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The L.A. Plot to Attack U.S. Military, Israeli Government, & Jewish Targets

Report #1 in a NEFA series, "Target: America"

A NEFA analysis of U.S. v. James

June 2007

Updated January 2008

[The NEFA Foundation is providing this updated "Target: America" report in light of guilty pleas from three plot conspirators and the release of a number of documents, including the 104-page "JIS Protocol" authored by mastermind Kevin James. The material provides rare insight into the mindset of homegrown American jihadists and sheds light on prison radicalization, as James established his terror cell and plotted carnage while incarcerated for armed robbery. FBI Director Robert Mueller has noted that "prisons continue to be fertile ground for extremists who exploit both a prisoner's conversion to Islam while still in prison, as well as their socio-economic status and placement in the community upon their release."]

U.S.-Based Plotters

On August 31, 2005, federal prosecutors indicted four California men on an array of charges, including conspiracy to levy war against the U.S. government.

- Kevin James (a.k.a. Shakyh Shahaab Murshid) is a U.S. national who in 1997,¹ while incarcerated in California State Prison-Sacramento (New Folsom) for armed robbery, founded Jam'iyyat Ul-Islam Is-Saheeh ("JIS"; the "Authentic Assembly of Islam"), a radical Sunni Islamic prison organization.² According to court filings, James "preached the duty of JIS members to target for violent attack any enemies of Islam or 'infidels,' including the United States Government and Jewish and non-Jewish supporters of Israel."³ Further, James, who is still incarcerated, provided "instructions, spiritual and tactical guidance, and support" to his co-conspirators.⁴

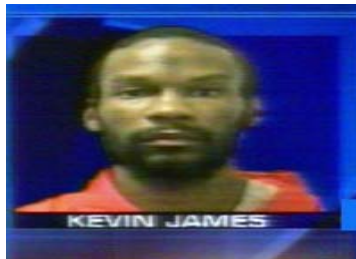
¹ U.S. v. James, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Kevin James - Attachment A, Filed December 14, 2007.

² U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005 and Statement of Donald Van Duyn, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, Before the Senate Committee on Homeland Security and Governmental Affairs and Related Agencies, September 19, 2006, http://www.nefafoundation.org/miscellaneous/LA/VanDuynTestimony_09192006.pdf, and Greg Krikorian, "New Counts for Suspects in Terror Plot," *The Los Angeles Times*, August 24, 2005.

³ U.S. v. James, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Kevin James - Attachment A, Filed December 14, 2007.

⁴ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005.

- Levar Washington (a.k.a. Abdur Rahman) is a U.S. national who swore allegiance to James, with whom he was imprisoned at California State Prison-Sacramento,⁵ and joined JIS in November 2004. Shortly after Washington was paroled on November 29, 2004, James instructed him to "recruit five individuals without felony convictions and train them in covert operations."⁶ James also tasked Washington to "acquire two firearms with silencers" and "appoint an individual from the group...to find contacts for explosives or learn to make bombs that could be activated from a distance."⁷
- Washington recruited Gregory Patterson (a.k.a. Bilal),⁸ a U.S. national he met while attending the Jamaat-E-Masjudal mosque in Inglewood.⁹
- Washington also recruited Hammad Samana,¹⁰ another associate from the Jamaat-E-Masjudal mosque.¹¹ According to court documents, Samana admitted to federal agents that he swore allegiance to Washington, and, along with Patterson, promised to serve as "mujahaddin."¹² In a letter to Washington, James labeled Samana "a very beautiful asset."¹³ Samana, a student at Santa Monica College, is a lawful permanent U.S. resident originally from Pakistan.¹⁴



Levar Washington

⁵ Washington, who was a former member of the Rolling 60 Crips gang, served prison time for assault with a deadly weapon and robbery. See: "Possible Terror Evidence in Robbery Probe," *KNBC.com*.

⁶ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005.

⁷ U.S. v. James, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Kevin James - Attachment A, Filed December 14, 2007.

⁸ Testimony of Donald Van Duyn, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, Before the Senate Committee on Homeland Security and Governmental Affairs and Related Agencies, September 19, 2006,

http://www.nefafoundation.org/miscellaneous/LA/VanDuynTestimony_09192006.pdf.

⁹ "Terror Suspect Pleads Not Guilty to Conspiracy Charges," *KNBC.com*, September 6, 2005.

¹⁰ Testimony of Donald Van Duyn, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, Before the Senate Committee on Homeland Security and Governmental Affairs and Related Agencies, September 19, 2006,

http://www.nefafoundation.org/miscellaneous/LA/VanDuynTestimony_09192006.pdf.

¹¹ U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005 and "Terror Suspect Pleads Not Guilty to Conspiracy Charges," *KNBC.com*, September 6, 2005.

¹² U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005.

¹³ U.S. v. James, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Kevin James - Attachment A, Filed December 14, 2007.

¹⁴ Jeremiah Marquez, "Southern California Terrorism Probe Yields Third Arrest," *Associated Press*, August 17, 2005 and Jennifer English, *City News Service*, August 31, 2005.

