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December 8, 2009

Case presentation by:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 03-21-2012
CLASSIFIED BY 65179 DMH/stp/lsg
REASON: 1.4 (c)
DECLASSIFY ON: 03-21-2037

SA

IA

New Haven Division

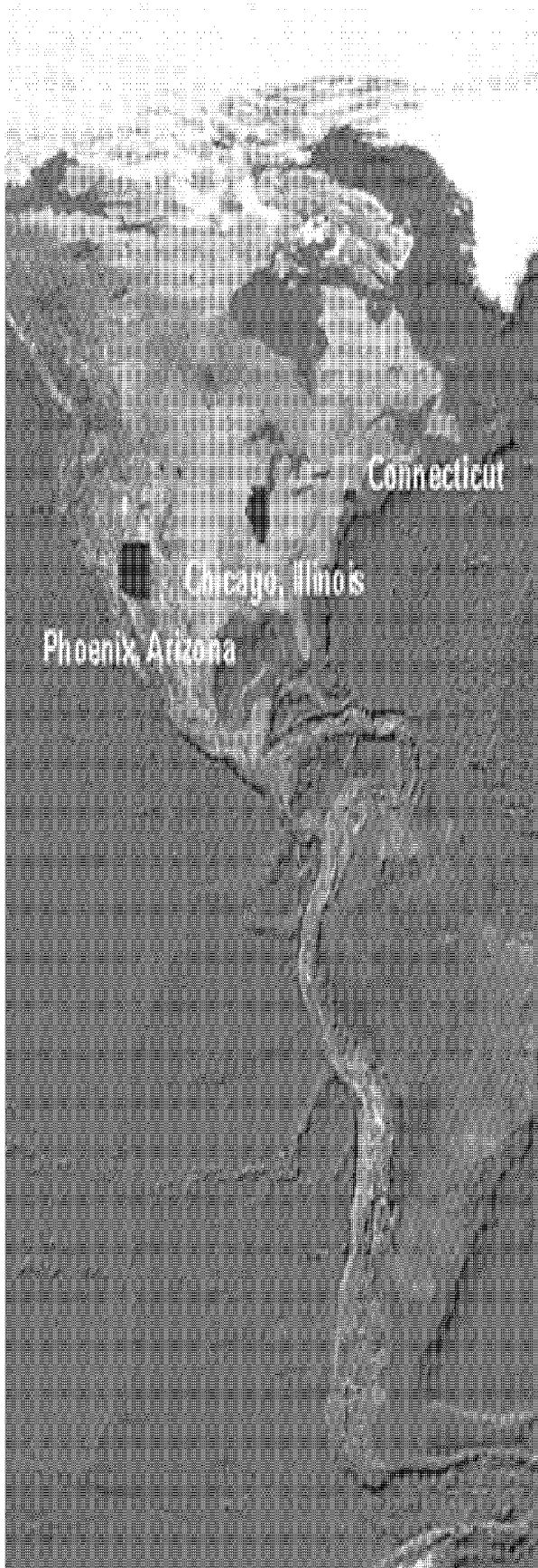
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Multiple agencies

- FBI- New Haven, Phoenix, Chicago, HQ
- Department of Justice (DOJ)

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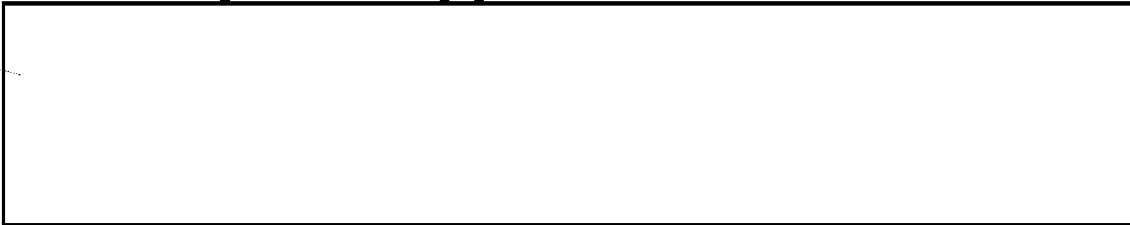
Investigative techniques used



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■ Analytical support

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■ Pen registers



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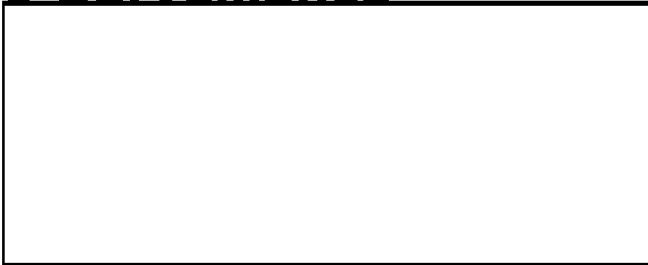
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Investigative techniques used (con'd)

- CHS
- Undercover
- Surveillance



- Consensual monitoring
- Arrest and search warrants
(US and international)

