

WHAT A TARGETED KILLING IN THE US WOULD LOOK LIKE

Warning: Several minutes into this video, graphic images of a corpse appear. Also, the government may start tracking your online viewing if you view this YouTube, as someone started following my mostly defunct YouTube account after I watched it.

On October 28, 2009, the FBI set out to arrest a man they claimed, in the complaint justifying the arrest, was "a highly placed leader of a ... radical fundamentalist Sunni group [the primary purpose of which] is to establish a separate, sovereign Islamic state." The leader of the group "calls his followers to an offensive *jihad*." The complaint states the group trained in the use of firearms and martial arts and explains that "Abdullah is advocating and encouraging his followers to commit violent acts against the United States."

The arrest was staged at a warehouse controlled by the FBI, outfitted with 5 closed circuit video cameras that gave the FBI full visibility into anyone entering and leaving the warehouse, as well as pallets loaded with sandbags to provide cover. Altogether 66 FBI Agents participated in the arrest, with 29 Agents, including a K-9 team and snipers, inside the warehouse itself, along with helicopter cover, another K-9 team, and a control room nearby. Members of the FBI's Hostage Rescue and SWAT teams participated, with Agents flying in from Columbia, South Carolina and DC via a previous operation in Los Angeles. The team had practiced the arrest scenario up to 10 times before the actual arrest.

The arrest started when the FBI detonated 3 pre-positioned diversionary explosives in the room in which the leader, 4 accomplices, two undercover officers and an informant had been

moving boxes (the FBI insiders had already left the scene). That allowed the FBI team, wearing bullet proof gear and helmets, to move into place.

On orders, "FBI, show me your hands, on the ground!" the leader's four accomplices put their hands up and got down on the ground (for a variety of reasons, the FBI doesn't have recordings of the audio of the event). The leader hesitated, but then got face down on the ground, though the FBI claims his hands were not visible.

At that point, 62 seconds after the diversionary explosions, the K-9 handler, who had been briefed that the leader was the main target of the investigation, released the dog and gave the "bite" command, the first time he had ever done so in the year he had been a K-9 handler; the dog lunged at the leader's arm or face. The FBI claims the leader raised a gun and shot the dog three times. One accomplice disagrees, describing that the leader had both hands on the dog, trying to keep him away from his face. Two FBI Agents who admitted shooting their rifles also had Glocks, though of a different caliber than the one allegedly used by the leader. There was no gunpowder residue found on the leader and no fingerprints found on the Glock.

In the next 4 seconds, 4 different FBI officers shot the leader with their Colt M4 rifles (3 were from the Hostage Rescue Team that had flown in for this arrest), set on semiautomatic. He was hit a total of 21 times. He died within a minute.

This was the culmination of a 3-year counterterrorism investigation into Imam Luqman Abdullah, a black Muslim who led a mosque in Detroit. The investigation intensified in 2007 as Abdullah and his associates reacted against the transfer of H. Rap Brown (now Jamil Abdullah al-Amin), who had been convicted of killing two police officers in Georgia in 2002, to Florence SuperMax Prison.

In December 2007, Abdullah appears to have refused an informant's incitement to violence, saying he would not be involved in injuring innocent people (though in the same conversation, he referred to his followers as "soldiers").

Then, starting in 2008, a third informant started collecting examples of Abdullah's violent rhetoric – his disdain for non-Muslims and his call for revolution, his preaching about "being with the Taliban, Hizballah, and Sheikh bin Laden." That included a lot of promises of specific violence – strapping a bomb on to blow up the FBI – and vaguer plans – bombing Washington. It included a lot of references to having shot people in the past (though Abdullah had only one assault and concealed weapon conviction, dating to 1981, and a prior 1979 arrest for resisting arrest and assault on a police officer). It also included a lot of language that was obviously metaphor and bluster. In a conversation the informant didn't manage to tape, Abdullah discussed having the informant swear bay'at to his group.

Abdullah repeatedly talked about using violence with the cops. But in March 2008, Abdullah told the informant of being pulled over and not using his guns – because he was at a tactical disadvantage, he said. And in January 2009, the informant was pulled over with Abdullah in the car, and contrary to prior boasts he would shoot cops in such a situation, Abdullah did no more than glare and call the cops Kaffir dogs.

Throughout this period, Abdullah or his followers committed several small-time crimes on their own: arson to collect \$20,000 in insurance money, attempting to swap the VIN number on a stolen pickup truck, helping a mosque member who had been involved in a shooting incident (it's not clear whether there were any injuries) leave town, and possessing and selling guns as felons.

