

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS
(Topeka Docket)

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN T. BOOKER, JR.,
a/k/a "Mohammed Abdullah Hassan,"

Defendant.

Case Number: 15-mj-5039-KGS

CRIMINAL COMPLAINT

(U) I, Federal Bureau of Investigation Task Force Officer Mark P. Engholm, being duly sworn, state the following is true and correct to the best of my knowledge and belief, and establishes probable cause that the following offenses have been committed:

COUNT 1

On or about April 10, 2015, in the District of Kansas and elsewhere, the defendant,

JOHN T. BOOKER, JR.,
a/k/a "Mohammed Abdullah Hassan,"

attempted, without lawful authority, to use a weapon of mass destruction, namely a destructive device as defined by Title 18, United States Code, Section 921, against property that is owned, leased, and used by a department and agency of the United States, that is: Fort Riley,

an active duty United States Army Installation located between Junction City and Manhattan, Kansas.

All in violation of Title 18, United States Code, Section 2332a(a)(3).

COUNT 2

On or about April 10, 2015, in the District of Kansas and elsewhere, the defendant,

JOHN T. BOOKER, JR.,
a/k/a "Mohammed Abdullah Hassan,"

attempted to maliciously damage and destroy, by means of fire and explosives, buildings, vehicles, and other personal and real property in whole or in part owned and possessed by, and leased to, the United States and departments and agencies thereof.

All in violation of Title 18, United States Code, Section 844(f)(1).

COUNT 3

On or between March 10, 2015 and April 10, 2015, in the District of Kansas and elsewhere, the defendant,

JOHN T. BOOKER, JR.,
a/k/a "Mohammed Abdullah Hassan,"

knowingly attempted to provide material support and resources, as that term is defined in Title 18, United States Code, Section 2339A(b), including property, services, and personnel, including himself, to a foreign terrorist organization, namely, the Islamic State of Iraq and the Levant ("ISIL"), knowing that the organization was a designated terrorist organization, and that the organization engages in and has engaged in and was engaging in terrorist activity and terrorism.

All in violation of Title 18, United States Code, Section 2339B(a).

The following facts were made known to me by personal observation or from information I received from other law enforcement officers, and/or from other individuals and does not contain all facts known to me, but only those facts sufficient to establish probable cause. Furthermore, statements of others, including those attributed to John T. Booker, Jr., are set forth in substance and in part:¹

1. I serve as a Federal Bureau of Investigation (FBI) Task Force Officer and a Technical Trooper with the Kansas Highway Patrol. I have served as a law enforcement officer since February of 1994, attending both the Kansas Law Enforcement Training Center and the Kansas Highway Patrol Academy. I am currently assigned to the FBI Joint Terrorism Task Force at the Topeka, Kansas, Resident Agency, Kansas City Division. As a Task Force Officer, I hold deputation as a Special Deputy U.S. Marshal pursuant to Title 28, I am authorized to investigate violations of the laws of the United States, and I am a law enforcement officer with authority to execute arrest, search, and seizure warrants under the authority of the United States. I have participated in a variety of criminal investigations, to include homicide, narcotic trafficking, crimes against children, counterterrorism, and other violent and non-violent crimes. Additionally, I have participated in the preparation and/or execution of many search, arrest, and seizure warrants.

Background

2. On October 15, 2004, the United States Secretary of State designated al Qa'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

¹ Where quotes are used herein, affiant is relying on preliminary transcripts.

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 a FTO under Section 219 of the Immigration and Nationality Act 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 ISIL listing: the Islamic State of Iraq and al Sham (“ISIS”), 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. To date, ISIL remains a designated FTO.

3. John T. Booker, Jr., a/k/a “Mohammed Abdullah Hassan,” (“Booker”) is a 20-year-old United States citizen who is currently living in Topeka, Kansas. In or around February 2014, Booker had been recruited by the United States Army in Kansas City, Missouri, and he was scheduled to report for Basic Training on April 7, 2014.
4. On March 15, 2014, Booker publicly posted on Facebook: “I will soon be leaving you forever so goodbye! I’m going to wage jihad and hopes that i die.” On March 19, 2014, Booker publically posted on Facebook: “Getting ready to be killed in jihad is a HUGE adrenaline rush!! I am so nervous. NOT because I’m scared to die but I am eager to meet my lord.” That same day, the FBI became aware of Booker’s postings based on a citizen’s complaint. The FBI was able to identify Booker based on the publically available content on his Facebook account. On March 20, 2014, Booker was interviewed by FBI agents related to his Facebook postings. After being advised of and waiving his Miranda rights, Booker admitted that he enlisted in the United States Army with the intent to commit an insider attack against American soldiers like Major Nidal Hassan had done at Fort Hood, Texas. Booker

stated that if he went overseas and was told to kill a fellow Muslim, he would rather turn around and shoot the person giving orders. Booker stated that he formulated several plans for committing jihad once enlisted, including firing at other soldiers while at basic training at the firing range or while at his pre-deployment military base after completing his initial military training. Booker clarified that he did not intend to kill “privates,” but that he instead wanted to target someone with power. Booker also said that he did not intend to use large guns, but instead a small gun or a sword. Booker was subsequently denied entry into the military.

