

SDD:AAS/DMP/ICR  
F.#2015R01010

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

15-554 M

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UNITED STATES OF AMERICA

COMPLAINT

- against -

(18 U.S.C. § 1114)

FAREED MUMUNI,

Defendant.

----- X

EASTERN DISTRICT OF NEW YORK, SS:

CHRISTOPHER J. BUSCAGLIA, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

On or about June 17, 2015, within the Eastern District of New York and elsewhere, the defendant FAREED MUMUNI did knowingly and intentionally attempt to kill officers and employees of an agency of the United States Government, to wit: Special Agents and Task Force Officers of the Federal Bureau of Investigation, while such officers and employees were engaged in and on account of the performance of official duties.

(Title 18, United States Code, Section 1114)

The source of your deponent's information and the grounds for his belief are as follows:<sup>1</sup>

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<sup>1</sup> Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) currently assigned to the New York Joint Terrorism Task Force (“JTTF”). As a Special Agent, I have investigated numerous matters during the course of which I have conducted physical surveillance, interviewed witnesses, executed court-authorized search warrants and used other investigative techniques to secure relevant information.

2. The defendant FAREED MUMUNI is a 21-year-old United States citizen. MUMUNI resides in Staten Island, New York.

3. An investigation by the JTTF has revealed that MUMUNI espouses violent jihadist beliefs and is a fervent supporter of the foreign terrorist organization Islamic State of Iraq and the Levant (“ISIL”). The investigation has uncovered that MUMUNI made efforts to participate in or support a terrorist attack in the New York metropolitan area or elsewhere on behalf of ISIL. Earlier this morning, MUMUNI was arrested during the execution of a search warrant on his residence after he attacked FBI Special Agents and Task Force Officers. During the attack, MUMUNI repeatedly attempted to stab an FBI Special Agent with a large kitchen knife.

I. ISIL

4. ISIL is a foreign terrorist organization that, since 2013, has claimed credit for numerous terrorist activities, including seizing Mosul, a city in northern Iraq, and launching rocket attacks on eastern Lebanon in March 2014. These terrorist activities are part of ISIL’s broader goal of forming an Islamic state or “caliphate” in Iraq and Syria. On October 15, 2004, the United States Secretary of State designated al-Q’ida in Iraq (“AQI”), then known as Jam’at al Tawhid wa’al-Jihad, as a Foreign Terrorist Organization (“FTO”) under Section 219 of the Immigration and Nationality Act and as a Specially Designated

Global Terrorist under section 1(b) of Executive Order 13224. On May 15, 2014, the Secretary of State amended the designation of AQI as an FTO under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist under section 1(b) of Executive Order 13224 to add the alias Islamic State of Iraq and the Levant as its primary name. The Secretary also added the following aliases to the ISIL listing: the Islamic State of Iraq and al-Sham, the Islamic State of Iraq and Syria (“ISIS”), ad-Dawla al-Islamiyya fi al-‘Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. Although the group has never called itself “Al-Qaeda in Iraq” this name has frequently been used to describe it through its history. In an audio recording publicly released on June 29, 2014, ISIL announced a formal change of its name to Islamic State (“IS”). To date, ISIL remains a designated FTO.

## II. Plot to Conduct Terrorist Attack

5. The FBI is investigating an unlawful conspiracy and attempt to provide material support and resources to ISIL. This investigation has revealed that MUMUNI, another individual named Munther Omar Saleh, and others are conspiring and attempting to provide material support and resources to ISIL, including personnel and services.

6. In particular, on May 7, 2015, a confidential human source who has previously provided reliable information (the “CHS”) initiated a conversation with Saleh. During the conversation, Saleh asked the CHS where he/she was located. The CHS stated that he/she was in “dar al harb,” which is a reference to regions of the world where Islam does not dominate, and then stated the “North east coast.” Saleh asked whether the CHS was in America, and the CHS indicated he/she was. Saleh then stated, “Well I’m in NY and trying

to do an Op.” Based on my training and experience, I understand “Op” to be shorthand for “operation” and to refer to an effort to conduct a terrorist attack.