In June 2008, the informant started proposing Abdullah and his followers sell stolen goods he would provide them. In January, 2009, in the

first of these incidents, an undercover FBI Agent had the men help him move a shipment of purportedly stolen energy drinks. This was followed by fur coats, laptops, cigarettes, and ultimately by flatscreen TVs, all purportedly stolen but actually provided by the FBI. Over the course of these deals, the FBI provided at least \$8,450 to Abdullah and his men for their help (after which Abdullah and his men started buying purportedly stolen goods to sell and profiting that way).

13 days after the arrest and killing of Imam Luqman Abdullah, the surviving 10 followers were charged with firearms charges, VIN tampering, and a conspiracy tied to the FBI sting. They have since plead guilty and been sentenced to a range of sentences, from probation to time served plus one day to 79 months. The indictment made no mention of their alleged Muslim radicalism, though at least two of their presentencing memos mentioned those violent comments and/or their support for H. Rap Brown. Here's the response of Mohammed Abdul Bassir to his sentencing memorandum.

The Government's attempt to use these conversations to taint the reputation of the Defendant is without merit. These conversations have no bearing or relationship to what the Defendant has pled guilty to in this matter. Additionally, the First Amendment of the United States Constitution guarantees the Defendant the right to engage in private conversations. The Government is suggesting that because the Defendant holds certain beliefs about the American criminal justice system and the Democratic political process, that he is somehow a threat to the national security. What the Government is suggesting contradicts our core Constitutional rights. In effect the Government is arguing that because the Defendant disagrees with certain things in our society then his personal views

and beliefs should be used against him for sentencing purposes.

Not once did the Defendant advocate any violence against the United States, nor did the Defendant incite anyone to commit a violent act.

[snip]

Moreover, within the offense conduct, the Government included conversations about the Defendant's support for Imam Jamil. The Defendant's support for Imam Jamil is irrelevant to the case at hand. The Defendant's support for Imam Jamil has no bearing on what he has pled guilty to and should not be considered. The Defendant's support for Imam Jamil is Constitutional. It is not against the law for one to raise funds for the legal defense of an incarcerated individual. The inclusion of the Defendant's support for Imam Jamil within the offense conduct illustrates just how meritless the Government's memorandum is.

The memos also claim the proceeds of the crimes were intended to fund Luqman's violent mission, effectively attempting to turn theft into material support for terrorism.

In short, to disrupt a group of men the government claims were espousing jihad, that it suggests were criminal because they believed H. Rap Brown had been targeted by the FBI for 40 years, the FBI set up a sting involving selling stolen goods that they would go on to suggest amounted to funding Islamic extremism. At the elaborately orchestrated arrest for that sting, the FBI first mauled, then shot and killed the leader of the group.

Abdullah's family has sued for wrongful death and the FBI has effectively defaulted by not responding at all, but without knowing the FBI Agents' identities, the suit remains meaningless.

This is what a targeted killing in the US would look like. Not a drone shooting down a target driving across the desert. But an elite tactical team flown in for the occasion, only to find capture wasn't possible and lethal force was necessary, with the after-incident report finding the Agents (whose identities and therefore actions will remain classified) genuinely believed they were at risk when they fired.

Now, let me be clear. I'm not saying that Imam Luqman Abdullah's killing was a targeted killing. But if the Administration does believe targeted killing is permissible within the US, given their overwrought claims about Abdullah, he would qualify. He was a senior operational leader of a militant Islamist group that the government claims had terrorist aspirations (remember, John Brennan has made it clear that imminence is a measure of future threat, not past crimes). The FBI chose to carry out the arrest in the warehouse precisely to avoid civilian casualties. And, MI's Attorney General found, when they were unable to capture Abdullah without endangering themselves, they shot him. Abdullah would fit the three criteria in the white paper.

This is why the drone and AUMF fallacies are so distracting. If, indeed, the Administration believes it is authorized to conduct the targeted killing of Americans within the US, if indeed they ever carried out a targeted killing, it would look like an aggressive counterterrorism (or counternarcotics) raid; it would look nothing like the Anwar al-Awlaki killing. We, likely, would never in fact know it was a targeted killing rather than a counterterrorism raid gone haywire.

And the Administration refuses to answer direct questions about whether it believes it can conduct targeted killings in the US.