Booker’s Interactions with FBI Confidential Human Source 1

5. Since on or about October 8, 2014, Booker has engaged with an individual who is, unbeknownst to Booker, an FBI Confidential Human Source (CHS 1). Booker has repeatedly expressed to CHS 1 his desire to engage in violent jihad² on behalf of ISIL. For example, during a face to face conversation on October 10, 2014, Booker told CHS 1 in relevant part, that he: “was in jihad before, okay. I got captured. Okay, a long story short the people at the Masjid don’t like me because I support al Qa’ida openly. I’m not afraid, I was captured before . . . I was captured by FBI before . . . because I was with al Qa’ida.” Booker stated that he “joined the United States Army” and he “hadn’t really completed, I hadn’t really started . . . I was going to go in there and kill the American soldier.” Booker told CHS 1 that he dreamt of being in the Middle East, and then he showed CHS 1 a video on his phone of Muslims fighting American forces in Iraq. Booker

² “Jihad” is an Arabic term meaning “holy war,” and while it has many different meanings, the defendant uses it to mean violent jihad.

said he dreamt about going with the fighters and wished he was with them. Booker told CHS 1 that he had heard about Americans joining ISIL and that Booker wanted to join, but he didn't know anyone who could help him do so.

6. On or about November 12, 2014, Booker continued to communicate to CHS 1 about his desire to join ISIL. For example, Booker showed CHS 1 a video from YouTube about suicide bombers and martyrs and told CHS 1 that the first time Booker had viewed it he wanted to die a shaheed³. Booker spoke with CHS 1 about how peaceful the martyrs look after they die, and said he believes the bodies of martyrs do not decay after they die and that their blood smells like musk. That same day, CHS 1 told Booker that he had a "cousin" (who is also a FBI Confidential Human Source, hereinafter referred to as CHS 2) who could get people overseas and asked Booker what he wanted to do. Booker answered, "Anything. Anything you think is good. I will follow you." CHS 1 explained that they don't take "just anybody." CHS 1 told Booker that if Booker said he was ready to fight Booker would have to prove it. Booker responded: "I will kill any kuffar⁴. I will follow any place . . . Wallahi⁵, if I was with Daulah Islam⁶(ISIL) and they said look, we are going to the White House right now. Wallahi, I would go with them without any question."
7. On or about December 18, 2014, Booker told CHS 1 about other terrorist activities he could engage in before he travelled to Iraq, or in the event he could not go overseas. One of the plans Booker proposed was to get a gun or a grenade and kill American soldiers at a local

³ "Shaheed" is an Arabic term meaning "martyr." It is used as an honorific for Muslims who have died fulfilling a religious commandment, including those who die while conducting "jihad".

⁴ Kuffar or Kafir is a derogatory Arabic term commonly used to refer to non-Muslims.

⁵ Wallahi is an Arabic term meaning, "I swear to God."

⁶ Daulah Islam is an Arabic term referring to ISIL.

base (one of the closest military bases to where Booker resides is Fort Riley). Booker told CHS 1 that this act is permitted because the Koran says to kill your enemies wherever they are. Booker told CHS 1 that he believes American soldiers are the enemy of all true Muslims. Booker also said that he had considered a plan to capture a high ranking military officer and force him to say on video that ISIL is here in the United States so that "the kuffars will be afraid."

8. On or about February 3, 2015, during a conversation with CHS 1, Booker made reference to a video called "The Flames of War⁷," and then explained that he wanted to produce a propaganda video for ISIL. Booker stated that the video would threaten the American people and warn them to get their family and friends to quit the military. Booker told CHS 1 that he wanted to film the video with a military base or notable landmark in the background to show that ISIL is here in America. Booker suggested that they could capture and kill an American soldier immediately after filming the video. Booker told CHS 1 that his intent is to "scare this country" and to tell the people that "we will be coming after American soldiers in the streets . . . we will be picking them off one by one."

Booker's Introduction to FBI Confidential Human Source 2

9. On or about March 9, 2015, while under FBI surveillance, CHS 1 introduced Booker to CHS 2, who he explained was a high ranking sheik planning terrorist acts in the United States. Booker told CHS 1 and CHS 2 that he had studied suicide bombing and was inspired by an

⁷ In September of 2014, ISIL released a 55 minute video narrated by an unidentified operative in Syria with an American accent. The video, titled *The Flames of War*, was professionally edited and highlights the capture by ISIL forces of the Syrian Army's 17th Division base near Raqqa. During the video, captured Syrian soldiers are shown digging their own graves and then being shot gruesomely point-blank in the head.

