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SEP 15 2012

AO 91 (REV. 5/85) Criminal Complaint

THOMAS G. BRUTON UNITED STATES DISTRICT COURT
CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MAGISTRATE JUDGE KEYS

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

ADEL DAOUD

CASE NUMBER: **12 CR 723**

I, the undersigned complainant, being duly sworn on oath, state that the following is true and correct to the best of my knowledge and belief:

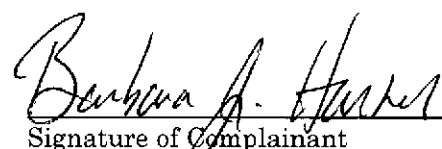
Count One - Attempting to Use a Weapon of Mass Destruction

On or about September 14, 2012, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, ADEL DAOUD, defendant herein, attempted, without lawful authority, to use a weapon of mass destruction against people and property within the United States in a manner that would have affected interstate and foreign commerce; in violation of Title 18, United States Code, Section 2332a(a)(2)(D); and

Count Two - Attempting to Destroy a Building By Means of an Explosive

On or about September 14, 2012, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, ADEL DAOUD, defendant herein, maliciously attempted to damage and destroy, by means of an explosive, a building used in an activity affecting interstate and foreign commerce; in violation of Title 18, United States Code, Section 844(i).

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.



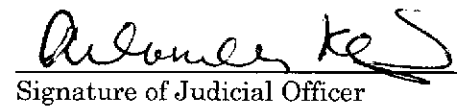
Signature of Complainant
Barbara J. Harner
Special Agent, Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

September 15, 2012 at _____
Date

Chicago, Illinois
City and State

ARLANDER KEYS, U.S. Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

maliciously attempted to damage and destroy, by means of an explosive, a building used in an activity affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 844(i) (collectively, the “**Subject Offenses**”).

3. The information in this affidavit is based on my experience, training, and personal knowledge; my review of records and other materials obtained during the course of this investigation, including communications and information that were obtained through (1) lawful court orders and (2) the consent of undercover FBI employees; and information provided to me by other government personnel with knowledge relating to this investigation. Since this affidavit is submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging Adel Daoud with the **Subject Offenses**, it does not contain all of the facts known to me with regard to the investigation.

Background Information

Adel Daoud

4. According to records from the United States Department of State and the Illinois Secretary of State, Adel Daoud is an eighteen year-old United States citizen who resides in Hillside, Illinois.

Al-Qaeda in the Arabian Peninsula and Anwar Al-Awlaki

5. Al-Qaeda in the Arabian Peninsula (“AQAP”) is a Yemen-based terrorist group that has claimed responsibility for several terrorist acts against the United States. On or about December 14, 2009, the United States Secretary of State designated AQAP a foreign terrorist organization under Section 119 of the Immigration and Naturalization Act. On or about July 16, 2010, pursuant to an Executive Order, Anwar Al-Awlaki (also spelled “Al-Aulaqi”) was designated by the United States a “Specially Designated Global Terrorist” because of his position as a leader of AQAP. On or about September 30, 2011, United States President Barack Obama announced that Awlaki had been killed in Yemen.

Summary of the Evidence

Overview

6. As further described below, beginning in or about October 2011, Daoud used an email account (“Daoud Account 1”), among other accounts, to obtain and distribute material, some of which he purported to author, relating to violent jihad¹ and the killing of Americans.² Also beginning in the

¹ “Jihad” is an Arabic term meaning “struggle,” referring to one’s struggle on behalf of Islam. In the context of these communications, and based on later communications, I understand Daoud to be referring to a violent form of jihad.

² At various points in the Affidavit, I will offer my interpretations of certain communications in brackets and otherwise. My interpretations are based on my knowledge of the investigation to date and review of prior communications, the

same time period, Daoud used Daoud Account 1 as part of his efforts to encourage several other individuals to support violent jihad.

7. In or about May 2012, two FBI online undercover employees (“OCE1” and “OCE2”) contacted Daoud in response to material Daoud posted online and thereafter exchanged several electronic communications with Daoud. During these communications, Daoud expressed an interest in engaging in violent jihad, either in the United States or overseas, referred to his ongoing efforts to recruit other individuals to engage in violent jihad, and mentioned that he had discussed plans for an attack with “trusted brothers.”

8. As further described below, from late May to mid-June, 2012, Daoud sought guidance regarding whether to carry out a terrorist attack in the United States, relying principally on internet resources. Based on this research, Daoud, as he told OCE2, confirmed his belief in the propriety of killing Americans in a terrorist attack. Daoud then began seeking online resources regarding how to carry out an attack.

contents and context of the communications, prior and subsequent communications, conversations with other officers and agents and my experience and familiarity with terrorist organizations generally. Some of these summaries do not include references to all the topics covered during the course of the communications. In addition, the summaries do not necessarily include references to all statements made by the speakers on the topics that are mentioned. Finally, quotations from written communications are as they appear in their original form, including any grammatical or spelling errors. While transcribers have attempted to transcribe the conversations accurately, to the extent that quotations from these communications are included, these are preliminary, not final transcriptions.

9. In or about June 2012, OCE2 told Daoud about OCE2's purported cousin who resided in New York and was an operational terrorist. Daoud expressed an interest in meeting the cousin, who, unbeknownst to Daoud, was an FBI undercover agent ("UCE"). Between on or about July 17, 2012, and on or about September 14, 2012, Daoud met with the UCE on six occasions and the two exchanged several electronic communications. In the course of his dealings with the UCE, Daoud selected, researched, and surveilled a target for a terrorist attack to be carried out in the Chicago area with an explosive device supplied by the UCE. Daoud also attempted to recruit others to assist in the attack.

