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UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

Court File No. 19-115-813 TNL

CLERK, U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

ABDELHAMID AL-MADIOUM,)

Defendant.)

**AFFIDAVIT IN SUPPORT OF A
CRIMINAL COMPLAINT**

I, Timothy Gregg, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Department of Homeland Security, Homeland Security Investigations and have been a Special Agent for nine years. I am a Task Force Officer with the Federal Bureau of Investigation Joint Terrorism Task Force ("JTTF"), and have been since July 15, 2014. As part of my duties as a Special Agent, I investigate, among other things, criminal violations relating to terrorism, such as providing material support to designated foreign terrorist organizations. In addition to my on-the-job experience, the FBI has provided me with extensive training in the techniques used to investigate allegations of international terrorism.

2. Because this Affidavit is being submitted for the limited purpose of establishing probable cause for a criminal complaint, I have not included each and every fact learned during the course of this investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause for the criminal complaint. Where actions, conversations, and statements of others are related, they are related in substance and in part, except where otherwise indicated. All dates are on or about the specified date. I have participated in the investigation of this matter. In addition, I have assisted and spoken with other FBI agents involved in the

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investigation of this matter. I am familiar with the information contained in this affidavit based on my own personal participation in this investigation, my review of documents, conversations and other communications that I have had with law enforcement officers including law enforcement officers involved in this, and related terrorism investigations, and my training and experience.

3. This affidavit is made in support of a criminal complaint charging ABDELHAMID AL-MADIOUM (“AL-MADIOUM”), with a violation of Title 18, United States Code, Section 2339B, for attempting to provide and providing material support and resources, namely personnel, to a designated foreign terrorist organization, the Islamic State in Iraq and al-Sham (“ISIS”).

OVERVIEW AND APPLICABLE LAW

4. AL-MADIOUM is a twenty-two year old native of Morocco and naturalized U.S. citizen who lived in Minnesota prior to traveling overseas to join the designated foreign terrorist organization, the Islamic State in Iraq and al-Sham (“ISIS”).

5. 18 U.S.C. § 2339B, Providing Material Support to Designated Foreign Terrorist Organizations, provides, in pertinent part, that:

Whoever knowingly provides material support or resources to a foreign terrorist organization, or attempts or conspires to do so, shall be . . . imprisoned. . . . To violate this paragraph, a person must have knowledge that the organization is a designated terrorist organization . . . , that the organization has engaged or engages in terrorist activity . . . , or that the organization has engaged or engages in terrorism. . .

6. Section 2339A(b)(1) defines “material support or resources,” for purposes of Section 2339B, as:

[T]he term “material support or resources,” means any property, tangible or intangible, or service, including currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false

documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel (1 or more individuals who may be or include oneself), and transportation, except medicine or religious materials.

7. Section 2339B(h) provides, in pertinent part:

No person may be prosecuted under this section in connection with the term “personnel” unless that person has knowingly provided, attempted to provide, or conspired to provide a foreign terrorist organization with 1 or more individuals (who may be or include himself) to work under that terrorist organization's direction or control or to organize, manage, supervise, or otherwise direct the operation of that organization. . . .

FACTS CONSITUTING PROBABLE CAUSE

8. On October 15, 2004, the U.S. Secretary of State designated al Qaeda 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 (the “INA”) and as a Specially Designated Global Terrorist under section 1(b) of Executive Order 13224.

9. On May 15, 2014, the Secretary of State amended the designation of AQI as an FTO under Section 219 of the INA and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224 to add the alias Islamic State of Iraq and the Levant (“ISIL”) as its primary name. The Secretary also added the following aliases to the FTO listing: the Islamic State of Iraq and al-Sham (i.e., “ISIS”—which is how the FTO will be referenced herein), the Islamic State of Iraq and Syria, ad-Dawla al-Islamiyya fi al-‘Iraq wa-sh-Sham, Daesh, Dawla al Islamiya, and Al-Furqan Establishment for Media Production. In an audio recording publicly released on June 29, 2014, ISIS announced a formal change of its name to the Islamic State. On September 21, 2015, the Secretary added the following aliases to the FTO listing: Islamic State, ISIL, and ISIS. To date, ISIS remains a designated FTO.