On December 14, 2007, James and Washington pled guilty, acknowledging they conspired "to levy war against the government of the United States through terrorism..."¹⁵; three days later, Patterson admitted his involvement in the conspiracy.¹⁶ Samana has been ruled mentally unfit to stand trial.¹⁷

While only four individuals were indicted, media reports claimed that James and his cellmate – former gang member Peter Martinez, who is serving a 40-year sentence for murder – may, in fact, have recruited as many as thirteen individuals.¹⁸ However, when asked at a December 2007 news conference whether JIS members continued to pose a threat, Assistant U.S. Attorney Gregory Smith remarked, "No. They're out of business."¹⁹

Moreover, according to Donald Van Duyn, the Deputy Assistant Director of the FBI's Counterterrorism Division, the group had no "apparent connections or direction from outside the United States."²⁰ Yet, as FBI Director Robert Mueller assessed, the men "viewed themselves as 'al Qaeda of California.'"²¹

In announcing the indictments, Attorney General Alberto Gonzalez noted the implications of the case: "This summer, Americans watched so-called 'home grown' terrorists unleash multiple bombings in the city of London. Some in this country may have mistakenly believed that it could not happen here. Today we have chilling evidence that it is possible."²²

LAPD Official: "This Cell was Closer to Going Operational...than Anyone Since 9/11"

In a press interview, John Miller, the FBI's Assistant Director of Public Affairs, remarked, "I think if you look at the JIS case, of all of the terrorist plots since 9/11, it is probably the one that operationally was closest to actually occurring." Miller added,

¹⁵ "Two Plead Guilty to Domestic Terrorist Charges of Conspiring to Attack Military Facilities, Jewish Targets," Department of Justice Press Release, December 14, 2007, <http://nefafoundation.org/miscellaneous/FeaturedDocs/U.S. v James DOJPR GuiltyPleas.pdf>.

¹⁶ "Third Man Pleads Guilty in Homegrown Terror Case," *Associated Press*, December 17, 2007.

¹⁷ "Two Plead Guilty to Domestic Terrorist Charges of Conspiring to Attack Military Facilities, Jewish Targets," Department of Justice Press Release, December 14, 2007, <http://nefafoundation.org/miscellaneous/FeaturedDocs/U.S. v James DOJPR GuiltyPleas.pdf>.

¹⁸ "Terror Plot Hatched in California Prison," *ABC News*, August 16, 2005 and Jeremiah Marquez, "Officials Checking Whether Alleged L.A. Plot Linked to Prison Gang," *Associated Press*, August 18, 2005.

¹⁹ Scott Glover, "2 Plead Guilty in Plot to Attack Southland Sites," *Los Angeles Times*, December 15, 2007.

²⁰ Statement of Donald Van Duyn, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, Before the Senate Committee on Homeland Security and Governmental Affairs and Related Agencies, September 19, 2006, http://www.nefafoundation.org/miscellaneous/LA/VanDuynTestimony_09192006.pdf.

²¹ Remarks by Robert S. Mueller, III, Director, Federal Bureau of Investigation, Citizens Crime Commission, James Fox Memorial Lecture, April 26, 2006, http://nefafoundation.org/web/miscellaneous/LA/Mueller_04262006.pdf.

²² Prepared Remarks of Attorney General Alberto R. Gonzales at the California Terrorism Indictment Press Conference, August 31, 2005, <http://www.nefafoundation.org/miscellaneous/LA/AGPressConf.pdf>.

"...they had selected targets. They had chosen dates. They had obtained weapons. They had written down plans. And they were getting very close to actualizing the plot."²³

In December 2007, LAPD Deputy Chief Michael Downing echoed Miller's analysis, commenting, "This cell was closer to going operational at the time than anyone since 9/11."²⁴

The Goal – "To Kill as Many People as Possible"

Levar Washington's plea agreement establishes that the object of the conspiracy "was to kill as many people as possible who were present at the locations" they were targeting.²⁵

The Targets – U.S. Military Facilities in California

A FBI affidavit filed in the case cites an interview with Washington (identified as "co-conspirator 1") who said that "the first group of targets considered...were military recruitment offices in the southern California area. The plan was to attack approximately 10 recruitment offices for which they estimated 30 to 40 casualties."²⁶

Operational Details of the Military Facilities Plot

The FBI affidavit cites an interview with Samana in which he laid out details of the planned attack:

"Samana said that the plan was for co-conspirator #1 to enter the military location selected as the first target, followed by co-conspirator #2 and Samana. All three participants would then begin shooting the people in the military location. The plan was not to become martyrs during this attack, but rather to attack and then flee in a car they drove to the location. Co-conspirator #1 told Samana that they would be 'quiet' about the attack while they planned their next action. In other words, the group would not claim credit for the attack."²⁷

According to the affidavit, the men also "evaluated whether a bomb would be feasible or whether it would be better to use rifles and inflict as many casualties as possible."²⁸

Researching/Conducting Surveillance on U.S. Military Facilities

When law enforcement searched the residence shared by Washington and Patterson they found a two-page handwritten document titled "Modes of Attack," drafted by Samana.²⁹

²³ Transcript of Interview with John Miller, "The Enemy Within," *PBS Frontline*.

²⁴ Scott Glover, "2 Plead Guilty in Plot to Attack Southland Sites," *Los Angeles Times*, December 15, 2007.

²⁵ U.S. v. James, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Levar Washington – Attachment A, Filed December 14, 2007.

²⁶ U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005.

²⁷ U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005.

²⁸ U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005.

Modes of Attack.

* Options --

already discussed < - LAX
- Consulate of Zion 6380 Wilshire Blvd Suite 1700 LA
(323) 852-5500
- Military Targets
Army Natl Guard - 1300 Federal Ave, LA 90025
Military Dept. - 11301 Wilshire Blvd Ste 212, LA 90073
Army -

Army Recruiting Centers throughout the county.