American brother who he believed delivered a suicide bomb to a military base in Syria.

Booker told them that he heard a speech by the bomber, felt his words spoke directly to him, and he found the words “perfect” with Allah.

10. That same day, Booker also told CHS 1 and CHS 2 that he believed ISIL wanted to bring the fight back to Iraq. Booker said that the way to make that happen is to provoke the enemy at home so they (the United States) will have to send soldiers back into Iraq. Booker said the best way to do that is to hit the Army here (in the United States) so that Americans know the battle is not just overseas. Booker told CHS 2 that he had been watching a video of an American Syrian suicide bomber he called “Jihadi Joe.” Booker said he wanted to build and detonate a truck bomb like Jihad Joe⁸ did. Booker told CHS 2 that detonating a suicide bomb is his number one aspiration because he couldn’t be captured, all evidence would be destroyed, and he would be guaranteed to hit his target. CHS 2 asked Booker if he had a target in mind. Booker said he knew of a military post in Manhattan, Kansas called “the Big Red One.”⁹ Booker suggested this post would be a good target because the post is famous and there are a lot of soldiers stationed there¹⁰. Booker said that if they had a better target he was willing to go anywhere, and do anything, CHS 1 and CHS 2 asked him to do. CHS 2 counseled Booker that he can only move forward with his (Booker’s) plan for the

⁸ In July of 2014, in a video posted to social media, a 22 year-old American citizen Monar Mohammad Abu-Salha-nicknamed “Jihad Joe,” narrated a video in an effort to recruit westerners to join the Mujahedeen fighting in Syria. After making the video, Abu-Salha appears to drive a suicide truck bomb, containing 16 tons of explosives, into a Syrian army stronghold.

⁹ The “Big Red One” refers to the nickname of the U.S. Army’s 1st Infantry Division widely attributed to their shoulder patch, which is a large red number one on a green background. The nickname became widely used after the 1980 movie “The Big Red One” was released. The movie depicted soldiers’ experiences in the 1st Infantry Division battles during World War I and II. The 1st Infantry Division is based at Fort Riley, Kansas.

¹⁰ During a meeting on March 26, 2015, Booker researched population data on the internet and told CHS 1 and CHS 2 that Fort Riley has a daytime population of approximately 25,000.

sake of Allah, and that one cannot do it for any other person or reason. Booker responded that he understood that he could only move forward with his (Booker's) plan for the sake of Allah, because he understood that on the Day of Judgment Allah will know and throw anyone who lies into hell. CHS 2 counseled Booker that he must be truthful about his intentions, and Booker assured him that he was doing this only because he (Booker) wanted to, and only for Allah.

Booker creates a video message purportedly in the name of ISIL near Fort Riley

11. On or about March 10, 2015, while under FBI surveillance, Booker, CHS 1 and CHS 2 traveled together to Freedom Park near Marshall Army Airfield at Fort Riley, Kansas where CHS 2 took a video of Booker delivering an ISIL message that he (Booker) had written. Booker opened his speech with a statement in Arabic and then switched to English. He gave his bay'ah¹¹ to Abu Bakr Al Baghdadi (the leader of ISIL) and he encouraged all Muslims watching the video to give bay'ah to Al Baghdadi and to support Al Baghdadi and ISIL however they could. Booker then stated that ISIL would like to send a message:

to all the mothers, daughters, fathers, brothers, sisters and friends or loved ones of . . . any soldier in the United States military. Get your kids out. Get your loved ones out of the military. Because, wallahi, Dualah Islam¹² is coming for them. From inside, whether it be in their homes, whether it be on a base like this, whether it be in the recruiting stations, whether it be in the streets . . . Wallahi, we are coming for them and we seek their blood because their blood is halal¹³ for us to kill them.

¹¹ Bay'ah is an Arabic term referring to the traditional oath of allegiance to a leader.

¹² Dualah Islam is a known alias for ISIL.

¹³ Halal is an Arabic term meaning, lawful or permissible.

Booker rents a storage unit

12. On or about March 17, 2015, CHS 1 reported that Booker had called to tell him that he (Booker) had rented a storage locker near his apartment in Topeka, Kansas. Previously, CHS 1 told Booker that he (CHS 1) may send him some items for Booker to hold until the next time CHS 1 visited – perhaps a package or something in the mail. Booker told both CHS 1 and CHS 2 that his house was not safe to store things because he shares it with his cousin. At that point, CHS 2 suggested that Booker may want to rent a storage locker.
13. On or about March 20, 2015, the FBI obtained a list a list of people who had rented storage units at a particular location between March 1 and March 19, 2015. The list confirmed that Booker had rented unit 7007, a 10'x20' unit at that location on March 17, 2015.