A. AL-MADIOUM'S JULY 8, 2015 DISAPPEARANCE

10. On June 23, 2015, AL-MADIOUM and his family traveled from St. Louis Park, Minnesota, to Casablanca, Morocco to visit their extended family. As set forth below, on July 8, 2015, AL-MADIOUM left Morocco for Istanbul, Turkey, evidently without his family's knowledge. From Turkey, AL-MADIOUM traveled to Iraq and Syria, where he joined ISIS. At the time of his travel from the U.S. in June of 2015, AL-MADIOUM was on summer break from a local community college where he was both a full-time student studying computer science and an employee working part-time in the college's Information Technology department.

11. Travel records show that AL-MADIOUM, his parents, and his younger brother departed from Minneapolis/St. Paul International Airport to Morocco on June 23, 2015. According to interviews with AL-MADIOUM's parents, the purpose of the family's travel was to visit relatives in the Casablanca area. AL-MADIOUM and his family members were scheduled to return to Minnesota on August 21, 2015.

12. According to family members, during the evening hours of July 7, 2015, AL-MADIOUM claimed he was not feeling well and skipped dinner. AL-MADIOUM prayed and socialized with family members until approximately 3:00 a.m. on July 8, 2015, when he went to bed. When the family awoke on July 8, 2015, they discovered that AL-MADIOUM had disappeared sometime earlier that morning. The family noted that AL-MADIOUM had left behind all of his belongings except for his U.S. passport and cell phone.

13. After his disappearance, AL-MADIOUM's family immediately reported his disappearance to Moroccan authorities. AL-MADIOUM's family made unsuccessful efforts to locate AL-MADIOUM while they remained in Morocco, including attempts to contact him via

text messaging and social media. In addition, AL-MADIOUM's family went to the United States Consulate in Rabat, Morocco, and requested FBI assistance in locating AL-MADIOUM.

14. The family learned from law enforcement in Morocco that AL-MADIOUM had purchased a plane ticket to fly from Casablanca, Morocco, to Istanbul, Turkey, on Turkish Airlines flight TK 8828, which departed Casablanca at 8:25 a.m. on July 8, 2015. Travel records confirm that AL-MADIOUM purchased a ticket from Morocco to Istanbul with a July 8, 2015 departure. The day prior, on July 7, 2015, AL-MADIOUM used his Wells Fargo debit card to purchase this ticket for \$668 and to purchase a visa for Turkey for \$20.70.

15. Based on my knowledge, training, and experience, your Affiant is aware of numerous cases in which individuals from the United States and elsewhere attempted, or did, travel to Syria to join ISIS and that in many of these cases, the individuals had planned to, or did, transit through Istanbul on their way to Syria. Your affiant is aware that ISIS recruiters have told recruits to travel to Turkey where they would be met and guided into Syria. Your affiant knows that Turkey shares a land border with Syria and that aspiring ISIS members frequently crossed the Turkish border to enter Syria to join ISIS.

16. On August 4, 2015, AL-MADIOUM's family provided written consent for the FBI to search their home in St. Louis Park, Minnesota, for any evidence relating to AL-MADIOUM's disappearance from Morocco. On August 7, 2015, the FBI conducted a consensual search of AL-MADIOUM's family home in St. Louis Park, Minnesota. In AL-MADIOUM's bedroom, agents found handwritten notes in a desk drawer and AL-MADIOUM's parents confirmed that it was AL-MADIOUM's handwriting in these notes. The notes contain evidence of AL-MADIOUM's intent and plan to join ISIS. The notes also include a sketch of an image that appears on the ISIS flag. Next to this image, AL-MADIOUM wrote the Arabic word for "allegiance."