Under the heading "Options", the document listed: "LAX" and the "Consulate of Zion," along with the address of the Israeli Consulate. Under the same heading, Samana wrote "Military Targets" and listed two addresses, both of which are active or reserve United States military offices. Then, under the heading "Army Recruiting Centers throughout the county," Samana listed ten addresses.³⁰ A FBI affidavit notes that "a check of these addresses revealed that all were, or had been, United States military recruiting stations in Los Angeles County." Additionally, under the heading "Army Ball," Samana noted an address and a specific date. The FBI concluded that "the United States Army Ball was to take place at that location but one month prior."³¹ Finally, Samana wrote more addresses under the heading "Military base in Manhattan Beach" and scrawled "camp site of Zion."³²

Samana told investigators that he used his home computer to research military targets in the area that were provided by Washington. An analysis of Samana's computer confirmed these claims as, according to court filings:

- "Samana's computer was used to map seven addresses which appeared on the 'Modes of Attack' document."
- "Samana's computer was used to visit a site which contained information regarding the details about the Army Ball..."
- "Samana's computer was used to conduct a search for various military recruiting centers on 'citysearch.com.'"³³

The indictment adds that members of the group "conduct[ed] surveillance of United States military facilities...in the Los Angeles area..."³⁴

²⁹ U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005.

³⁰ U.S. v. James, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Levar Washington – Attachment A, Filed December 14, 2007 and U.S. v. James, (C.D. CA.), No. 05-CR-214, Exhibit: "Modes of Attack", Filed December 14, 2007.

³¹ U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005.

³² U.S. v. James, (C.D. CA.), No. 05-CR-214, Exhibit: "Modes of Attack", Filed December 14, 2007.

³³ U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005.

The Targets – Israeli Government Facilities in California

According to the indictment, the group sought "to kill Israeli officials" by targeting the Israeli Consulate in Los Angeles and El Al, the national airline of Israel located at Los Angeles International Airport (LAX).³⁵

Researching/Conducting Surveillance on Israeli Government Facilities

The indictment notes that "members of the conspiracy...conduct[ed] surveillance of Government of Israel faculties in the Los Angeles area."³⁶

Supplementing that assertion, the indictment alleges that Patterson used the Internet to gather information on El Al, as well as on the Israeli consulate in Los Angeles. Samana also conducted Internet research on the Israeli Consulate, "including the identity of specific Israeli officials."³⁷ Moreover, as noted above, the "Modes of Attack" document seized in the search of Washington/Patterson's residence included addresses of Israeli government targets.³⁸

Notably, Patterson spent several months working at a duty-free shop at LAX prior to his arrest.³⁹ Kevin James' plea agreement states that "in March 2005, defendant wrote a letter to Washington telling him that Patterson should keep his job at Los Angeles International Airport..."⁴⁰ (Similarly, Russell Defreitas, charged in June 2007 with plotting to attack JFK Airport in New York, worked at JFK and claimed he "had conducted multiple tests of the security" there.⁴¹)

The Targets – Synagogues in California

As Washington acknowledges in his plea agreement, the group planned "to attack synagogues in the Los Angeles area on Jewish holidays to increase the number of victims."⁴²

Researching/Conducting Surveillance on Synagogues

The indictment documents that members of the conspiracy "conduct[ed] surveillance of synagogues in the Los Angeles area in preparation to kill Jewish persons."⁴³

Patterson conducted Internet research on "Jewish events" taking place in Los Angeles during July/August, as well as during the October 2005 Yom Kippur holiday.⁴⁴

³⁴ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005.

³⁵ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005.

³⁶ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005.

³⁷ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005.

³⁸ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005.

³⁹ Amy Argetsinger and Dan Eggen, "L.A. Holdups Linked to Islamic Group, Possible Terrorist Plot," *The Washington Post*, August 17, 2005.

⁴⁰ U.S. v. James, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Kevin James - Attachment A, Filed December 14, 2007.

⁴¹ U.S. v. Defreitas, (E.D. N.Y.), Complaint, Filed June 1, 2007.

⁴² U.S. v. James, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Levar Washington - Attachment A, Filed December 14, 2007.

⁴³ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005.

⁴⁴ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005.

Selecting Dates to Launch the Attacks

According to FBI Director Robert Mueller, the men planned "to attack the military recruiting stations on September 11, 2005, and then attack the synagogues on Yom Kippur."⁴⁵

Procuring Weapons

The FBI affidavit reveals that Patterson bought a .223 caliber rifle that was to be picked up on July 10, 2005. That rifle, along with a shotgun Washington possessed, "were going to be used in the attacks."⁴⁶

Training for the Attacks

In preparation for the attacks, members of the conspiracy "engage[d] in firearms training and physical training."⁴⁷ The FBI affidavit reports that on July 4, 2005, Samana, Washington, and Patterson "each conducted target shooting at a park in Los Angeles, with a gun Samana described as having a pistol-grip and a pump action."⁴⁸ Washington's plea agreement identifies that location as Kenneth Hahn Park.⁴⁹

Willingness to "Die for Allah"

While the men did not plan to martyr themselves during the initial attack on a military facility, Patterson told authorities "the ultimate goal is to die for Allah in a jihad."⁵⁰ Similarly, Washington pledged "his loyalty [to James] until death by martyrdom."⁵¹ Additionally, Washington acknowledged in an interview that "the council accepted the possibility that they could die carrying out the operations."⁵²

Plans to Take Credit for the Attacks

Kevin James authored a document titled the "Notoriety Moves," which included a proposed statement to the media in the wake of JIS attacks.

*A legitimate reason to fear for their safety. We are NOT
EXTREMIST, Radicals or Terrorist. We ARE ONLY SERVANTS of Allah
and lovers of the Sunnah, ~~our~~ actions will gladly be
corrected with proof from Islamic sources. Any one mentioned*

⁴⁵ Remarks by Robert S. Mueller, III, Director, Federal Bureau of Investigation, Citizens Crime Commission, James Fox Memorial Lecture, April 26, 2006, http://nefafoundation.org/web/miscellaneous/LA/Mueller_04262006.pdf.

⁴⁶ U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005.

⁴⁷ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005.

⁴⁸ U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005.

⁴⁹ U.S. v. James, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Levar Washington – Attachment A, Filed December 14, 2007.

