

UNITED STATES DISTRICT COURT
for the
Middle District of Tennessee

United States of America
v.

JASON STOKES

Case No.

20-mj-2503

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 26, 2020 through the present in the county of Montgomery in the Middle District of Tennessee, the defendant(s) violated:

Code Section 18 U.S.C. Section 875(c) Offense Description Threatening Communications Interstate

This criminal complaint is based on these facts:

See Statement in Support of a Complaint, attached hereto

Continued on the attached sheet.

/s/ Angelo DeFeo

Complainant's signature

Angelo DeFeo, FBI Special Agent

Printed name and title

Sworn to me remotely by telephone, in compliance with Fed. R. Crim. P. 4.1.

Date: 08/19/2020

Judge's signature

City and state: Nashville, Tennessee

Jeffery S. Frensley, United States Magistrate Judge

Printed name and title

STATEMENT IN SUPPORT OF A COMPLAINT

I, Angelo DeFeo, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation, and have been so employed since September 2015. My current responsibilities include the investigation of domestic and international terrorism acts. My previous responsibilities included the investigation of mass violence threats, and other acts of violence.

2. I am familiar with this investigation and make this affidavit, in part, based upon my training and experience, my personal knowledge, and my direct participation in this investigation, and, in part, based upon information learned from other law enforcement officers or witnesses. Except where indicated, all statements referenced herein are set forth in substance and in part, rather than verbatim.

3. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. Instead, this statement provides information necessary to establish probable cause to arrest the defendant, Jason Suliaman Stokes (“Stokes”), for a violation of Title 18, United States Code, Section 875(c) (Threatening Interstate Communications).

PROBABLE CAUSE

A. Stokes’ Online Extremist Activities:

4. On or about March 26, 2018, a tipster provided information to the FBI stating that Stokes pledged allegiance to ISIS via his (Stokes’) Facebook page. The tipster reported that Stokes had made the following statement on his Facebook page: “I don’t like America brother after what I seen KKK this is not the land of free I’m in Allahs army Islamic state this my country U S A

Under Satan Authority I didn't even think in my life time USA was KKK this is the land of Satan shayton moving fast on me if I go back to prison they will hang me and torture me the KKK is in prisident This the KKK country I'm with Allah warrior of Allah Islamic State brother.”

5. The FBI positively identified Stokes as the user of the Facebook page and learned he was residing in Clarksville, Tennessee. On or about June 15, 2018, Stokes was interviewed by the FBI and in the presence of the mental health professionals responsible for treating Stokes' mental health condition. (Prior to the interview of Stokes, law enforcement had learned that Stokes potentially suffered from and was being treated for a mental health condition.) During the interview, Stokes advised he was being treated for Schizoaffective Disorder, takes a monthly Haldol injection, and resides with his mother at an apartment in Summit Heights in Clarksville, Tennessee. Stokes further advised he was unemployed and draws Social Security. Stokes admitted to posting on his Facebook account the images and statements in question. Stokes admitted he had previously been a member of a WhatsApp Group, but denied posting any extremist views or statements. Stokes claimed he had not been in contact with anyone from the WhatsApp group for approximately three months. He could not provide any names or contact information for anyone associated with the WhatsApp group. Stokes claimed to not believe in violence and stated that Islam is a religion of peace. Stokes denied supporting the Islamic State of Iraq and al-Sham (“ISIS”) or any other extremist groups and denied owning or possessing any weapons.

6. Approximately 17 months after the FBI's first encounter with Stokes, on or about November 5, 2019, two different FBI field offices advised that Stokes appeared to be supportive of terrorism via his Facebook page. On or about November 26, 2019, the FBI conducted a second interview of Stokes—again in the presence of the mental health professionals responsible for treating Stokes' Schizoaffective Disorder. Stokes admitted that he had the Facebook account, but

could not remember when he last accessed the site. When asked directly about each of the posts, he did not answer or provide any information. He looked toward the ground and remained quiet. When Stokes was asked if he hated America, he responded “No.” When asked if he wanted to hurt or kill anyone, he stated “No.” Stokes’ mood was calm and quiet during the interview. Stokes was advised to stop posting messages and to close his Facebook account.