10. On or about September 13, 2012, Daoud met with the UCE and the UCE showed Daoud the purported explosive device, which was inside a green Jeep Cherokee located in a storage unit. Unbeknownst to Daoud, the explosive device was inert and constructed by FBI bomb technicians. On or about September 14, 2012, at approximately 7:12 p.m., Daoud met with the UCE and the two drove to downtown Chicago. As further described below, after arriving in Chicago, Daoud picked up the Jeep containing the purported explosive device and parked it directly outside of the target location he had previously selected – a bar in downtown Chicago. Daoud then exited the Jeep, walked approximately one block from the intended target, and attempted to

detonate the explosive device. After doing so, Daoud was arrested by FBI agents.

Evidence from Daoud Account 1 Bearing on Daoud's Intent to Engage in the Subject Offenses

11. Between in or about October 2011 and May 2012, Daoud used Daoud Account 1,³ among other accounts, to obtain and distribute material, some of which he purported to author, relating to violent jihad and the killing of Americans. For example:

a. On or about October 9, 2011, Daoud, using Daoud Account 1, sent an email to himself (at Daoud Account 1) with "anwar al awlaki articles" along with jihadi-related photographs and pictures (*e.g.*, titled "Jihad is our way," "Taliban," and "mujahideen").⁴

b. In or about December 2011, Daoud, using Daoud Account 1, emailed several individuals a lengthy powerpoint presentation titled "The

³ I believe Adel Daoud is the user of Daoud Account 1 for the following reasons, among others: First, records from the company that provides Daoud Account 1 reflect that the account is subscribed to "Mr. Adel Daoud." Second, records also reflect that Daoud Account 1 has been accessed from IP addresses that, according to records from Comcast, were assigned to a Comcast subscriber at Daoud's residence. Third, the user of Daoud Account 1 directed the FBI undercover employees to communicate via an alternative communication service and, from that alternative communication service, provided a phone number as a point of contact. The subscriber for that phone number is Adel Daoud and the address is Daoud's residence. Moreover, as described in ¶20, the UCE used that phone number to coordinate and meet with Daoud, whose appearance matches his Illinois driver's license photograph.

⁴ These photographs and pictures generally depict individuals with weapons with slogans or insignia, which appears to relate to violent jihad.

Osama Bin Laden I Know,” which Daoud purportedly prepared for school. The presentation is a “book review” of Peter Bergen's book (of the same title) and defends Bin Laden's tactics. For example, Daoud writes, “Osama wasn't crazy for wanting to destroy America. This superpower killed millions of people.”

c. On or about February 6, 2012, Daoud received an email to Daoud Account 1 regarding his registration to an online jihad-related internet forum.⁵

d. On or about February 27, 2012, Daoud, using Daoud Account 1, sent an email in response to criticism of Israel, writing: “no. there is no difference between Israel and those countries who either help and support them or the countries that don't say anything the United States and UK do things just as bad. They mutilate children, they rape women, the nuke innocent people, and they did this to over a million people and their history is full of it too. . . . may the leaders and supporters of all these evil nations go to the deepest pit of the Hell fire or if they are ignorant may Allah cure them from it.”

e. On or about March 14, 2012, Daoud, using Daoud Account 1, sent an email to Individual A, defending Anwar Al-Awlaki: “those people

⁵ In this forum members discuss violent jihad and distribute jihadist propaganda and related instructional materials.

insulting awlaki can go kill themselves mashaAllah he is very knowledgable w. a decent character. inshaAllah⁶ hes accepted as a shaheed.⁷ people r quick to judge n insult including muslims. the truth is he was against america n becuz america is the superpower he is always going to be seen as wrong no matter wat he says or does.”

f. On or about May 9, 2012, Daoud, using Daoud Account 1, sent himself (*i.e.*, to Daoud Account 1) a link for *Inspire* magazines, issues one through nine.⁸

12. Between in or about October 2011 and May 2012, Daoud also used Daoud Account 1 as part of his efforts to encourage others, including Individuals A, B, C, D, E, and F, to support violent jihad. For example:

a. On or about October 13, 2011, Daoud, using Daoud Account 1, sent an email to Individual B recommending that Individual B read “The Book of Jihad,”⁹ a copy of which was attached in the email.

⁶ “Insha’Allah” is an Arabic phrase meaning “God willing.”

⁷ “Shaheed” is an Arabic term that, in this context, I believe to mean martyr.

⁸ Based on my training and experience, I know that *Inspire* is an English language online magazine reported to be published by Al-Qaeda in the Arabian Peninsula (“AQAP”). Among other things, the magazine includes recruiting material for AQAP and provides information about how to carry out particular types of terrorist attacks. For example, one article titled “How to Make a Bomb in the Kitchen of Your Mom” describes how to construct a bomb using items found in a typical kitchen. As of the date of this affidavit, there have been nine issues of the magazine.