⁵⁰ U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005.

⁵¹ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005.

⁵² U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005.

James wrote: "On missions that are done for leaving impressions the following letter will be left behind and if 187's [a reference to California's homicide statute] are involved a video tape with one of our spokesman wrapped [sic] in a turban will recite this letter and be sent to all major news stations." The text of the letter follows:

"This incident is the first in a series of incidents to come in a plight to defend and propagate traditional Islam in its purity. We advise those sincere believers in Allah and followers of the Sunnah of his Messenger to teach their children the importance of staying within the bounds of the Shariah because if you as parents won't enforce [sic] it, the community will. We also advise those sincere Muslims...to abstain from socializing and or aiding the following targets of Jama'at Islami As-Sahih:

- * The so-called Nation of Islam and its idol worshipping supporters of Farrakhan.
- * The so-called "American-Muslims" or those who follow Warith D. Muhammed's transgression against traditional Islam and the Sunnah (Hadith) of the Messenger of Allah (saw).
- * Those so-called Muslims who trash the four schools of Islamic law and qualified scholarship in Islam.
- * Those so-called Muslims labelled [sic] Shi'i, and supporters of the infidel state of Iran.
- * Those so-called Muslims who believe it permissible to join or support the American Army (military) in any way.
- * Those so-called Muslims who are employees of non-Islamic government institutions that are blatantly in opposition to the laws and religion of Islam.
- * Those Jewish and non-Jewish supporters of an Israeli state.

All who fall under the previously mention has [sic] a legitimate reason to fear for their safety. We are not extremists, radicals, or terrorists. We are only servants of Allah and lovers of the Sunnah, our actions will gladly be corrected with proof from Islamic sources . . . Once again, I advised [sic] the masajid of America to hire or seek qualified imams to govern over your Islamic centers and restore Islamic Shariah to your areas. If by doing this you come into opposition from local law enforcement then know that it's time for you to migrate. Allahu Alim!

Jama'at Islami As-Sahih"⁵³

Financing the Plot – Armed Gas Station Robberies

Beginning on May 30, 2005, Washington, Patterson, and Samara (in different combinations) utilized a shotgun to carry out 11 armed gas station robberies throughout Southern California, including in Los Angeles, Torrance, Playa Del Ray, Bellflower, Pico Rivera, Walnut, Orange, Playa Vista and Fullerton.⁵⁴ The FBI has directly linked the funds derived in these robberies with Patterson's purchase of the .223 caliber rifle.⁵⁵

⁵³ U.S. v. James, (C.D. CA.), No. 05-CR-214, Exhibit: "Notoriety Moves", Filed December 14, 2007.

⁵⁴ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005.

⁵⁵ U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005.

The FBI affidavit notes that when interviewed by law enforcement, Patterson argued that "the gas station robberies...were part of a jihad against the U.S., particularly against American oil companies who are stealing from 'our countries,' i.e., Muslim countries."⁵⁶

Washington's plea agreement establishes that the robberies were Washington's idea.⁵⁷

Additional Information – Motivations for the Attack

A FBI affidavit, citing an interview with Washington, claims that the men assembled "to respond to the oppression of Muslims in Iraq and Afghanistan by the U.S. military."⁵⁸ James' plea agreement says that the conspiracy was driven by a desire to retaliate "for the policies of the United States and Israeli governments toward Muslims throughout the world."⁵⁹

When questioned by law enforcement, Samana revealed that he first began talking with Washington and Patterson about the Iraq War and Guantanamo Bay. The FBI affidavit states that Washington believed that something had to "be done to punish the United States" and "Samana agreed..."⁶⁰

Moreover, according to an individual Washington attempted to recruit, Washington "really believed that the Muslim world is majorly oppressed right now...and their only way out is to fight jihad by harming innocent people."⁶¹

Additional Information - Searches of Washington & Patterson's Residence

According to court filings and media reports, in addition to discovering the "Modes of Attack" document, authorities seized shotgun shells, a shotgun shell carrier "for quick reloading," knives, three tactical military vests, an Usama Bin Laden poster, and camouflaged clothing, including a ski mask.⁶²

Additional Information – Washington's Leadership Role

While federal prosecutors have identified James as the leader of the conspiracy, Washington also played a central role. Court documents disclose that during an interview with law enforcement, Washington admitted that he "was the leader of a... 'council' of Muslims who had planned to carry out two operations in the Los Angeles area as part of 'jihad' against the United States." Washington's council "typically met twice a week."⁶³

⁵⁶ U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005.

⁵⁷ U.S. v. James, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Levar Washington – Attachment A, Filed December 14, 2007.

⁵⁸ "Terror Plot Hatched in California Prison," *ABC News*, August 16, 2005

⁵⁹ U.S. v. James, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Kevin James – Attachment A, Filed December 14, 2007.

⁶⁰ U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005.

⁶¹ "Terror Plot Hatched in California Prison," *ABC News*, August 16, 2005

⁶² U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005 and Rob Harris, "Kevin James and the JIS Conspiracy," *PBS Frontline*.