7. The mental health professionals indicated Stokes was not in crisis, and they did not believe he was a danger to himself or others at that time. As a result, they recommended he continue treatment, and they scheduled a follow-up appointment for Stokes to meet with his case manager.

8. Subsequently, approximately five months after the FBI’s second encounter with Stokes, on or about April 26, 2020, an FBI Online Covert Employee 1 (“OCE1”) advised that a user with the moniker Sulaiman, later identified as Stokes and referred to herein as Stokes for clarity, was added to the Social Media Platform 1 group. Social Media Platform 1 group is an online chat group supportive of ISIS.

9. In this group, Stokes repeatedly voiced his support for ISIS and opined that he wished to join ISIS but was precluded from doing so by his elderly mother. Stokes further stated the FBI had “bumped down on” him twice and that his Muslim brothers “diss” on him for his views, but he does not care because the “Islamic State is haqq¹.” Stokes stated he had previously been to prison and was not afraid to return, adding that he was not a snitch. Your affiant knows that Stokes was previously convicted of Aggravated Robbery on or about November 10, 2004 in Montgomery County, Tennessee, in Case Number 63CC1-2002-CR-615, after Stokes kidnapped and robbed or attempted to rob another at gunpoint.

¹ Haqq means the truth.

10. On or about May 22, 2020, Stokes posted audio messages within the Social Media Platform 1 group, stating that a Facebook user had asked him about the “kuffar² military base” and that he hoped this Facebook user was not a spy. OCE1 was the Facebook user who made these comments to Stokes on Facebook on or about May 1, 2020.³

11. A second FBI Online Covert Employee (“OCE2”) advised in messages received on or about May 27, 2020, that Individual A advised that he has a brother who cannot leave the country because of his felony record and who wanted to make his cause for Allah domestically in the United States. Based upon this investigation, Individual A knows Stokes and shares his pro-ISIS beliefs.

12. On or about that same day, May 27, 2020, OCE2 messaged Individual A over Social Media Platform 1, inquiring about the brother whom Individual A had referenced. OCE2 portrayed himself as a pro-ISIS brother. Individual A later disclosed this brother’s Social Media Platform 1 ID as @JamalSulaiman. This user was later identified as Stokes and is referred to as Stokes herein for clarity. Individual A responded, stating Stokes is a good brother of his and has the capability to perform an action. Individual A advised he has instructed Stokes, who Individual A believed was located in Philadelphia, to wait for further instructions. Individual A explained that Stokes is not far from Washington DC and may be willing to drive there to perform. (Individual A did not provide further information regarding what he meant when he said “perform.”) Individual A said he could have Stokes create a video for the brothers (OCE2’s

² Kuffar (or Kafir/Kefir/Kufaar) means the non-believer or the one who denies in Allah.

³ OCE1 uses the same username on both Facebook and Social Media Platform 1. It is unclear whether Stokes made this connection and did not mention it or whether Stokes did not make this connection at all.

superiors) to take his *bayat*⁴ so that “we” (the brothers) could claim responsibility for the violent act.

13. Individual A subsequently advised Stokes was waiting for instructions. OCE2 told Individual A to have Stokes send his *bayat* video to OCE2, and to inform OCE2 if he (Stokes) needed any help. Individual A asked if he should have Stokes send the video to him, which he could then forward to OCE2. Individual A explained that Stokes has a minor speech problem but should be able to do a good job. OCE2 said Stokes should send the video to him and could also send it to Individual A who could then forward it to OCE2 as well.

14. Individual A said Stokes recently told him that he had obtained the objects necessary to carry out his potential mission. When OCE2 asked what Individual A meant, Individual A advised that Stokes was in possession of an assault rifle.

15. OCE2 asked if Individual A had a particular plan in mind for Stokes, to which Individual A advised he did not, but stated he planned to look at potential targets for Stokes that would be big for “us” (the brothers). Individual A further advised he would continue talking to Stokes about the *bayat* video and would help him decide on the best mission. Individual A stated he would tell Stokes not to make a move until the brothers are ready for him.

16. On or about May 28, 2020, Individual A forwarded a video from Stokes wherein Stokes stated he is making his *bayat* to brother “Abu Ibrahim al-Hamishi al-Quaishi” [*sic*]; his path is to Jannah (paradise); and his emir (leader)⁵ is brother Ali. After sending the video, Individual A clarified that he (Individual A) is brother Ali. Based on this investigation, your affiant

⁴ *Bayat* (or bayah) refers to an oath of allegiance to a spiritual or political leader; it is often used by jihadist groups to merge two factions or to declare one faction’s ideological loyalty to another.

⁵ Emir (or Amir) literally means “prince,” but is often used in jihadist discourse to designate the leader of a militant group or subgroup.

believes Stokes meant to refer to Abu-Ibrahim al-Hashimi al-Qurashi, who is the second and current caliph of ISIS. Additionally, based on your affiant's training and experience, your affiant knows that pledging *bayat* to Abu-Ibrahim al-Hashimi al-Qurashi is the same as pledging allegiance to ISIS. Your affiant has reviewed this video and identified the individual depicted in the video as Stokes.

17. OCE2 messaged Individual A and advised that while OCE2 is aware of Stokes' speech impediment, Stokes did not pronounce the leader's (Abu Ibrahim al-Hashimi al-Quraishi) name properly. OCE2 said he would forward the video to his superiors and would inform Individual A if the superiors wanted Stokes to make a new video. OCE2 said he also told Individual A to have Stokes send the video directly to OCE2, but that did not happen. Individual A reiterated that Stokes has a speech problem and it is very hard for him to pronounce the name properly. Individual A requested that the brothers forgive Stokes' handicap as he was born with it, but Individual A would help Stokes make a new video if the brothers did not accept the original one. OCE2 told Individual A that he should help Stokes make the new video soon because his superiors would be upset if OCE2 sent the video as is, but that he would try to explain to his superiors that, although, Stokes has a speech impediment, he has a good heart. Individual A subsequently stated that he had instructed Stokes to remake the video.

18. Subsequently, when OCE2 inquired about Stokes' new video, Individual A advised Stokes was feeling discouraged because of his speech problem but that Individual A told Stokes to do his best after praying. Individual A said they have a date for Stokes to perform his mission at a military shopping center. Individual A advised OCE2 that targeting the military shopping center was Stokes' idea.

19. On or about June 4, 2020, Individual A advised OCE2 that "Brother Solomon"

(Stokes) would have a new *bayat* video ready Saturday, and that Stokes had moved from Philadelphia to Tennessee.

20. On or about June 5, 2020, FBI Special Agent (“SA”) Scot Sledd and another individual, who is a licensed mental health professional that works closely with the FBI, interviewed Linda Stokes at her and Stokes’ residence, located in Clarksville, Tennessee. While the other individual fully identified himself, SA Sledd did not fully identify himself. After Linda Stokes was advised that they were there for a mental health follow-up visit regarding her son, she provided the following information:

- Stokes was currently at work at the King Tut Coffee shop;
- Stokes was not doing well. He was not sleeping like he should, often walking around all day and night drinking coffee and smoking. Later, he would sleep all day.
- Stokes was very withdrawn, spent a lot of time in his dark room, and was not socializing with others;
- Stokes converted to Islam, which she felt had made Stokes unfriendly;
- She did not believe Stokes was suicidal;
- She was not aware of any weapons in the house and he had never spoken to her about having a weapon; and
- Last month, Stokes was saying things like “they” were trying to kill him, but he could not specify who “they” were.

21. Subsequently, SA Sledd and the other individual interviewed Stokes at King Tut Coffee Company, located in Clarksville, Tennessee. While the other individual fully identified himself, SA Sledd did not fully identify himself. After being advised of the nature of the interview, Stokes provided the following information:

- Stokes very quickly advised he was not feeling/doing well;
- Stokes missed his shot that week and needed to get it. During the interview, Stokes called to schedule an appointment for his shot. He tried to schedule the

appointment for the same day, but was advised he would have to schedule it for Monday;

- Stokes felt like “they” are watching him. When asked who “they” are, he advised the government. Stokes advised he did not feel like he needed anything to protect himself and denied having any weapons in his residence. Stokes sometimes wished to die, but had not had thoughts of killing himself because of his faith. Stokes advised he is Muslim; and
- Stokes really wanted to get married but has not been able to do so.

22. On or about June 6, 2020, the day after the aforementioned interviews, OCE1 observed a posting from Stokes on Social Media Platform 1, which stated, the “government messing with me again kufr town I’m in” and stated “I need about 50 Akhis⁶.” Stokes posted this without apparent context. He then stated “Under Shaytan Authority I’m under attack In Sha Allah I will have 50 Akhis.”