⁹ It is my understanding that the *Book of Jihad*, also known as *Kitab al-Jihad*, was written by a fourteenth century Islamic scholar and warrior, Ibn Nuhaas. Anwar al-

b. On or about October 18, 2011, Daoud, using Daoud Account 1, received an email reflecting that Daoud had sent to Individual A, the video "The HereAfter by Imam Anwar Al-Awlaki."¹⁰

c. On or about April 25, 2012, Daoud, using Daoud Account 1 sent an email explaining that "modern sufis are against JIHAD (like REAL JIHAD i.e. FIGHTING) and that was a bad start; and i think they believe in the concept of Jihad ul Nafs which is based on a fabricated if not very weak hadith."

d. On or about May 17, 2012, Daoud, using Daoud Account 1, sent Individual C a video titled "Lessons Learned - By Mujahid Commander: Abu Mansoor al-Amriki."

e. On or about June 22, 2012, Daoud, using Daoud Account 1, sent an email to Individual D, writing: "this is aadel. Here you go buddy. your first book towards terrorism," attaching "The Book of Jihad."

f. On or about June 30, 2012, Daoud, using Daoud Account 1, sent an email to Individual E with a link to the nine issues of *Inspire* magazine with instructions that Individual E should not let anybody else see Individual E reading the magazine.

Awlaki used Nuhaas's book as a classical justification for the notion that jihad refers primarily to physical fighting.

¹⁰ This video appears to be a lecture by Anwar Awlaki that deals with the conditions that determine whether a person, upon death, will enter heaven or hell.

g. On or about July 29, 2012, Daoud, using Daoud Account 1, sent an email to Individual D, attaching Awlaki's "44 Ways To Support Jihad" and writing that Individual D will "enjoy and benefit" from the document.

Daoud Begins Communicating with two FBI Online Undercover Employees

13. On or about May 17, 2012, an FBI online undercover employee ("OCE1") reached out to Daoud by sending a message to another account Daoud used to exchange electronic communications ("Daoud Account 2"). OCE1's message complimented Daoud on the material he had posted online, which was associated with Daoud Account 2. Daoud responded and the two exchanged dozens of communications until on or about August 19, 2012. In summary, OCE1 purported to be a Saudi Arabia-based person who had been invited to and was deciding whether to engage in violent jihad in Yemen or Syria. OCE1 and Daoud exchanged several communications relating to violent jihad and Daoud's intentions to engage in violent jihad. For example:

a. On or about May 29, 2012, Daoud wrote that "even my sheikh¹¹ in my masjid¹² was talking to me about NOT talking about jihad." Daoud continued: "sometimes [my sheikh] even mentions verses of jihad

¹¹ I understand "sheikh" in this context to be a reference to a religious leader at Daoud's mosque.

¹² "Masjid" is an Arabic term referring to a mosque.

(from the Quran) and i almost think he going to call for it then he has something general like be a good example or something. lol man I will be the opposite.”

b. On or about June 3, 2012, OCE1 asked whether Daoud has “friends in America” who “support jihad too,” to which Daoud responded: “i know a few brothers who support jihad and im trying to ‘brainwash’ more brothers into supporting it.”

c. On or about June 4, 2012, OCE1 asked whether Daoud had “ever talked about plans,” to which Daoud replied, “i did discuss some plans but with very trusted brothers.” Daoud also stated, “encouraging muslims to go for jihad is dawah.¹³ inspire magazine was started cuz a verse of the Quran where Allah says to inspire the believers.”

d. On or about June 7, 2012, Daoud, using Daoud Account 1, sent an email to OCE1 with documents attached, including “The Book of Jihad.”

14. Another FBI undercover employee (“OCE2”) sent a message to Daoud Account 1 on or about May 14, 2012, in response to a video Daoud had posted online, which listed the Daoud Account 1 as a point of contact. That same day, Daoud responded. The two then exchanged emails over the next few days, at which point Daoud directed OCE2 to communicate using Daoud

¹³ “Dawah” is an Arabic term meaning to share the message of Islam.

Account 2, which continued until on or about September 12, 2012. In summary, OCE2 purported to be a 17 year-old, Australia-based person with a recently-developed interest in violent jihad. During their communications, Daoud recommended that OCE2 read *Inspire* magazine and sent OCE2 a website link to the publication, which OCE2 downloaded. Daoud characterized the magazine as "amazing" and remarked that he may use instructions from the magazine to carry out an attack. With respect to his future plans, Daoud wrote:

i need people who are devoted. if i don't start my own group (where i am from) then i will go over seas. in each case i will let you know. im trying to invite people to go with me to the cause of Allah. but man is hard to tell people to be terrorists.

Daoud Seeks Guidance Regarding Whether and How to Carry Out an Attack in the United States

15. On or about May 31, 2012, Daoud posted a comment to a jihad-related internet forum,¹⁴ discussing his interest in carrying out an attack within the United States, modeled on instructions from *Inspire* magazine:

I live in the United States of America/hypocrisy. I want to in the future insha'Allah go for jihad in the Cause of Allah but I wasn't sure where to go. I wanted to go to Yemen because of the hadith quoted by anwar al awlaki where the prophet (may Allah's peace and blessings be upon him) says that there will be 12,000 that were appear in Abyan [a region in Yemen] and they will be the best between me and them.

¹⁴ Daoud characterized the forum as "a terrorist website" and "a good jihad source with real mujahideen on the site" in communications with OCE2 on or about June 4 and 5, 2012.

It's such a beautiful hadith and i hope to Allah that i could be among those 12,000.

I have also been reading the english Inspire magaizine. Masha'Allah is the best magazine I have read ...

The point is in this magazine they encourage Muslims in the West especially in the USA to attack IN America. By all means this is something i would consider. But in know that if i started attacking in America i would probably not be able to go to Yemen or anywhere else for Jihad in the Cause of Allah.

Is there a way i could do both, or what's your opinion on that? i personally think it's easier and more rewarding to go to Yemen but at the same time i hate the oppression of the USA and i would love to do something that would hurt it from the inside.

16. In a subsequent posting to the same internet forum, on or about June 2, 2012, Daoud wrote that he recognized "9/11" was "halal,"¹⁵ but requested advice about other circumstances in which Americans may be killed in accordance with the Quran.

17. Between on or about May 29, and on or about June 15, 2012, an individual using a computer located within Daoud's residence¹⁶ viewed a number of videos relating to violent jihad and the propriety of killing Americans, including:

- "We are Terrorists (Sheik Abdullah Azzam)"

¹⁵ "Halal" is an Arabic term referring to that which is religiously acceptable according to Islamic law.

¹⁶ Based on the other online activity before and after these videos were viewed (*e.g.*, the checking of accounts associated with Daoud), I believe the online activity described here and elsewhere in this Affidavit was conducted by Daoud.

- “Sheikh Al Albani on Martyrdom Operations”
- “Martyrdom Operations or Suicide Bombings! By Shk Anwar Al-Awlaki”¹⁷

Likewise, during that same time period, an individual using a computer within Daoud’s residence performed a number of internet searches on the same topics, such as:

- “is suicide bombing halal”
- “44 ways to support jihad”¹⁸
- “kill the infidels sheikh anwar al awlaki”
- “is it halal to blow up a train”
- “are attacking planes and trains halal”
- “killing americans in islam”
- “what percentage of americans support the military”

18. Following the online research that took place at Daoud’s residence, Daoud sent several communications reflecting a heightened interest in engaging in violent jihad. For example:

a. On or about June 28, 2012, Daoud sent a text message to Individual F: “Wallah man i feel like my love for jihad and killing the kuffaar¹⁹ who have transgressed against Allah has been RENEWED AND STENGTHENED i feel Amazing masha ‘Allah he gave all the evidence and

¹⁷ In these videos, Sheikh Al Albani and Anwar Awlaki purport to explain why a martyrdom operation is not considered suicide in Islam but rather is an appropriate method of engaging in jihad

¹⁸ “44 Ways to Support Jihad” is a lecture by Anwar Awlaki describing the ways that Muslims may take part in jihad.

¹⁹ “Kuffar” (or kafir) is an Arabic term meaning unbeliever or disbeliever, referring to an individual who is not a Muslim.

logic of it and said wat evry muslim ALREADY KNOW IS THE TRUTH subhanAllah!”

b. On or about June 28, 2012, Daoud, using Daoud Account 2, sent a response to OCE2’s comment that OCE2 was “struggling with the issue of taking lives” in jihad. Daoud wrote:

yes, the issue on taking lives is an important issue. I have been studying this issue and i made some conclusions and i could fill you in on what they are based on the Quran and sunnah, and the evidences they give.

Two days later, Daoud explained to OCE2 why he thought Americans were “legal targets” of an attack. According to Daoud, the United States is at war “with Islam and Muslims” and that most Americans give “their moral support” to the war. Moreover, Americans “pay their taxes which fund the government’s war against Islam” and they “VOTE for the leaders who kill us every day.” Daoud said it was his “personal opinion” that “since you cannot kill ALL Americans,” one should “only target good targets that will really hurt america as a whole (or the area where the target is) and kill those necessary to do so (while avoiding targeting women and children unless it’s impossible or really difficult to do so).”

19. In or about early July 2012, an individual using a computer located in Daoud’s residence visited several websites where that person performed searches about how to construct a bomb, for example:

- “how to make tnt”
- “how to make explosives”
- “The Preparatory Manuel of Explosives”
- “Illustrated Manual of Sniper Skills”
- “Organic Chemistry of Explosives”²⁰

OCE2 Introduces Daoud to an Undercover FBI Agent Whom Daoud Believes to be an Operational Terrorist

20. During OCE2’s communications with Daoud, mentioned above in ¶13, OCE2 told Daoud that OCE2 had a purported cousin, who, in essence, wanted OCE2 to join the cousin in committing terrorist acts. On or about July 10, 2012, OCE2 sent a message to Daoud Account 2, stating that OCE2’s cousin was interested in meeting Daoud. OCE2 explained that OCE2’s cousin is “half Afghan” and that he “has some action history.” Daoud, who previously referred to the cousin as a “terrorist” in a communication with OCE2, responded on the same day, writing, among other things, that he “would love to meet him.” In the communication, Daoud provided a phone number (***-**-7754) and wrote that OCE2’s cousin could contact Daoud via text message.

Daoud Meets with the Undercover Agent on July 17, 2012

21. On or about July 15, 2012, an undercover FBI agent (“the UCE”), posing as OCE2’s cousin and an operational terrorist, sent a text message to

²⁰ Moreover, in previous communications Daoud told OCE2 that he had obtained books for “military skills and guerilla warfare,” writing that “unfortunately some are American or American published,” but “at least im gna use the info they publish against them.”

Daoud, using the phone number Daoud provided. The UCE identified himself by the name OCE2 provided to Daoud and asked if Daoud was available to meet on the afternoon of July 17. Daoud responded via text message, expressing an interest in meeting. The UCE and Daoud then exchanged several text messages regarding the logistics of their meeting.