17. The handwritten notes also contain a list of questions regarding AL-MADIOUM's planned travel, including what the maximum withdrawal limit would be for his debit card, how to unfreeze his account, and how to prove his identity over the phone.¹ The notes include a flow chart apparently depicting AL-MADIOUM's plan to route money through alternate accounts to ensure access to funds should his travel plans become obstructed. AL-MADIOUM had listed "Ali's account", PayPal, Moneygram, and "paying someone on the spot" as possible options.

18. AL-MADIOUM's notes appear to contain a rehearsed back-stop story for his entrance into Turkey in case he was questioned by border officials. For example, the notes pose the question, "*why are you going?*" with the response "*as calligraphy students and shop.*" The notes also appear to contemplate alternative itineraries if AL-MADIOUM's travel through Istanbul were thwarted. AL-MADIOUM wrote "if they decline go to L or Y". Your affiant believes that "L or Y" may refer to Libya or Yemen. Another page in the notes contained the following handwritten statement: "*If we leave the US with no one stopping us, we have succeeded.*"

B. AL-MADIOUM'S ISIS-RELATED ACTIVITIES IN IRAQ AND SYRIA

19. AL-MADIOUM's family remained in Morocco until their scheduled departure date of August 21, 2015, returning to the United States without a reply from AL-MADIOUM. The FBI learned from AL-MADIOUM's family that they had received two phone calls on August 25, 2015 from AL-MADIOUM, during which AL-MADIOUM stated he was in Mosul, Iraq. When his parents asked what he was doing in Mosul, AL-MADIOUM claimed to be working in a hospital treating "injured." people. Your affiant knows that Mosul, Iraq, was under ISIS control at the time of this phone call.

¹ Between June 23, 2015, and July 7, 2015, while in Morocco, AL-MADIOUM repeatedly made cash withdrawals from his accounts in the daily maximums allowed by the financial institution.

20. In March of 2017, AL-MADIOUM's family confirmed that AL-MADIOUM had been in contact with the family while overseas and had informed his family that he had moved from Mosul, Iraq, to Raqqa, Syria and had married a "widow" with whom he had a child. Your affiant knows Raqqa was ISIS's *de facto* capital within Syria during this time.² In addition, your affiant knows that it is common for ISIS members to marry women whose husbands have died while fighting for ISIS. In August of 2017, AL-MADIOUM's family received photographs from AL-MADIOUM depicting him holding a newborn child.

21. Your affiant has also been made aware of two documents recovered by members of the Department of Defense ("DoD") that relate to AL-MADIOUM's ISIS membership. The first document, found in June of 2017 in the vicinity of Mosul, Iraq, contains payroll and biographical information for certain ISIS members. Based upon my review of the document, I believe that information in the document relates to AL-MADIOUM's ISIS membership.

22. This document contains a number of fields for different types of information about the ISIS member. For example, the document contains fields for his name, nickname, tribe, date of birth, number of wives, number of children and dependents, stipend amounts, sector/department, assignment, "disposition," "remarks" and "dates." The document also appears to have been periodically updated. For example, a July of 2016 entry, lists no wives or dependents for AL-MADIOUM, whereas a subsequent version from March of 2017, lists AL-MADIOUM as having one wife and one child. As noted above, in March of 2017, AL-MADIOUM's family corroborated this information and informed the FBI that AL-MADIOUM had gotten married and had a child.

² Your affiant is aware that in early October of 2017, ISIS's *de facto* occupation of Raqqa ended as the result of military operations.