23. On or about June 17, 2020, OCE2 advised Individual A that OCE2 wanted to be in direct contact with Stokes. Individual A identified Stokes’ Social Media Platform 1 username as @philatanti. Your affiant does not know why the username provided for Stokes on this date is different than the username Individual A provided for Stokes on or about May 27, 2020.

24. On or about June 24, 2020, OCE2, utilizing Social Media Platform 1, asked Individual A about Stokes’ *bayat* video as OCE2 had not yet received it. Individual A advised he had asked Stokes to send the *bayat video*, but Individual A had not yet received it either. Subsequently, OCE2 messaged Individual A and advised he tried messaging Stokes, but Stokes’ Social Media Platform 1 username, @philatanti, which Individual A had provided was not working. Individual A replied, and provided Stokes’ new username as @philatanian and advised that Stokes would send the *bayat* video on Monday.

⁶ Akhi means my brother and is used to address males.

B. Stokes' Threatening, Interstate Communications:

25. OCE2 subsequently initiated messages with Stokes (username: @philatanian) over Social Media Platform 1. OCE2 greeted Stokes, advised that brother Ali [Individual A] had told OCE2 about Stokes, and that brother Ali had sent Stokes' *bayat* video to him and told him about Stokes' plan.

26. In response to OCE2's messages, Stokes subsequently responded over Social Media Platform 1 (username: @philatanian, UID: 1204550341) to OCE2. OCE2 received the messages on or about June 29 and 30, 2020. The messages received from Stokes on or about June 29, 2020, contained two audio messages. In the first audio message, which is 23 seconds in duration, Stokes identified himself as "brother Jason Solomon Stokes known as Sulaiman," and said he wanted to give his *bayat* to the caliph, Abu Ibrahim al-Huayshi al-Quayshi [phonetic]. In the second audio message, which is 31 seconds in duration, Stokes identified himself as "brother Jason Solomon Stokes known as Sulaiman," and said he wanted to give his *bayat* to the caliph Abu Ibrahim al-Hashimi al-Qurashi [phonetic].

27. In the messages received on or about June 30, 2020, Stokes asked if he could [do] jihad in "this project" where he was living because the people are disrespectful to his "Umi" (mother). Stokes added that he needed \$280 to get an "Ak." Based on this investigation, your affiant believes the reference to an "Ak" was a reference to an AK-47. OCE2 replied to Stokes, commending him on his *bayat* and advising that he would put Stokes in touch with someone to help facilitate his mission in the USA.

28. OCE2 subsequently sent new messages to Stokes, telling Stokes to contact another individual— a third Online Covert Employee ("OCE3")—in order to learn more about how they could help Stokes.

29. On or about July 6, 2020, OCE2 received a new incoming message from Stokes in response to the prior messages. Stokes inquired who would take [care] of his mother when he (Stokes) was gone. Stokes reiterated that he was serious about this mission and about being mentioned to the caliph and the rest of the brothers of ISIS. Stokes asked if OCE2 could take care of his mother when he is gone. OCE2 told Stokes that he will always pray for Stokes and his mother, but that OCE2 only helps with travel related issues. OCE2 told Stokes to discuss the other matters with OCE3.

30. On or about July 6, 2020, Stokes reached out to OCE3 over Social Media Platform 1. Through messages occurring between July 6 and July 16, 2020, Stokes indicated that he wanted to acquire an AK-47 and a Glock 19 by August. Stokes requested \$280 to purchase the rifle and offered to show OCE3 the weapon once he acquired it. Stokes requested that “the brothers” get him the Glock 19 with extended clips. Stokes stated that he wished to target Fort Campbell, specifically the Post Exchange (PX), or a mall. Stokes relayed that he had been to the PX before and it was typically busiest on the 1st or 15th of the month. Stokes stated that he would need a car but could also catch the bus. He advised that he intended to acquire the weapons by August, create a martyrdom video in September, and conduct the attack in October. Stokes separately claimed he needed money for his mother and requested a \$300 money order be sent to his residence, addressed to “Jason Solomon Stokes.” Stokes further stated, “I want to be mentioned when I’m gone by the Islamic State”; “How about the police station Downtown”; “I hope my Islamic State soldiers going to love me”; “and mentioned me.” When OCE3 asked what Stokes wanted the brothers to say about him, Stokes responded, “He was one are beloved soldiers.” Stokes later advised that he wanted a Glock 19 with a full extended clip to carry out his mission because an “AK is too big.” During these messages, OCE3 explained to Stokes that Stokes should conduct reconnaissance for

his mission, explaining that is what brothers who are planning an operation do beforehand, to look at the target, take photographs, and know what the target looks like.