22. The UCE met with Daoud on July 17, 2012, at around 6:30 p.m. The meeting took place at Prairie Path Park in Villa Park, Illinois, and lasted a little over two hours. During the meeting, which the UCE audio recorded, Daoud and the UCE discussed a number of topics, including the UCE's purported experiences fighting with "mujahideen brothers" in Afghanistan, *Inspire* magazine, Al-Qaeda and its allegiances, and the need for Muslims to engage in "jihad." Towards the end of their meeting, the UCE mentioned that one of the reasons he returned to the United States was that "the Americans were leaving" Afghanistan and he wanted to "make sure they leave . . . with disgrace." The UCE said that he and his brothers were interested in attacking a major city, including perhaps Chicago. In response, Daoud said that he wanted to go overseas for violent jihad,²¹ but that he wanted to "do something [an attack] here [in the United States] at the same time." After Daoud discussed some ideas for a terrorist attack, the UCE asked Daoud to

²¹ Note, according to records from the United States Department of State, in or about March 2012, Daoud applied for a new United States passport. In the application Daoud wrote that he intended to travel to Saudi Arabia.

write down his ideas, which he could provide to the UCE at a subsequent meeting.

23. Following their meeting, on or about July 17, 2012, the UCE and Daoud exchanged several text messages. Among other things, the UCE wrote that he would let Daoud know the next time the UCE was in town. Daoud responded, asking whether the UCE could “stop by 2 or 3 days of iteekaf?²²” The UCE wrote back that he would try to be back in town during that time period.

24. On or about July 31, 2012, Daoud, using Daoud Account 2, sent OCE2 a message, stating “your cousin [the UCE] is masha’Allah²³ wise stay w him and take advice from him. he ganna help me too insha’Allah and i will help him insha’Allah GIVE CHARITY²⁴ TO THOSE NEEDY OF US.”

Daoud Meets with the UCE on August 6, 2012

25. On or about August 1, 2012, the UCE sent a text message to Daoud, informing him that the UCE would be in town on August 6. Daoud responded, expressing an interest in meeting, and the two planned to meet at

²² “Iteekaf” (or itikaf) is a form of worship during Ramadan that involves a person’s seclusion in a mosque, usually during the last ten days of Ramadan.

²³ “Masha’Allah,” meaning “Allah has willed it,” is an Arabic phrase used for expressing appreciation of something good.

²⁴ Based on the context of this conversation and other communications in this affidavit, I understand Daoud to be using the term “charity” here and elsewhere in this affidavit as a code for a terrorist act.

the same location at around 4:00 p.m. on August 6. The next day, Daoud sent the UCE a text message, writing: "I came up w sum ideas and wrote dem down. i will get more stuff written later insha'Allah."

26. On or about August 6, 2012, from around 4:00 p.m., Daoud met with the UCE at Prairie Path Park in Villa Park, Illinois, for about two hours and forty minutes. During this meeting, which the UCE audio recorded, Daoud and the UCE discussed many topics, including plans to carry out an attack in the Chicago area using a vehicle containing explosives. At the outset of the meeting, Daoud showed the UCE four handwritten pages from a notebook Daoud purportedly drafted listing approximately twenty-nine potential targets and/or addresses, which Daoud provided to the UCE. The targets included military recruiting centers, bars, malls, and other tourist attractions in and around the Chicago area.

27. Early in their conversation, Daoud emphasized that any attack they committed needed to be recognized as a "terrorist attack":

[T]hey have to know it's a terrorist attack. Because if the people just say oh, how like, like the thing that just happened, the, the, the Joker thing²⁵ okay . . . Oh, the person was crazy. Oh, that's so sad . . . That's it, okay, they forget about it after a week . . . You know what I mean? And, and if he could get away that's good. Because they'll think oh, terrorism . . . it'll be like frantic.

²⁵ Based on the context of this conversation, I understand this to be a reference to the mass shooting that occurred at a movie theatre in Aurora, Colorado on July 20, 2012.

28. Daoud then discussed the repercussions of terrorist attacks, citing the example of “airports” and noting that before “you wouldn’t even have to give your name or something like that” and “now look what we have to do.” Daoud continued, “What if they did that for the theater? . . . And imagine if the same thing happened, not with just the theaters, but the malls and bars, and like everything like that. Look how scared they would be.” Daoud told the UCE that he thought it would send the message that the United States should “stop abusing people overseas.”

29. Daoud also informed the UCE of his justifications for killing civilians. Daoud said, “you can’t really take these people as regular people. They’re like, more like robots.” Daoud continued, “even the decent, nice people, most people in this country,” even those who “hate the president” and oppose “the two wars,” they’re still “for the war on terrorism.”

30. During their conversation, Daoud and the UCE discussed the list of potential targets that Daoud prepared, including the following:

a. Daoud told the UCE that he had tried to look for the biggest mall and that is why he selected a certain large suburban mall for the list.

b. With respect to selecting a bar or nightclub as a target, Daoud said, “if we target a bar, like a populated bar, I think it’s usually at night so that actually makes it easier because of the darkness.” Daoud added

that such an attack “won’t kill any Muslims for sure . . . [a]nd if you do it’s their fault.”

c. Daoud told the UCE he included “recruiting centers” on the list because “these are people who are about to kill us,” so they could “[g]et them before they get us.”