⁶³ U.S. v. Samana, (C.D. CA.), No. 05-16662M, Affidavit of FBI Special Agent James Clinton Judd, Filed August 2, 2005

According to the indictment, Washington "attempt[ed] to recruit others to join the conspiracy..." on at least two separate occasions.⁶⁴ Kevin James' plea agreement reveals that "between December 2004 and July 5, 2005," James "wrote letters to Washington advising him on how to recruit new members for JIS and instructing Washington to take Patterson to a mosque in San Diego to look for new recruits."⁶⁵ One individual whom Washington tried to recruit told ABC News that Washington "regarded Osama bin Laden very highly."⁶⁶

Moreover, James' plea agreement notes that in June 2005, James "sent Washington a letter saying that defendant was sending Washington a 'young comrade' who was a 'walking martyr.' Defendant told Washington to place the recruit 'under your command' and that 'global plight' would be 'his focus.'"⁶⁷

Additional Information – Kevin James and JIS

James authored and disseminated an 104-page manifesto, titled the "JIS Protocol," which calls for the creation of a Islamic caliphate in America. In James' view, "Muslims must be allowed to govern themselves by Shariah and if not we are being oppressed...yet we must wage the educational as well as the Organizational War or Jihad." James argued that "Jihad [is] the only true 'anti-terrorist action'[,] a defensive battle against the aggression of theological impostors led by Zionism."⁶⁸



Displaying a fanatical hatred of non-Muslims, James wrote that the "faithful mujahid are strictly forbidden to obey Kafirs or disbelievers, in fact they are commanded by Allah to battle against disbelievers...utilizing most strenuous effort." James warned that JIS would "sit back, build and attack!!! Our obvious targets being the Western forces of the US and their Kufr [sic] society, Russia, Serbia, Brittain [sic] and Isreal [sic]." James added that "we are not concerned with the numbers of recruits to this movement, which was a mistake of many before us that led to the many degrees of compromise and infiltration, nor are we concerned with the lost [sic] of life in the pursuit of our objectives; for martyrdom Fee Sabil Allah is automatic paradise."⁶⁹

⁶⁴ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005.

⁶⁵ U.S. v. James, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Kevin James – Attachment A, Filed December 14, 2007.

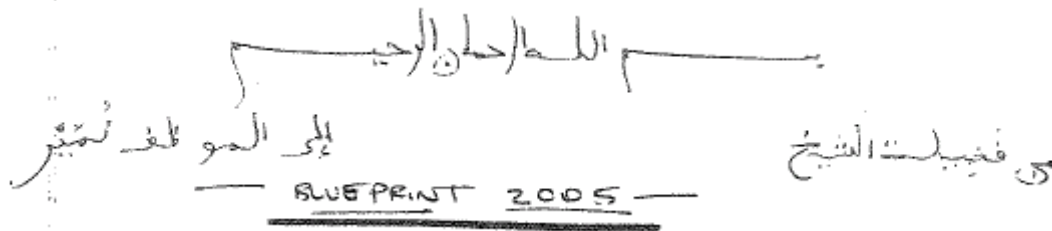
⁶⁶ "Terror Plot Hatched in California Prison," *ABC News*, August 16, 2005

⁶⁷ U.S. v. James, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Kevin James – Attachment A, Filed December 14, 2007.

⁶⁸ U.S. v. James, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Kevin James – Attachment A, Filed December 14, 2007.

⁶⁹ U.S. v. James, (C.D. CA.), No. 05-CR-214, Exhibit: "JIS Protocol," Filed December 14, 2007.

In the "JIS Protocol", operational security was of critical importance to James, for he established that "clandestine movement of our group must be safeguarded..."⁷⁰ James demanded that JIS members swear obedience to him and contact him at least once every ninety days.⁷¹ Perhaps to evaluate their trustworthiness, James sent visitor slips to Levar Washington in spring 2005 so that Patterson and Samana could visit him in prison.⁷² Court filings note that James even "required prospective JIS members to...swear not to disclose the existence of JIS."⁷³ Additionally, James wrote Washington a letter stating, "Be careful Akhi [brother], there are agents everywhere looking for Al-Qaida recruiters or any other threat to national security. This is another reason why I haven't commended any of our members already out there to move forward. Their work must remain totally charitable and educational. Your squad will be engaged on all levels."⁷⁴



In addition to authoring the "JIS Protocol," James wrote a document titled "Blueprint 2005," in which he counseled JIS members to "endure and be more patient (than your enemy)." In the "Blueprint," he laid out a number of steps JIS members must take once they join the organization. James counseled that they should "learn Arabic" and "acquire a steady job that does not interfere with learning Arabic." To "become legitimate," members must "acquire identification, drivers license, work/school, keep regular contact with your parole agent, attempt to remove your tatoos [sic] and monitor your look. Your dress code must not bring attention...casual dress so as not to arouse 'extremist suspicion.'" ⁷⁵ Significantly, an Al-Qaida manual, seized in a raid in England, advises operatives that they should "have a general appearance that does not indicate Islamic orientation (beard, toothpick, book, (long) shirt, small Koran)." The manual adds, "Be careful not to mention the brothers' common expressions or show their behaviors (special praying appearance, 'may Allah reward you', 'peace be on you' while arriving and departing, etc.)." Operatives are further urged to "avoid visiting famous Islamic places (mosques, libraries, Islamic fairs, etc)." ⁷⁶

⁷⁰ U.S. v. James, (C.D. CA.), No. 05-CR-214, Exhibit: "JIS Protocol," Filed December 14, 2007.

⁷¹ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005. Note: In a letter to *PBS Frontline*, James distanced himself from JIS, stating, "I didn't found any radical Islamic group, J.I.S. is a name used by prison Sunni's to distinguish themselves from the N.O.I. [Nation of Islam], Shi'ites and other sects." See: Rob Harris, "Kevin James and the JIS Conspiracy," *PBS Frontline*.

⁷² U.S. v. James, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Kevin James – Attachment A, Filed December 14, 2007.

⁷³ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005.

⁷⁴ U.S. v. James, (C.D. CA.), No. 05-CR-214, Plea Agreement for Defendant Kevin James – Attachment A, Filed December 14, 2007.

⁷⁵ U.S. v. James, (C.D. CA.), No. 05-CR-214, Exhibit: "Blueprint 2005," Filed December 14, 2007.

⁷⁶ Al Qaeda Training Manual, <http://www.nefafoundation.org/miscellaneous/PATH/AQManual.pdf>.

Despite concerns about detection, James was eager to expand JIS' reach. The indictment points out that he "sought to establish groups or 'cells' of JIS members outside of prison which could carry out violent attacks against perceived infidels, including the United States Government, the Government of Israel, and Jewish persons."⁷⁷

Notably, in a media interview, LAPD Deputy Chief of Counterterrorism Mark Leap admitted that JIS was "below the radar screen when it comes to prison intelligence. Prison intelligence was focused on violent groups such as the Aryan Brotherhood or the Black Guerilla Family or the Mexican Mafia."⁷⁸

Additional Information – Prison Radicalization

Counterterrorism officials have consistently expressed concerns about radicalization in the prison system. For example, in February 2005 testimony before the Senate Intelligence Committee, FBI Director Robert Mueller said,

"As part of our continued efforts to identify populations that may be a target for extremist recruitment, the FBI has been involved in a coordinated effort between law enforcement and corrections personnel to combat the recruitment and radicalization of prison inmates. Prisons continue to be fertile ground for extremists who exploit both a prisoner's conversion to Islam while still in prison, as well as their socio-economic status and placement in the community upon their release."⁷⁹

Moreover, FBI agents throughout the country have been directed to conduct threat assessments in order to "assess and disrupt the recruitment and conversion of inmates to radicalized ideologies which advocate violence," according to a letter from the FBI's Los Angeles office that was cited in press reports.⁸⁰

And in September 2006 testimony before the Senate Homeland Security and Governmental Affairs Committee, Donald Van Duyn, the Deputy Assistant Director of the FBI's Counterterrorism Division, provided extensive details on prison radicalization, which he labeled an "ongoing concern."⁸¹ According to Van Duyn,

"prison radicalization primarily occurs through anti-U.S. sermons provided by contract, volunteer, or staff imams, radicalized inmates who gain religious influence, and extremist media. Ideologies that radicalized inmates appear most often to embrace include or are influenced by the Salafi form of Sunni Islam (including revisionist versions commonly known

⁷⁷ U.S. v. James, (C.D. CA.), No. 05-CR-214, Indictment, Filed August 31, 2005.

⁷⁸ Rob Harris, "Kevin James and the JIS Conspiracy," *PBS Frontline*.

⁷⁹ Testimony of Robert S. Mueller, III, Director, Federal Bureau of Investigation, Before the Senate Committee on Intelligence of the United States Senate, February 16, 2005, http://www.nefafoundation.org/miscellaneous/LA/MuellerTestimony_02162005.pdf.

⁸⁰ Don Thompson, "FBI Will Do 'Threat Assessment' of Nation's Prisons," *Associated Press*, August 31, 2005.

⁸¹ Testimony of Donald Van Duyn, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, Before the Senate Committee on Homeland Security and Governmental Affairs and Related Agencies, September 19, 2006, http://www.nefafoundation.org/miscellaneous/LA/VanDuynTestimony_09192006.pdf.

as "prison Islam") and an extremist view of Shia Islam similar to that of the government of Iran and Lebanese Hizballah."⁸²

Elaborating on the role played by radical imams, Van Duyn stated,

"Particularly for Muslim converts, but also for those born into Islam, an extremist imam can strongly influence individual belief systems by speaking from a position of authority on religious issues. Extremist imams have the potential to influence vulnerable followers at various locations of opportunity; can spot and assess individuals who respond to their messages; and can potentially guide them into increasingly extremist circles."⁸³

Van Duyn asserted that "the majority" of inmates who are targeted by these imams "are minority group members." Van Duyn noted, "these radicalized inmates either feel discriminated against in the United States or feel that the United States oppresses minorities and Muslims overseas. The feeling of perceived oppression, combined with their limited knowledge of Islam, especially for the converts, makes this a vulnerable population for extremists looking to radicalize and recruit."⁸⁴

Finally, Van Duyn identified a number of trends that emerged from a survey of approximately 3,000 state and local correctional facilities:

- "Most cases of prison radicalization and recruitment appear to be originated by domestic extremists with few or no foreign connections."
- "Some radicalized Islamic inmates are current or former members of street or prison gangs, indicating an emerging 'crossover' trend from gang member to Islamist extremist."
- "Radicalization activity levels appear to be higher in high population areas on the West Coast and in the northeastern United States."⁸⁵

Presenting still more information of the prison radicalization process, Richard Falkenrath, New York Police Department Deputy Commissioner for Counterterrorism,

⁸² Testimony of Donald Van Duyn, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, Before the Senate Committee on Homeland Security and Governmental Affairs and Related Agencies, September 19, 2006, http://www.nefafoundation.org/miscellaneous/LA/VanDuynTestimony_09192006.pdf.

⁸³ Testimony of Donald Van Duyn, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, Before the Senate Committee on Homeland Security and Governmental Affairs and Related Agencies, September 19, 2006, http://www.nefafoundation.org/miscellaneous/LA/VanDuynTestimony_09192006.pdf.

⁸⁴ Testimony of Donald Van Duyn, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, Before the Senate Committee on Homeland Security and Governmental Affairs and Related Agencies, September 19, 2006, http://www.nefafoundation.org/miscellaneous/LA/VanDuynTestimony_09192006.pdf.

⁸⁵ Testimony of Donald Van Duyn, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, Before the Senate Committee on Homeland Security and Governmental Affairs and Related Agencies, September 19, 2006, http://www.nefafoundation.org/miscellaneous/LA/VanDuynTestimony_09192006.pdf.

told a September 2006 Senate hearing that "an imam/mosque network...guides recent parolees to particular mosques for employment, temporary housing and for some – international travel to the Middle East or South Asia for further indoctrination."⁸⁶

Additional Information – Financing Terrorism Through Crime

As authorities have clamped down on traditional financing pipelines, such as charitable front groups, and as terrorist networks have grown more and more decentralized, terrorists have increasingly turned to criminal activities to finance their operations locally. Throughout the world, Al-Qaida,⁸⁷ Hamas, and Hezbollah operatives have involved themselves in an array of criminal enterprises, including counterfeiting, drug dealing, cigarette smuggling, credit card fraud, auto theft, and kidnapping.

Mirroring the activities of the L.A. cell, a number of terrorists have carried out robberies to fund their activities. For example, in the mid-1990's, a group with ties to the Armed Islamic Group (GIA), dubbed the Roubaix Gang, targeted supermarkets, banks, and armored cars. In March 1996, members of the gang attempted to bomb the G-7 meeting in Lille, France; fortuitously, the car bomb was defused before it could detonate.⁸⁸ Further, in March 2004, Moroccan Islamic Combatant Group (GICM) operatives in Paris worked with Hassan Baouchi to steal more than \$1.2 million. Baouchi, who restocked ATMs for a security company, claimed that masked robbers had forced him to open six different ATMs and then vanished. French authorities eventually saw through Baouchi's deception and arrested him for theft.⁸⁹ A terrorist arrested in Algeria possessed \$40,000 of the money Baouchi stole.⁹⁰

According to press reports, terrorist involvement in criminal activity has been greatly facilitated by increased cooperation with organized criminal networks. As Robert Charles, formerly the State Department's Assistant Secretary of State for International Narcotics and Law Enforcement Affairs (INL) under Secretaries Colin Powell and Condoleezza Rice, assessed, "transnational crime is converging with the terrorist world."⁹¹ The head of the United Nations Office on Drugs and Crime, Antonio Maria Costa, has echoed Charles' analysis, noting "the world is seeing the birth of a new hybrid of organized-crime-terrorist organizations."⁹² In the years to come, the crime-terror nexus will likely be further strengthened due to the spread of radical Islam in prison.

⁸⁶ Testimony of Richard Falkenrath, Deputy Commissioner for Counterterrorism, New York Police Department, Before the Senate Committee on Homeland Security and Governmental Affairs, September 12, 2006,

http://www.nefafoundation.org/miscellaneous/LA/FalkenrathTestimony_09122006.pdf.

⁸⁷ In February 2002, Dennis Lormel, Chief of the FBI's Financial Crimes Section, testified before Congress that "Al Qaeda has been known to encourage and instruct terrorist cells in terrorist training camps in Afghanistan in ways they can fund their terrorist activities through various criminal activity." See: Testimony of Dennis Lormel, Chief, Financial Crimes Section, Federal Bureau of Investigation, Before the House Committee on Financial Services, Subcommittee on Oversight and Investigations, February 12, 2002,

http://www.nefafoundation.org/miscellaneous/LA/LormelTestimony_02122002.pdf.

⁸⁸ Hal Bemton, Mike Carter, David Heath, and James Neff, "The Terrorist Within," *The Seattle Times*, June 23-July 7, 2002.

⁸⁹ David Kaplan, "Paying for Terror," *U.S. News and World Report*, November 27, 2005.

⁹⁰ Sebastian Rotella, "French Study Finds Rise in Islamic Extremism," *The Los Angeles Times*, December 4, 2005.

⁹¹ David Kaplan, "Paying for Terror," *U.S. News and World Report*, November 27, 2005.

⁹² David Kaplan, "Paying for Terror," *U.S. News and World Report*, November 27, 2005.

Although criminality is outlawed under Islamic law, the Al-Qaida manual advises that "necessity permits the forbidden."⁹³ Reflecting this theory, when Jemaah Islamiyah (JI) operatives questioned whether hacking into foreigners' bank accounts was acceptable in Islam, JI leader Abu Bakr Bashir reportedly responded, "[if] you can take their blood; then why not take their property?"⁹⁴

Additional Information – Other Plots Targeting Military Facilities in the U.S.

Since 9/11, other indicted terrorists have considered launching attacks against military facilities in the U.S. Most notably, in May 2007, authorities indicted six men who were allegedly plotting to attack the Fort Dix Army base in New Jersey. A court filing states that one of the suspects "explained that they could utilize six or seven jihadists to attack and kill at least one hundred soldiers by using rocket-propelled grenades ("RPGs") or other weapons." In a separate conversation, the same suspect declared, "my intent is to hit a heavy concentration of soldiers..." The men considered Fort Dix an appealing target because one of the suspects, Serdar Tatar, had delivered pizzas there and thus knew "it like the palm of his hand."⁹⁵

Court filings allege that the group also conducted surveillance of Fort Monmouth (N.J.), Lakehurst Naval Station (N.J.), Dover Air Force Base (DE), and the U.S. Coast Guard Building in Philadelphia. The men even discussed attacking the Army-Navy football game and American warships that were docking in the Port of Philadelphia.⁹⁶

Additionally, on July 19, 2006, Syed Harris Ahmed, a naturalized U.S. citizen studying at Georgia Tech University, and Ehsanul Islam Sadequee, a U.S. citizen,⁹⁷ were indicted in Georgia for conspiring to provide material support to terrorists.⁹⁸ In March 2005, Ahmed and Sadequee traveled to Toronto "to meet with like-minded Islamic extremists,"⁹⁹ who were charged in June 2006 with "planning to commit a series of terrorist attacks against...Canadian targets in southern Ontario."¹⁰⁰

During interviews with FBI agents, Ahmed admitted that while in Canada the men "discussed strategic locations in the United States suitable for a terrorist strike, to include oil refineries and military bases."¹⁰¹ The indictment notes that after returning from Canada, Ahmed and Sadequee specifically talked about "the possibility of attacking Dobbins Air Reserve Base in Marietta, Georgia."¹⁰²

⁹³ "The Al Qaeda Manual," <http://www.nefafoundation.org/miscellaneous/LA/AQManual1.pdf> and <http://www.nefafoundation.org/miscellaneous/LA/AQManual2.pdf>.

