

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of Alabama

United States of America)

v.)

Alaa Mohd Abusaad)

Case No.)

Mag. No. 18-~~382~~

282

OCT 22 4 10

U.S. DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 5, 2018 in the county of Tuscaloosa in the Northern District of Alabama, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. Sections 2339B and 2

Attempt to provide material support or resources to designated foreign terrorist organization.

This criminal complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.



Complainant's signature

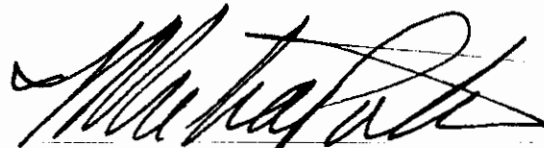
Marcell Rayford, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date:

October 27, 2018



Judge's signature

City and state:

Birmingham, Alabama

T. Michael Putnam, United States Magistrate Judge

Printed name and title

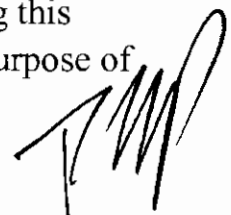
AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Marcell Rayford, Special Agent with the Federal Bureau of Investigation (FBI), Birmingham, Alabama, having been duly sworn, state as follows:

1. I have been a Special Agent with the FBI since 2011, and am currently assigned to the FBI Birmingham Division's Joint Terrorism Task Force (JTTF). As part of my duties as a Special Agent, I investigate, among other things, criminal violations relating to terrorism, such as providing material support to designated foreign terrorist organizations.
2. I am a law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), and am empowered to conduct investigations and to make arrests for violations of federal statutes, including cases involving violations of Title 18, United States code, Section 2339B.

RELEVANT CRIMINAL STATUTE AND BACKGROUND

3. I submit this affidavit in support of a criminal complaint for the arrest of ALAA MOHD ABUSAAD (ABUSAAD) for violating Title 18, United States Code, Sections 2339B and 2, by attempting to provide material support or resources to a designated foreign terrorist organization, and aiding and abetting others in doing so. As recounted in more detail below, beginning in or about March 2018, while located within the Northern District of Alabama, ABUSAAD attempted to provide material support or resources to a designated foreign terrorist organization by introducing an FBI undercover employee (UCE) to a known financial facilitator and encouraging the UCE to provide money to the financial facilitator, and providing instructions to the UCE about how to provide money to the facilitator. ABUSAAD confirmed with the financial facilitator (INDIVIDUAL A) that money sent to Individual A could be provided to a designated foreign terrorist organization and coached the UCE on operational security methods (tradecraft) to use in order to avoid detection by law enforcement when sending the money.
4. My knowledge of the facts alleged in this affidavit arises from my training and experience, my personal observations, my participation in the federal investigation described herein, my conversations with other law enforcement agents and officers, and my review of information obtained during this investigation. Because this affidavit is submitted for the limited purpose of



stating probable cause for a criminal complaint, it does not include every fact known to me concerning this investigation.

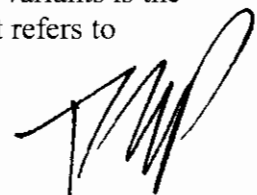
STATEMENT OF PROBABLE CAUSE

5. In or about February 2018, ABUSAAD was introduced to the UCE by another person, and ABUSAAD began participating in conversations with the UCE via a mobile messaging application.

6. On or about March 10, 2018, during a mobile messaging application chat between ABUSAAD and UCE, UCE told ABUSAAD, “My husband was talking to a brother he thought was there [Syria] who was going to help us in preparing and help getting over, and I don’t know if the brother was a spy or just after our money but that fell through...” ABUSAAD replied, “That’s really dangerous. I can forward you to someone more trustworthy. But don’t just believe anyone. Make them show you proof. Or only contact people when you see proof. Even people you might think are really m.j [mujahedeen¹] they might be spies. The person I can forward you to, I know for sure they are legit. But idk [I don’t know] if he would help with getting there.” UCE asked ABUSAAD, “What can they help with?” ABUSAAD then sent a series of messages that she deleted after sending. UCE read the messages prior to ABUSAAD deleting them, which stated that ABUSAAD’s contact could help with sending money to the m.j., and that sending money is the same as doing jihad. UCE asked ABUSAAD, “Is that what is needed right now?” To which ABUSAAD replied, “It’s always needed. You can’t have a war without weapons. You can’t prepare a soldier without equipment.”

7. On March 10, 2018, ABUSAAD sent the UCE a screenshot of what appeared to be a user’s mobile messaging application contact information that included a display name for INDIVIDUAL A. ABUSAAD stated, “This is the brother I know. He’s in charge of this [mobile messaging application] channel: I can’t find it m [right now] I got too many [mobile messaging application] channels.

¹ Mujahedeen means those who are engaged in jihad; fighters. Mujahid and its variants is the singular form of the word. When UCE and ABUSAAD used the initials m.j., it refers to mujahedeen.

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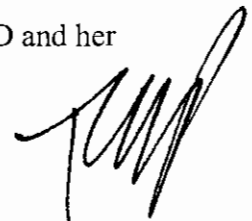
It used to be called ‘life in Syria’”.² UCE asked ABUSAAD, “How do you know he’s not a spy?” To which ABUSAAD replied, “Bc I sent many many times thru him. Plus he’s very well known. But I completely understand why you are a bit hesitant. And that [sic] completely okay to be. It’s better than trusting people outright.” ABUSAAD forwarded the UCE an online message from user name “Tourist in Syria” that contained the following: “Tears in Sham [Syria]. An old video reminding you [of or about] the situation here in Syria. Do not forget to help the Muslims however you can. For more info: [INDIVIDUAL B]”. ABUSAAD stated, apparently referring to the “Tourist in Syria” message: “But there are safer ways to give though. To widows and children.” UCE replied, “If I’m very blunt, my husband understand [sic] his obligation towards jihad and if he can’t be there now, he will absolutely want to help the m...j who are fighting while he can’t since he’s here.” ABUSAAD replied, “He should talk to [INDIVIDUAL B or INDIVIDUAL A]. They are both good brothers. Please delete. I think it’s best if you want to continue that we take it to private chat instead In’sha’Allah.”

8. On or about March 12, 2018, during a mobile messaging application chat between ABUSAAD and UCE, UCE asked ABUSAAD, “So why exit and delete each time?” ABUSAAD replied, “I guess just to ge [sic] on the safe side...It’s fine. This conversation is encrypted...FBI can still hack into your phone...But they can’t hack into this conversation...And I would not worry too much about it. Bc I’ve had many conversation [sic] in this and they were pretty explicit like ig [I guess] incriminating.” Based on previous conversations between ABUSAAD and UCE, FBI assesses that “ig” means “I guess”. ABUSAAD continued, “But alhamdulillah³ Allah protected me every time...I mean like I used to be jojo⁴ and that was really dangerous. So I think [mobile messaging application] is pretty safe and also the government doesn’t like it so that’s a good thing right? Lol...Btw. You can delete your

² The mobile messaging application is a cloud-based social media platform. A mobile messaging application channel is a tool for broadcasting one’s messages to large audiences.

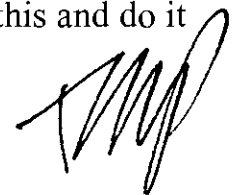
³ Translations of the term “alhamdulillah” include -- all praise is due to God alone; all the praises and thanks be to Allah; praise be to Allah; and all praises due to Allah.

⁴ Your affiant is unfamiliar with this term, however it appears that ABUSAAD and her associates used it as a reference to ISIS.



messages...I do that just to keep it safe...It's good to clear and delete to be on safe side."