23. The document also reveals that by the fall of 2016, Al-Madioum was assigned to the Abu Mutaz al-Qurashi Division and the Tariq Bin Ziyad Batallion. By December of 2016, the document states that Al-Madioum was “transferred by the Medical Committee for Prisoner, Martyr, and Disabled Personnel Affairs” and, by February of 2017, the document indicated that Al-Madioum was “injured.” Based on training and experience, your Affiant knows that ISIS military divisions are named after recently fallen Generals, *e.g.*, the Abu Mutaz al-Qurashi Division. Your affiant is further aware that Abu Mutaz al-Qurashi, a/k/a Fadhil Ahmad al Hayali, was the governor for ISIS-held territories in Iraq. Likewise, battalions are named after historic Generals; *e.g.*, Tariq Bin Ziyad, who is known for his conquest to cross Gibraltar from Morocco to conquer Spain in 700 AD. Your affiant is also aware that the Tariq Bin Ziyad Battalion was created by Abu Souleymane al-Faransi a/k/a Abdelilah Himich, a Moroccan-born French citizen and alleged co-planner of 2015 and 2016 terrorist attacks in France and Belgium. The Tariq Bin Ziyad Battalion was made up largely of French, Moroccan and Arabian Gulf foreign terrorist fighters. The Battalion was responsible for, among other things, training and preparing foreign fighters to conduct suicide attacks in European countries.

24. The second document recovered by DoD personnel in the Hasakah province of Syria, listed ISIS personnel with a corresponding census number. One census number³ on this ISIS document is known to be associated with AL-MADIOUM. This ISIS document and census number identifies AL-MADIOUM as a “soldier” assigned to the Tariq Bin-Ziyad Battalion of the Abu Mutaz al-Qurashi Division of ISIS.

³ ISIS census numbers are similar to a Social Security Number or Military Serial Number, assigned to identify, track, pay, or subsidize members of the supposed caliphate.

C. AL-MADIOUM'S CAPTURE IN SYRIA AND SUBSEQUENT STATEMENTS

25. Throughout 2018 and into 2019, the Syrian Democratic Forces ("SDF") conducted successful military operations against ISIS. By March of 2019, ISIS had been territorially reduced to the area of a small village on the Syria-Iraq border named Baghouz. Several thousand ISIS members, including women and children, who had not surrendered or fled, remained in Baghouz. Your affiant is aware these individuals were generally considered dedicated members of ISIS given their failure to surrender by that juncture.

26. In March of 2019, during military operations in the vicinity of Baghouz, the SDF periodically provided safe passage for those ISIS members who wished to surrender. Part of the process for ISIS members exiting Baghouz was to undergo biometric enrollment and identification by SDF and others. Some of the ISIS members captured and initially enrolled in March of 2019 were later transferred to Hasakah Prison in Hasakah, Syria. AL-MADIOUM was among those ISIS members enrolled by the SDF in March of 2019.

27. I know that AL-MADIOUM was later moved from Baghouz to Hasakah Prison in Syria. On July 20, 2019, while enrolling foreign fighters at Hasakah Prison, FBI agents encountered AL-MADIOUM, who volunteered information to the agents. AL-MADIOUM initially told the agents that his name was "Abdulhamid." AL-MADIOUM told the FBI that he had lied about his name and nationality when he was first enrolled by the SDF in March of 2019. AL-MADIOUM told the FBI that when he was enrolled by the SDF he had used the name "Ali Ahmad Abdulthaher" and had claimed to be from Libya. In fact, the March 2019 SDF enrollment record indicates that Al-Madioum had actually used the name "Ali Al Hadj." AL-MADIOUM told agents that he had lied to the SDF about his identity so that he and his children would not be returned to the United States. The FBI has verified that the person enrolled with the SDF in March

of 2019 was, in fact, AL-MADIOUM, notwithstanding the false names AL-MADIOUM gave to the FBI and SDF.

28. Other information volunteered by AL-MADIOUM to the FBI agents included that he was born in Morocco, had obtained U.S. citizenship in 2008, and had lived in Minnesota before traveling overseas. He told agents that he traveled from Minnesota to Syria on a U.S. passport and had joined ISIS in June of 2015. AL-MADIOUM said he had been injured in an airstrike in Mosul, resulting in injuries to both of his legs and the loss of his right arm above the elbow. At the time AL-MADIOUM came into SDF custody in March of 2019, he was accompanied by two minor children, both of whom AL-MADIOUM claimed were his offspring. AL-MADIOUM stated that his wife had been killed in Baghouz, Syria.