⁹⁴ David Kaplan, "Paying for Terror," *U.S. News and World Report*, November 27, 2005.

⁹⁵ U.S. v. Duka, (D. N.J.), No. 07-M-2046(JS), Complaint, Filed May 7, 2007.

⁹⁶ U.S. v. Duka, (D. N.J.), No. 07-M-2046(JS), Complaint, Filed May 7, 2007.

⁹⁷ Bill Torpy, "Tech Student Charged with Supporting Terror Group," *The Atlanta Journal-Constitution*, April 20, 2006.

⁹⁸ U.S. v. Ahmed, (N.D. GA.), No. 1:06-CR-147-CC, Indictment, Filed July 19, 2006.

⁹⁹ U.S. v. Sadequee, (E.D. N.Y.), No. M-06-335, Affidavit of FBI Special Agent Michael Scherck in Support of Arrest Warrant, Filed March 28, 2006.

¹⁰⁰ Transcript of Press Conference Featuring RCMP Assistant Commissioner Mike McDonnell, June 3, 2006, <http://www.nefafoundation.org/miscellaneous/LA/RCMPNewsConference.pdf>. Note: Press reports have identified two of those individuals as Fahim Ahmad and Jahmaal James. See: Doug Struck, "School Ties Link Alleged Plotters," *The Washington Post*, June 11, 2006.

¹⁰¹ U.S. v. Sadequee, (E.D. N.Y.), No. M-06-335, Affidavit of FBI Special Agent Michael Scherck in Support of Arrest Warrant, Filed March 28, 2006.

¹⁰² U.S. v. Ahmed, (N.D. GA.), No. 1:06-CR-147-CC, Indictment, Filed July 19, 2006.

Finally, prosecutors have alleged that Derrick Shareef, who pled guilty in November 2007 to planning a grenade attack on an Illinois mall,¹⁰³ and Hassaan Abujihaad, a former Navy sailor indicted in March 2007 on terrorism and espionage charges,¹⁰⁴ considered attacking U.S. military targets. According to Shareef, "in or about 2003," they discussed attacking a U.S. military recruiting station in a Phoenix mall. At Abujihaad's direction, Shareef visited the recruiting station, where he took the Armed Services Vocational Aptitude Battery test. Sharing his observations with Abujihaad, Shareef noted that recruiters from all four branches of the armed services were present, and that they "were very relaxed and...appeared to be unarmed." The men then pointed out that a recruiting station was an appealing target because "you could go in with a gun or a grenade and get them all at once."¹⁰⁵

The following year, Abujihaad allegedly developed a plan to attack U.S. military facilities in or near San Diego, California. Shareef told a government informant that "Abujihaad's plan called for diversionary fire that would draw soldiers from their barracks after which pre-positioned attackers would shoot the soldiers as they left their barracks."¹⁰⁶

Additional Information – A Model of Inter-Agency Cooperation

As Torrance, California police chief John Neu told the U.S. Congress, the JIS investigation is a model "of information sharing and investigation," as the probe involved approximately 500 law enforcement officers from twenty-five federal, state, and local agencies.¹⁰⁷ Echoing Neu's remarks, U.S. Attorney Debra Wong Yang of the Central District of California said, "This case demonstrates the value of the Joint Terrorism Task Force. Diligent work by the local police led to the disruption of a terrorist plot that had the potential to cause significant bloodshed. They reported their findings to the FBI and all levels of law enforcement worked together to protect the United States and her people."¹⁰⁸

¹⁰³ "Rockford Man Pleads Guilty in Foiled Plan to Set Off Grenades in Rockford Shopping Mall," Department of Justice Press Release, November 28, 2007,

[http://nefafoundation.org/miscellaneous/FeaturedDocs/U.S. v Shareef DOJPR GuiltyPlea.pdf](http://nefafoundation.org/miscellaneous/FeaturedDocs/U.S._v_Shareef_DOJPR_GuiltyPlea.pdf).

¹⁰⁴ U.S. v. Abujihaad, (D.C. CT.), No. 3:07-CR-57, Indictment, Filed March 21, 2007.

¹⁰⁵ U.S. v. Abujihaad, (D.C. CT.), No. 3:07-CR-57, Motion in Limine and Memorandum in Support of the Admission of Evidence Pursuant to Federal Rules of Evidence 801(d)(2)(E) and 801(d)(2)(A), Filed October 19, 2007.

¹⁰⁶ U.S. v. Abujihaad, (D.C. CT.), No. 3:07-CR-57, Motion in Limine and Memorandum in Support of the Admission of Evidence Pursuant to Federal Rules of Evidence 801(d)(2)(E) and 801(d)(2)(A), Filed October 19, 2007.

¹⁰⁷ Testimony of John Neu, Chief of Police, Torrance, California, Before the House Committee on Homeland Security's Subcommittee on Intelligence, Information Sharing and Risk Assessment, April 5, 2007, http://www.nefafoundation.org/miscellaneous/LA/NeuTestimony_05052007.pdf and Crystal Carreon, "Prison Link in Terror Charges," *The Sacramento Bee*, September 1, 2005.

¹⁰⁸ "Four Men Indicted on Terrorism Charges Related to Conspiracy to Attack Military Facilities, Other Targets," Department of Justice Press Release, August 31, 2005, http://www.nefafoundation.org/miscellaneous/LA/DOJPR_Indictment.pdf.