31. Later in their conversation, Daoud and the UCE returned to the topic of targets. Daoud said, among other things, that he was not opposed to targeting a recruiting center, but that he “want[ed] to feel like [he] accomplished something.” Daoud said, “if it’s a recruiting center I wouldn’t mind that much,” but “if it’s only like five, ten people, I’m not gonna feel that good.” Daoud continued, “I wanted something that’s . . . massive; I want something that’s gonna make it in the news like tonight.” When the UCE asked which location Daoud had in mind, Daoud said, “I want to get to like, for me I want to get the most evil place, but I want to get a more populated place.”

32. Daoud told the UCE that they “probably [would] have to study the places first,” which the UCE confirmed. Daoud said he would research the targets, focusing first “on population” and then on “technical” matters, “like where the doors are, or like uh, where if it’s a bomb, where can we put it, you know.” Daoud explained that he could use “Google Street” to begin that research.

33. Finally, during their meeting, Daoud recommended to the UCE that they leave materials from another state in the vehicle containing the explosives to avoid being caught:

If we put a whole bunch of stuff in there that suggested the terrorists from Alabama . . . You know, yeah, be smart. Put a whole bunch of stuff . . . You know but you could put somethin' like in the glove compartment. Probably put something that's gonna last in the car [following the explosion].

Daoud Attempts to Recruit Others to Assist in the Attack and Communicates with the UCE About His Plans

34. On or about August 8, 2012, the UCE sent Daoud a text message, stating that they should probably wait a couple of weeks to meet because of "the recent stuff that happened," referring to the mass shooting that took place at a Sikh Temple in Oak Creek, Wisconsin, on August 5, 2012. Daoud responded, "Lol brother dat was to motivate u!" The next day, Daoud and the UCE exchanged text messages during which Daoud insisted that they communicate via another electronic communications method and provided the UCE his username.

35. On or about August 10, 2012, Daoud, using Daoud Account 2, sent a message to OCE1. Daoud wrote, among other things, "i am trying to do something [an attack] here [in the United States] insha'Allah. pray to Allah for my safety and that im successful in this life and the hereafter."

36. On or about August 10, 2012, Daoud engaged in a series of electronic communications with the UCE. Daoud wrote, "after this conversation we both need to delete our history . . . you know how to do that right?" The UCE promised that he would delete the history of his chat with Daoud. Daoud then turned to the topic of targeting:

Daoud: ok so i thought of some ideas on how to do this
insha'Allah

Daoud: i think we should go to a night club

The UCE: Sounds good brother

Daoud: i have an idea on how to go in and out

Daoud: but im going to perfect my plan and insha'Allah Allah
helps me and us both

Daoud: my idea is to go after isha salaah²⁶

37. On or about August 11, 2012, Daoud intermittently exchanged a series of electronic communications with the UCE. The two discussed, among other things, the following:

a. At the outset of their conversation, the UCE told Daoud that he had talked to his "sheikh," who purportedly said "First and most important . . . we cannot give charity [commit an attack] during the month of

²⁶ The term "Isha Salaah" refers to the nighttime daily prayer.

Ramadan.”²⁷ Daoud disagreed, “no that’s not right! the sahaba²⁸ and many Mujahideen in the past fought in ramadan!” The UCE explained that they could fight in Ramadan if they were in Afghanistan or Iraq, but that they were not “in a threat while living in america.” Daoud pushed back, writing that people in the United States are “making laws restricting Islam!” and that “they going to kill us!” Daoud further explained why it was appropriate to carry out an attack in the United States during Ramadan:

[They] killed our people now it’s time we kill theres . . . they all take part in this oppression against Muslims . . . they vote for those who kill us and fund money to kill them . . . and they ALL MORALLY SUPPORT THE WAR ON TERROR. . . [They] trying to change our religion! . . . i can give a million reasons why they halal to kill!

b. Daoud also said he opposed waiting because he planned to travel to Saudi Arabia right after Ramadan. Daoud explained, “i do not want to have to go overseas to fight . . . I want to do some here and some there.” Eventually, Daoud relented and said he understood that the UCE had to obey his commander. Later in the conversation, however, Daoud told the UCE he “respect[ed]” that the UCE obeys his commander, “but if he starts saying that . . . we cannot do attacks here [in the United States] . . . den we really might

²⁷ The UCE told Daoud that the UCE reported to a purported sheikh who would need to approve the operation.

²⁸ “Sahaba” is an Arabic term meaning companions. In Islam, the term also refers to the people who lived with and witnessed the Prophet Muhammad.

have a problem.” Daoud asked the UCE to “keep trying to convince” his sheikh that they may attack during Ramadan.

c. In light of the need to wait until after Ramadan, Daoud told the UCE that they had two options. Daoud said he may be “forced to wait a year” before going to Medina, Saudi Arabia, so that they “can do the operation.” Alternatively, Daoud proposed that he obtain the explosives from the UCE and carry out the attack alone, for he would not be subject to the commands of the UCE’s sheikh. As Daoud stated, “the other option i had in mind is dat you give me the things i need for the operation for me to do. since i don’t have a commander.”

d. The UCE conveyed to Daoud that, apart from the timing of the attack, the UCE's sheikh was also concerned about Daoud's commitment to the operation. The UCE wrote:

My sheikh also wanted to make sure this is something that is in your heart. Jihad is not something that others can for on you or put pressure on you. He wants to make sure you have no doubt in your heart.