7. Judicially authorized electronic surveillance has revealed that, on or about May 7, 2015, Saleh emailed himself information from the Internet regarding the construction of a pressure cooker bomb. The information is similar to that available in online documents created by foreign terrorist groups. I am aware that pressure cooker bombs have been used in a number of terrorist attacks, including most recently the 2013 Boston Marathon attack.

8. Judicially authorized electronic surveillance and physical surveillance of Saleh between May 7, 2015 and June 13, 2015, revealed that Saleh and a co-conspirator (“CC1”) have searched online for a pressure cooker, a crockpot, a sewing machine, a chemistry model, a drill, a lava lamp, an LED light, a garden hose, a pipe or pump, a pipe or exhaust, a saw, propane, and a watch. Based on my consultations with law enforcement technical experts on explosive devices, I believe that these are all potential components of an explosive device or tools for the construction of an explosive device. On or about May 19, 2015, law enforcement agents observed Saleh obtain a digital black wrist watch at a store in Queens, New York. Based on my training and experience, a watch may be used as a timer for an explosive device.

9. On or about May 28 and May 31, 2015, Saleh conducted Internet searches for various notable New York City landmarks and tourist attractions. Based on my training, experience, and knowledge of this investigation, I believe Saleh viewed this information to assess potential targets for a terrorist attack.

III. MUMUNI's Role in the Terrorist Plot

10. The investigation has revealed that MUMUNI has assisted Saleh in his efforts to carry out a terrorist attack on behalf of ISIL.

11. Members of law enforcement performing surveillance have observed MUMUNI and Saleh meeting on several occasions since May 2015, and as recently as May 31, 2015. For example, on May 12, 2015, judicially authorized electronic surveillance revealed that Saleh contacted MUMUNI to indicate that he had money and wanted to meet that day, stating that he had money that "talks," possibly referring to funding for an illegal transaction. During the same communication, Saleh agreed to meet with MUMUNI in Staten Island at the "same place" in front of the courthouse. Saleh then proceeded to travel to Staten Island by subway and ferry. During this trip, Saleh performed counter-surveillance maneuvers and successfully eluded surveillance by law enforcement while in Staten Island.

12. Members of law enforcement also observed MUMUNI and Saleh meet on or about May 31, 2015 in lower Manhattan.

13. Subsequently, on or about June 1, 2015, in a judicially authorized recorded phone call, Saleh and CC1 discussed Saleh's visit with MUMUNI in lower Manhattan. CC1 asked, "How was the meeting with your guys?" After Saleh asked for clarification, CC1 responded, "I don't know . . . You got tea with them." After Saleh asked for further clarification, CC1 stated, "Tea, wink, wink, tea" and added, "Your buddies man, Staten Island." Saleh then stated, "Oh yeah, it was awesome." Saleh further indicated that the meeting was "motivating, it was great." Based on my training and experience, and my knowledge of this investigation, the reference to "motivating" suggests that MUMUNI may have been involved in Saleh's planning for a terrorist attack.

IV. Saleh's Arrest

14. During the early morning of June 13, 2015, Saleh and CC1 were arrested after attempting to attack a law enforcement officer. Specifically, at approximately 4 a.m., while in a car stopped at a red light on 20th Avenue in Queens, near the Whitestone Expressway, Saleh and CC1 exited the vehicle and took several steps toward a law enforcement vehicle conducting surveillance of the co-conspirators, before returning to their own vehicle. Moments later, Saleh and CC1 again stepped out of the vehicle and began to charge towards the law enforcement vehicle, Saleh from one side of the law enforcement vehicle and CC1 from the other side. Saleh charged toward the law enforcement vehicle with a knife in his hand; CC1 had a Smith & Wesson folding tactical knife concealed in his waistband. The officer who was driving the law enforcement vehicle drove in reverse to avoid the attack by Saleh and CC1. Soon thereafter, other members of law enforcement arrived at the scene and arrested Saleh and CC1.