Booker and CHS 1 purchase items needed to build vehicle bomb

14. On or about March 25, 2015, CHS 1 met with Booker. During this meeting, CHS 1 told Booker that he had been “selected” to accompany Booker on his suicide mission. CHS 1 provided Booker with a list of supplies that they needed to purchase in order to build the bomb. Booker then directed CHS 1 to several local retailers where CHS 1 could purchase the items. Booker asked CHS 1 if people would be able to figure out that they were building a bomb based on what they were purchasing. CHS 1 replied “no” that people wouldn’t know. While under FBI surveillance, CHS 1 and Booker traveled to several local retailers and purchased several components that could be used to make a homemade explosive device. From there, CHS 1 and Booker moved the components into Booker’s rented storage unit. That same day, when discussing Booker’s plan, Booker told CHS 1 that

he wanted to be the one to push the switch (meaning to detonate the explosives) when the time came.

15. On or about March 26, 2015, Booker met with both CHS 1 and CHS 2 to gather information about military targets in the area. Booker told CHS 1 and CHS 2 that they needed to blow it up somewhere that would really hurt (the military). Booker said that he wanted to see the fear in the kuffar's eyes as he pushed the button and they ran for their lives. During this meeting, Booker identified a primary and secondary route to travel from Topeka to Fort Riley, as well as several locations and access gates near the southeast corner of Fort Riley that he believed would be worthwhile targets.
16. On or about April 8, 2015, while under FBI surveillance, Booker and CHS 1 removed the items they (Booker and CHS 1) had purchased to construct the bomb from Booker's storage unit and transported them to a second storage unit where CHS 2 was waiting. The second storage unit held a large amount of inert explosive material that Booker understood was to be used to build their Vehicle Borne Improvised Explosive Device ("VBIED"). Pursuant to Booker's plan, Booker understood that CHS 1 and CHS 2 would build the VBIED, Booker and CHS 1 would eventually deliver it to Fort Riley, and Booker would detonate the VBIED in a suicide attack. CHS 1 and CHS 2 then provided Booker with a map of the area of Fort Riley at Booker's request. Booker used a marker to circle three potential target buildings and he drew arrows depicting the potential routes that he (Booker) and CHS 1 could take through the base to the buildings that he (Booker) had marked. Booker spoke with CHS 1 and CHS 2 about ensuring that all his debts were paid so that he could die a shaheed and enter paradise. CHS 2 began to tell Booker that if the debt was an excuse and that if he (Booker)

didn't want to move forward with his (Booker's) plan, but Booker cut him off and repeatedly said "no" and "I still want to do this, wallah. It's not like I am trying to get out of this." Booker went on to say "[i]t doesn't matter, debts or not, I am going to do this Friday." Booker then changed the subject.

17. That same day, Booker also made a second video inside the storage unit, in front of the stack of (inert) explosive materials, to complement his earlier video filmed near Fort Riley.

In the video, Booker stated, among other things:

Today, Inshallah,¹⁴ we are going to build this bomb with 1,000 pounds of Ammonium Nitrate. Inshallah, this will kill many kuffar. This message is to you America. You sit in your homes and you think that this war is just over in Iraq . . . Wallahi, we today we will bring the Islamic State straight to your doorstep. You think this is just a game, wallahi when this bomb blows up and kills as many kuffar as possible, maybe then you'll realize it.

18. On or about April. 10, 2015, Booker and CHS 1 drove to a location near Junction City, Kansas where they met CHS 2. CHS 2 met Booker and CHS 1 in the van in which CHS 2 had purportedly constructed the VBIED. CHS 2 explained the function of the inert VBIED to Booker and demonstrated how to arm the device. CHS 1 and Booker then drove the VBIED to an area near Fort Riley that Booker believed to be a little used utility gate that would allow them to enter Fort Riley undetected so that they could find an area to detonate the VBIED that would kill as many soldiers as possible. While Booker was making final connections to arm the inert VBIED at the gate, he was taken into custody without incident by members of the FBI.

¹⁴ "Inshallah" or "Insha'Allah" is an Arabic term meaning "God willing."

19. Based upon the above and foregoing information, which I affirm is true and correct to the best of my knowledge and belief, I respectfully submit probable cause exists to support charges of attempted use of a weapon of mass destruction, in violation of Title 18, United States Code, Section 2332a(a)(3); attempted use of an explosive device, in violation of Title 18, United States Code, Section 844(f)(1); and attempted provision of material support to a foreign terrorist organization, in violation of Title 18, United States Code, Section 2339B(a).

s/ Mark P. Engholm
Mark P. Engholm, Task Force Officer
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence this 10th day of April,
2015, at Topeka, Kansas.

s/Daniel D. Crabtree
Honorable Daniel D. Crabtree
United States District Judge
District of Kansas