Daoud responded, “you can tell him how i reacted when you said we cannot do it in Ramadan . . . that is sufficient proof that this in my heart.”

e. As for targets, Daoud thought the “night club is good for ramadan” since the attack would occur in the evening. Daoud told the UCE that they need a target for during the day if they would be unable to attack

until after Ramadan. Daoud said that he would “try to come up [with] a 2nd plan.”

38. On or about August 12, 2012, Daoud exchanged a series of electronic communications with the UCE. During their conversation, Daoud informed the UCE that one of Daoud’s “sahaba” (Individual C) had told Daoud about a popular night club they could target and asked whether the UCE’s sheikh had changed his position on not conducting an attack during Ramadan. Daoud also mentioned that one of his “sahaba” came up with a “really good plan” to target a concert. Yet Daoud expressed concern that the concert would have to be before 8:00 p.m. He also added, “if u came up w a bomb inside the concert dat wud also be great.” The two then discussed using vans containing bombs parked in the front and back of a concert.

39. On or about August 14, 2012, Daoud exchanged a series of electronic communications with the UCE, discussing, among other topics, the following:

a. The UCE asked “how did the homework go with your sahaba,” Daoud said “he found it very hard.” According to Daoud, “he [Individual C] found a place but it had cameras and they didn’t let bags in.” Daoud said that he was “going to search for concerts” in an effort to “find a better one.” The UCE wrote that they perhaps “shouldn’t do the bag thing” because “it is too risky.” Alternatively, if they decide to deliver explosives in a

bag, the UCE insisted that he (the UCE) “should carry the bag” so that he “take[s] the risk.” Daoud responded: “dude no way . . . if we took something inside we wudn’t let you take the risk.” Daoud said that if they “got in trouble,” Daoud and Individual C should “get [the UCE] out of it,” meaning they would “take full responsibility,” because Daoud would not “damage the cause to save myself some trouble.”

b. Daoud told the UCE about “a new plan for a night club” and explained that his “friend lives near . . . the night club.”

c. Daoud said Individual C believed the UCE was “a spy.” Daoud told the UCE that he would “kill” a person who is a spy and that he doesn’t “take this . . . lightly.” The UCE agreed, remarking that “anybody who spies must be killed.”

d. Near the end of their conversation, the UCE wrote that he planned to visit Daoud the following week, perform surveillance on the location, and “pick a date and time for charity [the attack].” Daoud agreed to meet with the UCE.

Daoud Is Confronted By a Religious Leader But Continues Planning an Attack

40. On or about August 18, 2012, Daoud exchanged a series of electronic communications with the UCE. Daoud told the UCE the following: Daoud had been debating the topic of jihad with someone at his mosque.

Someone overheard the conversation and reported it to his sheikh, who called Daoud and Individual C to a meeting and “yelled” at them. Daoud’s father was informed of the incident too and told Daoud to stop talking about these topics. Finally, another sheikh became involved and tried to convince Daoud that engaging in violent jihad was wrong. Because of the arguments offered by this second sheikh, Daoud asked the UCE if the UCE’s sheikh had a similar background and could issue “the real fatwah” justifying attacks on Americans.

41. The UCE eventually agreed to check with his purported sheikh. Daoud explained that, as a result of this intervention, Individual C no longer wanted to be involved in the attack because he had reservations about killing “random americans,” as opposed to those involved with the United States military.

42. On or about August 22, 2012, Daoud and the UCE exchanged electronic communications in which, among other things: Daoud said he would come up with a new target before Daoud and the UCE met next and the UCE said that the “food” [bomb] was ready but he needed more time to put it in the car.

Daoud Meets with the UCE on August 23, 2012

43. On or about August 23, 2012, at around 4:30 p.m., Daoud met with the UCE at a parking lot in Villa Park, Illinois, for approximately two

and a half hours. Daoud arrived at the meeting to which he brought a piece of paper with the name of a potential target, which is a bar in downtown Chicago. The two discussed, among other topics, the following:

a. At the outset of the meeting, Daoud said that he “came up with the perfect place” and told the UCE about the target he selected. Daoud said he was viewing the place “through the street view of Google” and noticed that “[t]here’s another liquor store right next to it.” After telling the UCE about upcoming concerts at the location, Daoud said: “It’s a bar, it’s a liquor store, it’s a concert. All in one bundle.” According to Daoud, the location would be filled with “the evilest people . . . all the kuffars are there.”

b. The UCE brought up the topic of Daoud’s request for guidance from the UCE’s sheikh and explained that he could not provide such guidance because his sheikh was concerned about pressuring Daoud into carrying out an attack:

The UCE: . . . And he [the UCE’s sheikh], he wants to make sure that he, the sheikh is not pressuring you, that I’m not pressuring you. ‘Cuz you know in Islam you can’t force anybody.

Daoud: Right.

The UCE: This has to be in your heart, especially jihad. You know it’s in your heart. It’s something you believe in. It’s something you either believe in or you don’t.

Daoud: Right.

The UCE: Right. And my sheikh wanted to make, wanted to make sure that you were not pressured by anybody.

Daoud: Tell him that . . . I'm convinced.

...

Daoud: So I mean I'm, I'm totally fine with this. You tell him that the first time we wanted to do something [during Ramadan], you know how upset I was.

...

The UCE: . . . So that's why since that happened he wants to make sure this is something you believe in, number one, that you're not doing it for somebody else.

Daoud: No.

The UCE: That I'm not pressuring you.

Daoud: Who can, who else can I do it for? If everyone else is brainwashed, just me and some other brothers, I'm the top of the brainwashing crew. You know what I mean?