31. At one point, Stokes advised he needed, “5 clips extended” and asked, “Do think you can send me an Islamic State flag bring it too me when I make my video?”

32. On or about July 15, 2020, OCE3 asked when Stokes would send photographs from his reconnaissance, and Stokes replied tomorrow. Stokes stated the mission was very important to him and that he was now planning it for August and he could not wait to carry it out.

33. On or about July 16, 2020, law enforcement conducted physical surveillance around the Clarksville Police Department (“CPD”), located at 135 Commerce Street, Clarksville, Tennessee. During surveillance, law enforcement observed Stokes, who was wearing long camouflage shorts, a dark colored shirt, white shoes, a tight fitting hat, similar to a skull cap, and a mask over his face and chin, walking westbound on Commerce Street, near CPD, while holding his cell phone up as if he was taking photos or video of the CPD. Stokes walked slightly down the side of CPD before turning around and heading back eastbound on Commerce Street. Once past the driveway of CPD, Stokes turned back around, held up his phone, and appeared to take more photos or videos of CPD. After that, Stokes turned around and started walking eastbound on Commerce Street. Camera surveillance from the CPD captured Stokes walking on the sidewalk adjacent to the station.

34. On or about July 17, 2020, Stokes sent OCE3 a video and wrote, “Assalam Alaykum Akhi I did my homework.” An initial review of this video by the FBI revealed Stokes walking down a sidewalk near CPD, saying:

To the brothers of the Islamic State: I’m, I’m heading downtown . . .[unintelligible]. In sh’Allah. I hope one day you, um, I hope one day you um, I hope one day you understand where I’m coming from, In sha’Allah. Yeah, I want you to mark this town. I want ya to mark this town, you. This town is wicked, evil. Yeah. You see

the sky? You see the sky? Alhamdulillah. That's Allah's work. Alhamdulillah. I'm gonna serve my time like a lion. You know what I'm saying, like a lion, [unintelligible]. In sha'Allah. I'm on first street right now. This first street. This first street right here. Yeah, I want y'all to mark this town. I want y'all to mark this town, like they mark me, at a police [unintelligible]. Ah, think it's funny, right, put it in the newspaper. Ah, they think it's funny. [unintelligible] . . . think we, [unintelligible], think we police or something? Think Islamic State police? I don't think so. [unintelligible] This is the Islamic State right here, yo. This is how we get down. See that. See that right there [approaching the Clarksville police station]. That's us right there. That's what we do. Know what I'm saying. That's us.

The video ended with Stokes coming into the view of the Clarksville police station.

35. Following Stokes' reconnaissance of the CPD, OCE3 and Stokes continued their communications and plans. However, on or about July 21, 2020, Stokes began advising OCE3 that he wanted to push the date of his operation back because he did not want to leave his elderly mother alone. OCE3 advised Stokes that an ISIS brother who could meet up with Stokes and provide him with the Glock 19 handgun, five extended magazines, and an ISIS flag would be in the area in the near future. However, on July 24, 2020, when it came time for Stokes to commit to meeting up with the brother, Stokes advised OCE3 that he did not want to meet that weekend, but hoped to in the near future. Since that time, Stokes has not been in contact with any of the aforementioned OCEs.

36. At all times Stokes was communicating with the OCEs identified above, the OCEs were not present within the State of Tennessee. Therefore, the communications identified as occurring between Stokes and the OCEs, described in more detail above, were transmitted in interstate commerce when they were communicated.

CONCLUSION

37. Based on the foregoing, your affiant submits that probable cause exists to believe Stokes has knowingly transmitted in interstate or foreign commerce a communication containing a threat to injure the person of another, in violation of Title 18, United States Code, Section 875(c) (Sending Threatening Communications Interstate).