9. Later on March 12, 2018, during the same mobile messaging application chat as above, ABUSAAD stated, "[INDIVIDUAL A] is the brother I personally spoke to who handled the donations I gave. I told him where I wanted it specifically. He's kind about it too. And he recommended me [INDIVIDUAL B] so I know he's also trustworthy."
10. During the same mobile messaging application chat on March 12, ABUSAAD stated, "Talk to your husband about it first. I didn't even give much. I have [gave] what I had at the time." UCE replied, "Well I know he wants to send something since we are stuck here right now and while we save... we talked about it the other night...but for him it's going to be knowing where it would be going." ABUSAAD responded, "Okay. He can say where he wants it to go specifically. Like for instance if he wants it to be zakat money [a charitable contribution under Islamic law] it can go to the Widows's of mj. Or if he wants it could be for weapons. Bullets. Clothing...Or you can give it to the widow and orphans. Supporting a mujahids family is like taking part in jihad."
11. After a discussion of various groups that are not part of infighting, ABUSAAD stated, "[INDIVIDUAL B and INDIVIDUAL A] I'm pretty sure they're both neutral. I trust [INDIVIDUAL A] more bc I actually talked to him. And he's helped me when I thought I got in big trouble... Once I used my debit card for a transaction that could have gotten me in really big trouble even jail. And I panicked and I was following his channel. Do [sic] idk I took another chance and I contacted him. So*. And he told me that I was okay bc if I was in trouble he knew a brother that the same thing happened except he got arrested. Right away. And so alhamdulillah it calmed me down and he helped me. Bc there was a spy that had some info about me. Anyway. I sent through him and he proved to be trustworthy." UCE asked, "I don't understand though.. why did the other brother get arrested??" To which ABUSAAD replied, "I'm sorry wallah I don't remember exactly. It was a similar transaction to mine. He got caught sending money to mj. And he got arrested." UCE asked, "Was it in the news or anything??? I want to learn from his mistakes." To which ABUSAAD replied, "Sis. Everything is a risk. Sending is a risk, going [to Syria] is a risk." UCE replied, "But you've also managed to figure out how to do this and do it



safely.” To which ABUSAAD replied, “I’m just a flop sometimes I’m not smart about it. Yes. I (wear) niqab.⁵ I sent money without id. Without showing ID. You can send money to certain countries. Through Western Union. And you don’t have to show ID. As long as the amount is under 400 USD. I’m pretty sure that’s the amount. But be careful sis. There is always a chance of getting caught.”

12. UCE asked, “How? If I wear niqab and keep it under 400 and don’t show ID?” To which ABUSAAD replied, “If you aren’t careful of what you say. And what information you give...Don’t give your real information. I looked up random places and gave the address...And random phone numbers...But I did it multiple times. And I never got in trouble...Alhamdulillah. May Allah blind the kuffar.”⁶ UCE asked, “It’s not illegal to simply send money though right?” To which ABUSAAD replied, “...It can be it depends... If you’re sending to women and children it’s legal. And you can do it through an official charity group. So it depends.” UCE asked, “Is the mj aspect what is illegal then?” ABUSAAD replied, “Yes. It is.”

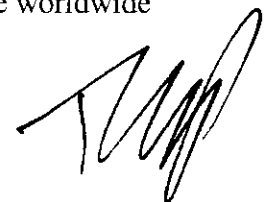
13. On or about March 13, 2018, during a mobile messaging application chat between ABUSAAD and UCE, ABUSAAD stated, “Like don’t go around trusting Just because you see those contacts on [mobile messaging application]. Bc they can be spies everywhere...Those guys wanted me to go to a county I didn’t know, alone. That’s what FBI does. They could have caught me in the act.”