15. Following his arrest, Saleh waived his Miranda rights and agreed to speak with investigators. In sum, substance, and in part, Saleh stated that he had pledged allegiance to ISIL and was a “full-fledged” member of ISIL. In addition, Saleh characterized MUMUNI as another supporter of ISIL. In particular, Saleh stated that MUMUNI planned to travel to the “Islamic State” and also expressed his intent to attack members of law enforcement who have been performing surveillance on MUMUNI.

16. Pursuant to judicial authorization, members of law enforcement reviewed numerous communications of Saleh's cellular telephone, including communications with MUMUNI related to Saleh's effort to conduct a terrorist attack on behalf of ISIL. In particular, on or about June 2, 2015, Saleh and MUMUNI discussed over Saleh's telephone

the prospect of attacking law enforcement. Saleh instructed MUMUNI that the best option was to use a bomb and then to fight afterwards. After MUMUNI asked for more guidance, Saleh wrote to use a bomb and then to run over members of law enforcement with a vehicle, seize the weapons of any victims, and use the weapons to shoot at other victims. MUMUNI then wrote that he would further discuss this issue with Saleh when he arrived at work.

17. Similarly, on or about June 12, 2015, Saleh wrote MUMUNI the following message from Saleh's telephone: "I decided to tell my parents 'i will be gone in much less than a year, in sha Allah, you have two choices, either you let me go to Darul Islam or you watch me kill nonMuslims here.'" I believe "Darul Islam" is a reference to ISIL-controlled territories. MUMUNI replied, "May Allah make it easy for you." As discussed above, Saleh was arrested in the early morning hours of June 13, 2015, while attempting to attack a law enforcement officer with a knife.

#### V. MUMUNI's Arrest

18. At approximately 6:35 a.m. this morning, FBI Special Agents and Task Force Officers arrived at MUMUNI's residence in Staten Island to execute a search warrant, which had been issued by a United States Magistrate Judge in the Eastern District of New York, on MUMUNI's residence (the "Residence"). After FBI Special Agents and Task Force Officers knocked on the front door of the Residence and announced themselves as members of law enforcement, MUMUNI's mother and sister opened the front door of the Residence and then exited the Residence to permit the officers to commence the search.

19. While the door was still open, FBI Special Agents and Task Force Officers observed MUMUNI descend the main staircase of the Residence. The officers, who clearly identified themselves as members of law enforcement, repeatedly directed MUMUNI to

move to a couch in the living room. MUMUNI ignored the officers' commands and instead suddenly lunged at the officers with a large kitchen knife. As the officers attempted to restrain MUMUNI, MUMUNI repeatedly attempted to plunge the kitchen knife into the torso of an FBI Special Agent and reached out with his hand in the vicinity of a rifle used by another member of law enforcement. None of the stabs penetrated the FBI Special Agent's body armor, and the agent suffered only minor injuries. FBI Special Agents and Task Force Officers then disarmed MUMUNI and placed him under arrest.

20. After MUMUNI's arrest, MUMUNI's mother consented to a search of her car, which she permits MUMUNI to use. Inside the car, investigators discovered a duffel bag containing another large kitchen knife.

21. Thereafter, MUMUNI was transported to an FBI field office, where he was advised of his Miranda rights. MUMUNI waived his Miranda rights and agreed to speak with investigators. In sum, substance, and in part, MUMUNI stated that he has pledged allegiance to ISIL and that he intended to travel to ISIL-controlled territories in order to join ISIL. MUMUNI further stated that, should his efforts to join ISIL be frustrated, he intended to attack law enforcement officers. MUMUNI also admitted to discussing the construction of a pressure cooker bomb with Saleh. Finally, MUMUNI admitted that today's attack was premeditated and that he kept the knife he used to attack the FBI Special Agent wrapped in a T-shirt in his bed for just such an occasion. MUMUNI also stated that he kept the knife that was recovered from his mother's vehicle for use in an encounter with law enforcement.



WHEREFORE, your deponent respectfully requests that the defendant FAREED MUMUNI be dealt with according to law.

S? Christopher Buscaglia

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CHRISTOPHER J. BUSCAGLIA  
Special Agent, Federal Bureau of Investigation

Sworn to before me this  
17th day of June, 2015

S/ Vera Scanlon

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THE HONORABLE VERA M. SCANLON  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK