Despite the fact that, according to Napoli, everything Salem was saying had been corroborated, management thought Salem was not being totally truthful. Around this time Anticev was out of the office for medical reasons so management was talking to Napoli. Napoli felt that they made it clear that they were merely talking to a police detective as opposed to an FBI agent so they did not weigh his opinion as heavily. Napoli argued for why Salem needed to be retained as an asset. Dunbar had his own view of who Salem was and made the decision to remove Salem from the asset rolls.

After Salem was gone, Anticev and Napoli tried other approaches to neutralize the activities of the group they were tracking. They had grand jury subpoenas issued and in the summer of 1992 brought all of the individuals into the offices. Anticev and Napoli posted numerous surveillance photographs on the walls and told them that they knew what they had been doing. They hoped that this might deter any plans the group had. Then Ramzi Yousef arrived in New York in September 1992. And in February 1993 they bombed the World Trade Center.

The night of WTC 1 the FBI decided that Anticev and Napoli could bring Salem back. They were worried that at this point Salem would demand a million dollars to work for the FBI. Napoli said that United States Attorney Mary Jo White said so what, bring him back. Salem was brought back into Rahman's group in New Jersey. Salem came back and agreed to wear a wire and testify. He was remorseful for the bombing.

Salem caused problems again because [redacted] Napoli and Anticev when they met with him. When this was discovered the FBI removed them from handling Salem and off the prosecution case.

### Importance of assets

Napoli believed that the FBI did not really understand the value of assets. He described assets as being the equivalent of "a FISA without all the writing." He also described assets as an extension of an agent who cannot work undercover in a particular situation. For example, when Ramzi Yousef arrived he sought out help at the mosques. Undercover agents could not go there. He also noted that these later guys (i., the 9/11 hijackers) did not need such help and were totally self sufficient. This makes assets who can identify new people, understand when something is not quite right, and who have a gut feel about situations critical to the mission. Napoli believes that infiltration has become increasingly difficult. He said that getting assets in like Salem is hard.

He said there were problems with managers who did not come from undercover work and did not understand the pitfalls that arise in using assets. Assets, however, need to be paid regularly and the FBI did not like this approach. As Napoli said, the assets need to pay their bills. Thus the FBI's "cash and carry" approach where an asset was only paid when he produced worthwhile information was not adequate. The budget management guy told him that he should not listen to the people in New York - that he has to justify assets

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and any payments to them. Napoli said Ken Maxwell understood the asset issue but most managers did not. Napoli believes that the FBI should look for individuals with backgrounds in undercover work and informants to become managers. Napoli said he has given lectures on asset recruitment.

**Usama Bin Ladin (UBL)**

Napoli said that back in the early 1990s they were not "in that gear" so could not have put the pieces together to show UBL responsible for WTC I. Napoli thought at the time of WTC I UBL was actively looking for people to cause damage to us the United States. He believed that UBL used Ramzi Yousef and then Yousef used the people in New York to do the job. Napoli noted that Yousef went to the right mosque within 24 hours of arriving in New York. Napoli thought Yousef could have learned from just watching television (from the Nosair trial) who the key radicals were. According to Napoli, Yousef came in with an agenda and found the people to execute it.

They began to see al Qaeda take shape after the Bojinka plot and obtaining access to 9/11 Law Enforcement Sensitive At this time the UBL squad was formed in NY.

After the East Africa bombings and the attack on the USS Cole, UBL was in "full gear." They still did not have any clue about possible cell structures in the United States. He said they had no idea that there were sleeper cells here. They had people in the community looking around for new people, particularly those who could talk about the training camps. They briefed assets on what to look for. Yet, they did not know these people were here.

Napoli said all information regarding UBL from NYFO was disseminated to FBI Headquarters and Headquarters made decisions about what to do regarding UBL. There were not, however, any analytical pieces from Headquarters regarding UBL. According to Napoli, all other offices took a back seat to NYFO on UBL matters.

9/11 Classified Information

**NYPD post-9/11**

Napoli said the NYPD Intelligence Center came from the belief that pre-9/11 the NYPD did not have enough information. Napoli described David Cohen, who is the head of the Intelligence Center, as a deer in headlights. Napoli described the sources they have as

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peripheral because the handlers are not sufficiently knowledgeable. He also argued that the NYPD was not going to get information [redacted] because the NYPD cannot play [redacted] 9/11 Classified Information

**FBI post-9/11**

Napoli believes that Director Mueller's decision to centralize direction of counterterrorism matters at Headquarters is a mistake. He argued that the reins have to come back to the field offices. He said that Mueller is just one person and is too hands on for these cases. He said the policy has demoralized the squad members. He described the policy as "get it, box it, and send it" to Headquarters.

[redacted] 9/11 Classified Information

Napoli believes the key issues for the FBI are enough linguists for the documents that they find and money for assets.

[redacted] 9/11 Classified Information

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