14. On or about March 25, 2018, during a mobile messaging application chat between ABUSAAD and UCE, ABUSAAD stated, “I wanted to tell you that if you and your husband talked and still wanted to donate. Now is probably one of the best times. You can give regularly through a charity organization like one ummah.⁷ Or through the brothers I forwarded you. If not it’s completely

⁵ A garment of clothing that covers the face, worn by some Muslim females.

⁶ In Arabic, the word kuffar means infidels or unbelievers in Islam.

⁷ “This appears to be a reference to One Ummah, which open source material indicates is a charitable organization based in the United Kingdom. The word Ummah is the worldwide community of Muslims.

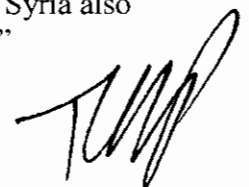


fine. I just thought I would let you know.” UCE asked, “Alhamdulillah thank you for sharing... what happened that makes now a really good time?” To which ABUSAAD replied, “I talked to one of the brothers there.” UCE stated, “I know we are absolutely wanting to give to the mj while we are stuck here... my husband is just going to want to know where it's going to if that makes sense.” ABUSAAD replied, “The brother was not part of a group that participated in infighting⁸... You can ask for it to go specifically to where you want it. And the brother said there are many groups that don't participate in the infighting.” UCE asked, “Which brother? [INDIVIDUAL A]?” To which ABUSAAD replied, “He also said they are in need right now. Yes”.

15. On or about March 26, 2018, during a mobile messaging application chat between ABUSAAD and UCE, ABUSAAD stated, “There are many smaller grps [in Syria] alhamdulillah. Like junud alsham, ansar al taweed, ansar Allah, ansar aldeen, Hurrasaldeen etc. Most of these grps dun take part in infightings.. I usually tend to help many grps in khair..and personally stay out of infighting.” UCE stated, “let me look up about the groups and talk with [my husband] and get back to you inshallah. Which have you sent to if you don't mind me asking?” ABUSAAD replied, “No group. I donated so that the money can be used in what's most needed. Not specific.” UCE asked, “[my husband] wants to know if the brother can get it to our AQ [al Qaeda] brothers?” To which ABUSAAD replied, “I think this brother has contact with certain groups. I'm honestly not sure if he can get the money directly to aq. I'm sorry I don't know.” UCE asked, “so he can get it to ansar al-dine?” ABUSAAD replied, “I'm sure if they are in the area. I think you can request that...I'm sorry I don't know much and I don't typically ask much.”

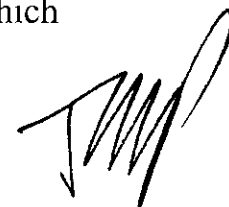
16. On or about April 2, 2018, during a mobile messaging application chat between ABUSAAD and UCE, UCE stated, “Alhamdulillah my husband got paid today... but the banks closed already. Once I deposit the check tomorrow funds should be available Wednesday so we definitely want to send something Wednesday inshallah... but sis can you do me a favor, can you ask [INDIVIDUAL A] if he can get out [our] money to our AQ brothers?” To

⁸ According to open-source reporting, various groups fighting the Assad regime in Syria also have fought each other, which is apparently, what is meant by the term “infighting.”



which ABUSAAD replied, "...He said it can be done. To the brothers that work with aq. He knows a few."