...

Daoud: So I mean rest assured I was raising jihad before I knew you or your sheikh. You know what I mean?

c. Later in the conversation, the UCE and Daoud discussed

why Daoud wanted to carry out an attack in the United States:

The UCE: But you wanna fight for, you wanna fight jihad overseas and you wanna fight it here.

Daoud: Yeah.

The UCE: Okay:

Daoud: Because it doesn't make sense. Like this is the . . . if you look at all the countries in the world, who's

killing Muslims the most? Who is leading this crusade against Muslims? It's America.

The UCE: Yes.

Daoud: It doesn't make sense, now I'm living in America, and I have to go two thousand miles away to fight America. I'm already here.

The UCE: So why not fight here.

Daoud: Exactly. It's just like one plus one is two.

d. On the topic of timing, Daoud first said that they should carry out the attack the following day. When the UCE explained that they needed to perform surveillance and that the UCE needed approval from his sheikh, Daoud relented and told the UCE that they should plan to carry out the attack next Friday (August 31st).

Daoud: And we can do it maybe next Friday. If you see the place today, I see the place on Saturday, you know. You get the approval of your sheikh. We take pictures, you know. Insha'Allah we can do it next Friday.

The UCE: Insha'Allah. Insha'Allah. I think that can happen. Yes.

Daoud: That's realistic.

Daoud Conducts Surveillance of the Downtown Bar He Selected

44. On or about August 25, 2012, at around 11:30 a.m., an FBI surveillance team observed and videotaped Daoud driving in the vicinity of the downtown bar Daoud had previously selected as a target. Surveillance

observed Daoud appear to be taking photographs of the bar and its surrounding area.

Daoud Meets with the UCE on September 5, 2012

45. On or about September 5, 2012, at around 1:30 p.m., Daoud met with the UCE for approximately two hours at a parking lot in Villa Park, Illinois. Daoud arrived at the location and entered the UCE's vehicle. During their conversation, Daoud and the UCE talked about the following topics, among others:

a. Daoud and the UCE talked about where the vehicle bearing the purported explosive device would be parked in relation to the target, using the photographs Daoud had taken during the surveillance he performed. Daoud asked about the blast radius and the UCE explained that the bomb was large and would destroy the building and kill "hundreds" of people. The UCE also emphasized that "this is real." Daoud expressed excitement about the size of the bomb, remarking "that's nothing compared to the bombs they [the United States] throw at us." When asked about whether Daoud had qualms about the deaths it would cause, Daoud said, "that's the point." He later said it was his prayer that they would "get away with it," that they would "kill a lot of [Allah's] enemies," and that the attack would "make[] international news."

b. Daoud brought up the question of how they could make sure the bombing would be known as “a Muslim terrorist attack.” Daoud said they could either leave something in the vehicle that would make clear the source of the bombing or the UCE could request that the UCE's sheikh issue a statement. Daoud eventually decided that it would be best for the UCE's sheikh to announce on behalf of “Al-Qaeda,” “we are responsible for this attack,” and that if the United States “does not stop killing [Muslims] . . . more attacks will come.”

c. In terms of timing, Daoud said, “I want to do this as soon as possible,” and asked if they could carry out the attack that day. When Daoud asked “what's the earliest we can do this,” the UCE explained that the UCE would be available later the following week.

Daoud Views the Purported Explosive Device

46. On or about September 13, 2012, at approximately 5:15 p.m., Daoud met with the UCE for about one hour and fifteen minutes. The UCE drove Daoud to a storage unit in Bellwood, Illinois, to view the purported explosive device, which was contained in the back of a green Jeep Cherokee. Unbeknownst to Daoud, the explosive device was inert and constructed by FBI bomb technicians. Among other things, Daoud expressed excitement about the device and said he hoped that they would kill many people in the attack.

Daoud's Attempt to Detonate the Explosive Device

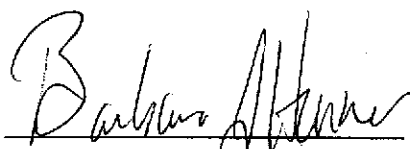
47. On or about September 14, 2012, at approximately 7:12 p.m., Daoud and the UCE met pursuant to a prearranged plan at a location in Villa Park, Illinois. Daoud then entered the UCE's vehicle and the two drove to downtown Chicago. During the drive, among other things, Daoud led the UCE in a prayer that Daoud and the UCE succeed in their attack, kill many people, and cause destruction.

48. After arriving in Chicago, Daoud and the UCE first drove around the target location and then, at approximately 7:53 p.m., entered a parking lot where the Jeep containing the purported explosive device was located. After entering the parking lot, Daoud and the UCE entered the Jeep. Soon after, the UCE exited the Jeep and began walking towards the target location. Daoud drove the Jeep out of the parking lot and parked the Jeep in front of the target previously selected by Daoud – a bar in downtown Chicago. Daoud then exited the Jeep and walked to an alley approximately one block away. There, in the presence of the UCE, Daoud attempted to detonate the device by pressing the triggering mechanism, after which he was taken into custody by the FBI.

Conclusion

49. Based on the above information, I respectfully submit that there is probable cause that Adel Daoud committed the **Subject Offenses**.

FURTHER AFFIANT SAYETH NOT.



Barbara J. Harner
Special Agent
Federal Bureau of Investigation

Subscribed and sworn
before me this 15th day of September, 2012



Honorable Arlander Keys
United States Magistrate Judge