29. In August of 2019, FBI agents conducted a *Mirandized* interview of AL-MADIOUM. AL-MADIOUM admitted that starting in 2015, he reached out to ISIS members and representatives on Twitter because he wanted to fight Muslim oppression by the Syrian regime and to attend medical school. AL-MADIOUM stated that he received advice regarding ISIS from a Twitter account called "Birds of Paradise." Your affiant has confirmed that the Twitter account called "Birds of Paradise" was an active Twitter account that posted ISIS propaganda. AL-MADIOUM admitted that the "Birds of Paradise" Twitter account connected him with an ISIS facilitator who, in turn, provided AL-MADIOUM with information on how to travel to Syria to join ISIS.

30. AL-MADIOUM further admitted that in 2015 he fled from his family while they vacationed in Morocco in order to join ISIS. He stated that he flew to Istanbul on a ticket purchased on his credit card and that his family had no knowledge of his plans or intentions. AL-MADIOUM stated that, per his ISIS facilitator's instructions, upon arriving in Istanbul he went to a designated

bus terminal where he met smugglers who provided AL-MADIOUM with instructions on how to cross the border between Turkey and Syria in order to join ISIS. Later that same night, AL-MADIOUM met the smugglers at the pre-determined location where he and approximately 30 other individuals seeking entrance into Syria loaded onto three trucks. The trucks then drove to a location near the Syrian border. AL-MADIOUM stated that once they were close to the border, the smugglers escorted him on foot from Turkey into Syria.

31. AL-MADIOUM stated that once in Syria, ISIS members brought him to Raqqa, where he stayed for several days. He was then taken to Mosul, Iraq. AL-MADIOUM told the agents that after arriving in Mosul, he took four classes in first aid and was assigned to work in an ISIS hospital. AL-MADIOUM admitted that he was called a “soldier,” but claimed that all ISIS members were called soldiers. In addition, Al-Madioum told the FBI that he lived with three other men in a “maqar,” which is a compound.

32. AL-MADIOUM told agents that after two months in Mosul, he was injured in an airstrike resulting in the loss of his arm and injury to his legs. After the airstrike, AL-MADIOUM stated he could not work but that he continued to receive a stipend from ISIS. He stated he remained in Mosul for a total of 18 months until ISIS began to lose territory during the siege of Mosul. AL-MADIOUM stated he retreated from Mosul and eventually surrendered to SDF forces in March of 2019. AL-MADIOUM admitted that he had changed his name several times based on advice from other ISIS members. AL-MADIOUM acknowledged that he never attempted to leave ISIS during his time overseas.

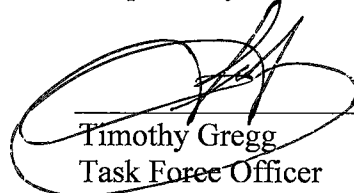
33. A U.S. news outlet’s interview of AL-MADIOUM, which aired on September 18, 2019, was conducted at Hasakah prison in Syria. During the interview, AL-MADIOUM admitted his identity as Abdelhamid AL-MADIOUM, stated that he was an American from Minnesota who

was recruited on Twitter to travel to Syria to join ISIS, and told that outlet that he entered ISIS territory in 2015. AL-MADIOUM claimed that he originally joined ISIS hoping to become a doctor and help people and that he was never an ISIS fighter. Also during the interview, AL-MADIOUM stated he lost his right arm in an airstrike.

CONCLUSION


34. Based on my training, experience, and knowledge of this investigation, I believe that from in or about July 8, 2015, through in or about the present date, AL-MADIOUM attempted to provide and provided material support and resources to a designated foreign terrorist organization, namely AL-MADIOUM himself as personnel to ISIS, in violation of 18 U.S.C. § 2339B.

Respectfully submitted,



Timothy Gregg
Task Force Officer
Federal Bureau of Investigation

Subscribed and sworn to before me on December 6th, 2019



Honorable Tony N. Leung
UNITED STATES MAGISTRATE JUDGE