17. Later in the same conversation, UCE asked, "So how does this work sis?...Like how do I send the brother the money?" ABUSAAD replied, "The way I know is Western Union. Send under a fake name and fake address. Only send with one identity once. But the name you send to might be different each time. So it's important to check with [INDIVIDUAL A] who to send to exactly." UCE asked, "Ok who did he say to send it to this time?" ABUSAAD replied, "And also he needs to know how much you send. (In [sic] I have to ask him again." UCE replied, "Ok...I don't know that we can do much but we will give some of what we do have inshallah." ABUSAAD replied, "And he needs the receipt. So make sure to take a picture of the tracking number, the name and the city to send from... Sis it's fine if you can't give a lot. Not many people can." ABUSAAD stated, "Make absolutely sure you spell the receivers name right...Make sure bc it's going to be a big pain trying to go back and fix it!"
18. During the same mobile messaging application chat as above, ABUSAAD told UCE that if she wears niqab, she should use a fake Muslim name to send the money. ABUSAAD further stated, "And since it's a fake name no one can do anything to you. So don't worry." ABUSAAD further told UCE, "Don't send it all at once...And use a fake name each time...Go to Publix. Not a bank...Yes 2-3 hundred at a time...Only use cash...Always say it's your first time sending."
19. During the same mobile messaging application chat as above, ABUSAAD suggested UCE talk to INDIVIDUAL A directly and agreed to forward UCE's Mobile messaging application information to INDIVIDUAL A. ABUSAAD told UCE that Syria was 6 hours ahead.
20. On or about April 4, 2018, during a mobile messaging application chat between UCE and INDIVIDUAL A, UCE stated, "Sis told me that you can help us get money to help brothers over there, and my husband wanted to know if you can help us get the money to our al Qaeda brothers." To which

A handwritten signature in black ink, appearing to be the initials 'JMP' with a large, stylized flourish extending upwards and to the right.

INDIVIDUAL A replied, "In sha Allah".⁹ UCE stated, "Alhamdulillah. We would like it to go towards uniforms if possible inshallah." INDIVIDUAL A stated, "Well I can't promise this. Cuz the bros may consider many things priority wise... So it's better if we let the bros here decide your wish."

21. On or about April 4, 2018, during a mobile messaging application chat between ABUSAAD and UCE, UCE stated, "Sis I told him we may only be able to do \$20 this time and he said that it costs more than 15\$ for them to get the money in... but he did say he could get it to our AQ brothers. He said its best to let the brothers there decide what it goes to... I think we can maybe try and give more I don't know what do you think?" ABUSAAD replied, "I think it's a lot of trouble to only send \$20. I thought you said over 1k? So now I'm a bit confused." UCE stated, "Noooo I said it won't be that it'd be much less. I wish we could give that much." To which ABUSAAD replied, "You said it would be I think. And that's why I said send it in small amounts. 2-3 hundred." UCE stated, "No but I know we were typing fast and the chats were deleting quick." To which ABUSAAD replied, "They weren't." UCE stated, "I remember you saying that part. I think we're going to try 150." ABUSAAD stated, "If you don't have enough to. Just wait until you have more." UCE replied, " [my husband] said we would try the 150. [INDIVIDUAL A] said that was ok." ABUSAAD replied, "Not 20?... Make istikhara¹⁰... In'sha'Allah before you send... Sorry sis I was just confused. And a little concerned."

22. On or about April 5, 2018, during a mobile messaging application conversation between INDIVIDUAL A and UCE, INDIVIDUAL A stated, "btw the amnt is only for aq istn't it." When UCE asked INDIVIDUAL A, "Who else needs it too?" INDIVIDUAL A responded, "you know the aq grp here isnt it there isn't any official grp yet. There r only bros who agree with aq methodology and work on it. But aq officially til now hasn't recognized them as an official grp i believe. So is it ok if we give it to the aq mindset brothers?" UCE responded, "he just wants to know if there nusra¹¹ brothers that it can go to? *Nusrah". INDIVIDUAL A replied, "yea i get it... the dynamics here has

⁹ "God willing," or "if God wills."

¹⁰ A prayer recited by Muslims when in need of guidance on an issue in their life.

¹¹ Jabhat al Nusra is another designated foreign terrorist organization.



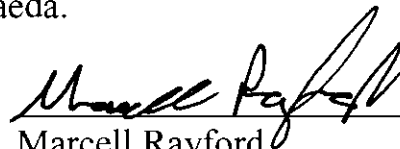
changed since nusra time. long story too. But I can alhamdulillah pass it to some old nusra and nusra type bros. in sha Allah...Once I get the name il let you know in sha Allah. (I deleted some sensitive msgs just for safety)”.

23. During the same mobile messaging application chat as above, INDIVIDUAL A gave the UCE sending instructions, stating, “Name: MUSTAFA YELATAN Location: Istanbul, Turkey. Once u send it, send me the complete receipt.” UCE replied, “...it's not going to the groups killing innocent women and children... it's going to the groups that are killing the kufar right?” INDIVIDUAL A replied, “Yes in sha Allah. Infact should try to give it specific to bros who go for the cause of fighting the clear enemies only.”
24. On or about April 5, 2018, during a mobile messaging application conversation between UCE and ABUSAAD, UCE told ABUSAAD she talked to INDIVIDUAL A and he gave the UCE a specific name in Istanbul, Turkey to send the money to. ABUSAAD replied, “Yes that sounds right.” And ABUSAAD also told UCE the name of who to send the money to always changes. When UCE told ABUSAAD she was nervous, ABUSAAD stated, “Don't be nervous sis and also you need a signature. Make sure you practice sign your fake name...And also practice saying all the information. Read it 3 times. Your name the receivers name and all of your other info. Like address and number...That's so you don't make a mistake. If you're nervous it will be harder to recall. Boost your self confidence. Tell yourself there is absolutely nothing that can be done to you. And the plot of the shaytan¹² is weak. So don't worry.”
25. On or about April 5, 2018, UCE conducted a Western Union transaction in the amount of fifty dollars (\$50) sent to Mustafa Yelatan in Turkey. After conducting the transaction, UCE conducted a mobile messaging application conversation with ABUSAAD, during which ABUSAAD stated, “And remember they can't do anything to you. You were completely covered. May Allah protect you. And plus it's a fake name...Just be confident and don't stress.”

¹² Loosely translated – the devil or Satan.

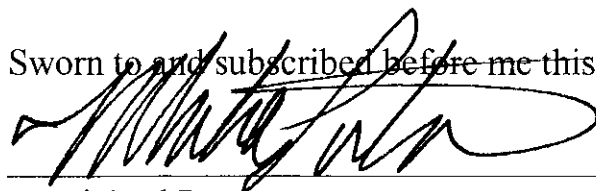
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26. On or about April 8, 2018, UCE received a mobile messaging application message from mobile messaging application user "MUSLIM", which is another username used by INDIVIDUAL A during previous communications with UCE. MUSLIM stated, "the 50 reached but as 35. So in sha Allah should give it to an aq bro in sha Allah."
27. In summary, after being introduced to the UCE, ABUSAAD encouraged the UCE to send money. ABUSAAD introduced the concept of ABUSAAD's overseas contact, INDIVIDUAL A, being a legitimate financial facilitator who could assist with sending money to the mujahedeen, and that doing so was the same as doing jihad. Thereafter, ABUSAAD made a specific overt plea for UCE to give money. On March 25, 2018, ABUSAAD told UCE that now was a good time to send money, because per INDIVIDUAL A, they were "in need right now".
28. ABUSAAD told the UCE that she (ABUSAAD) confirmed with INDIVIDUAL A that the money could be given to a designated Foreign Terrorist Organization (FTO) – al Qaeda. Designated FTOs are foreign organizations that are designated by the Secretary of State in accordance with section 219 of the Immigration and Nationality Act, as amended. Al Qaeda was designated as an FTO on October 8, 1999, and has remained so designated to date. Finally, ABUSAAD provided specific directions, coaching and encouragement for how to send the money, including instructing the UCE to use a fake name and to break up the transactions to \$200-\$300 at a time, and facilitated the online introduction of the UCE to INDIVIDUAL A for the purpose of UCE sending money to al Qaeda.



Marcell Rayford
Special Agent, FBI

Sworn to and subscribed before me this 22nd day of October, 2018.



T. Michael Putnam
United States Magistrate Judge