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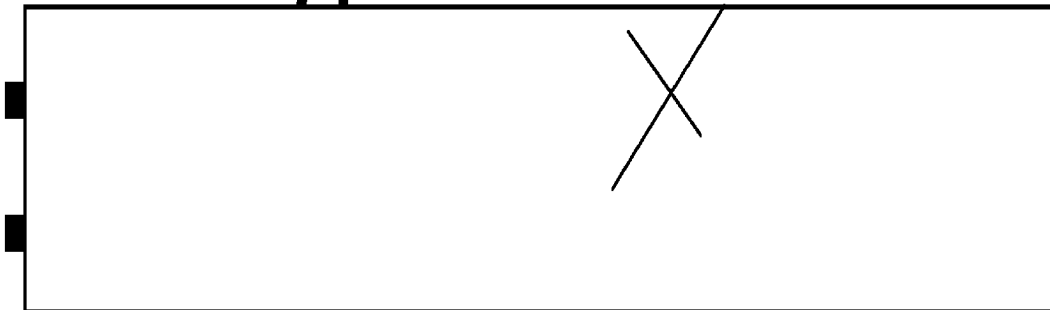
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Investigative techniques used (con'd)

- Interviews and interrogations
- Grand Jury
- Criminal proceedings
- Discovery process



- Criminal trial

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Subjects



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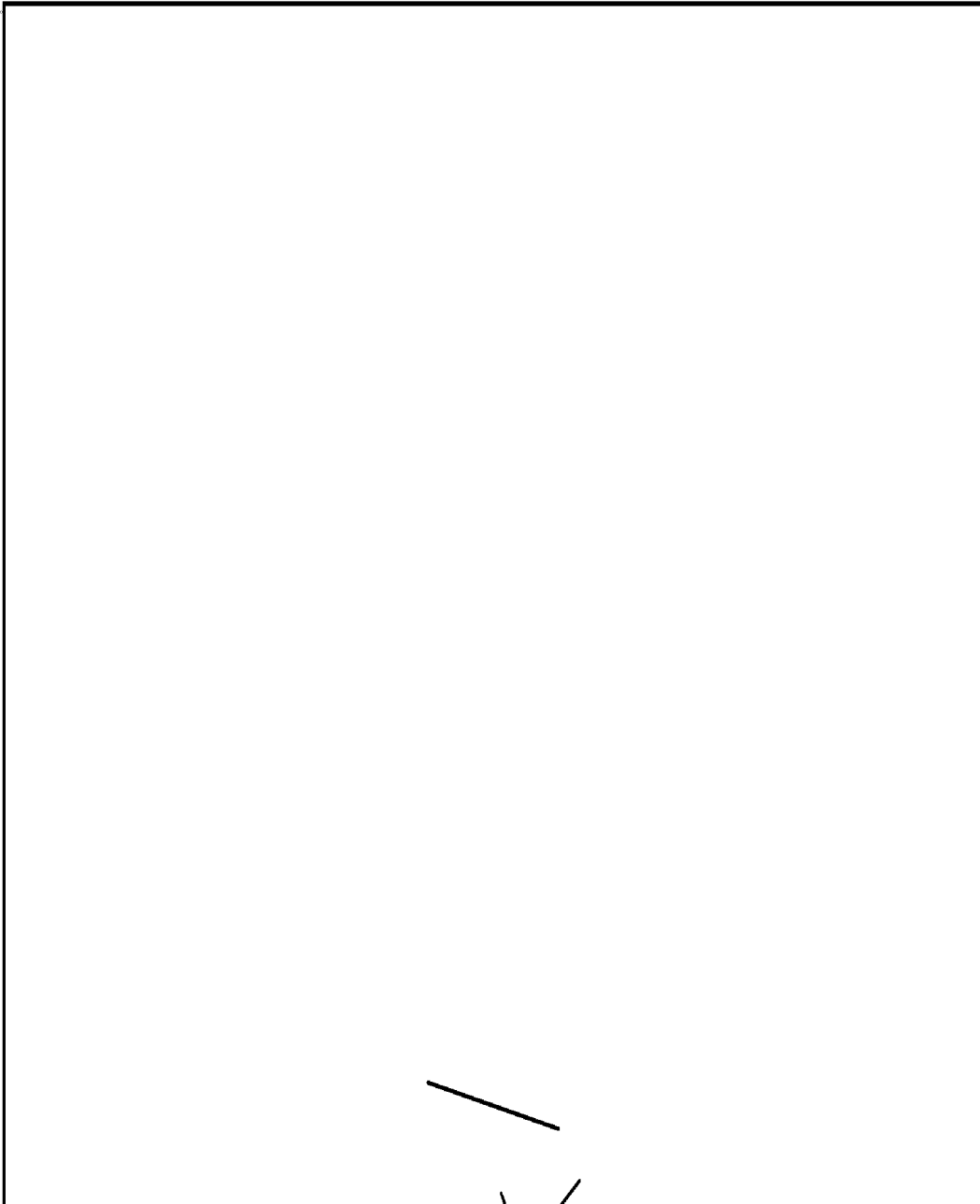
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Subjects



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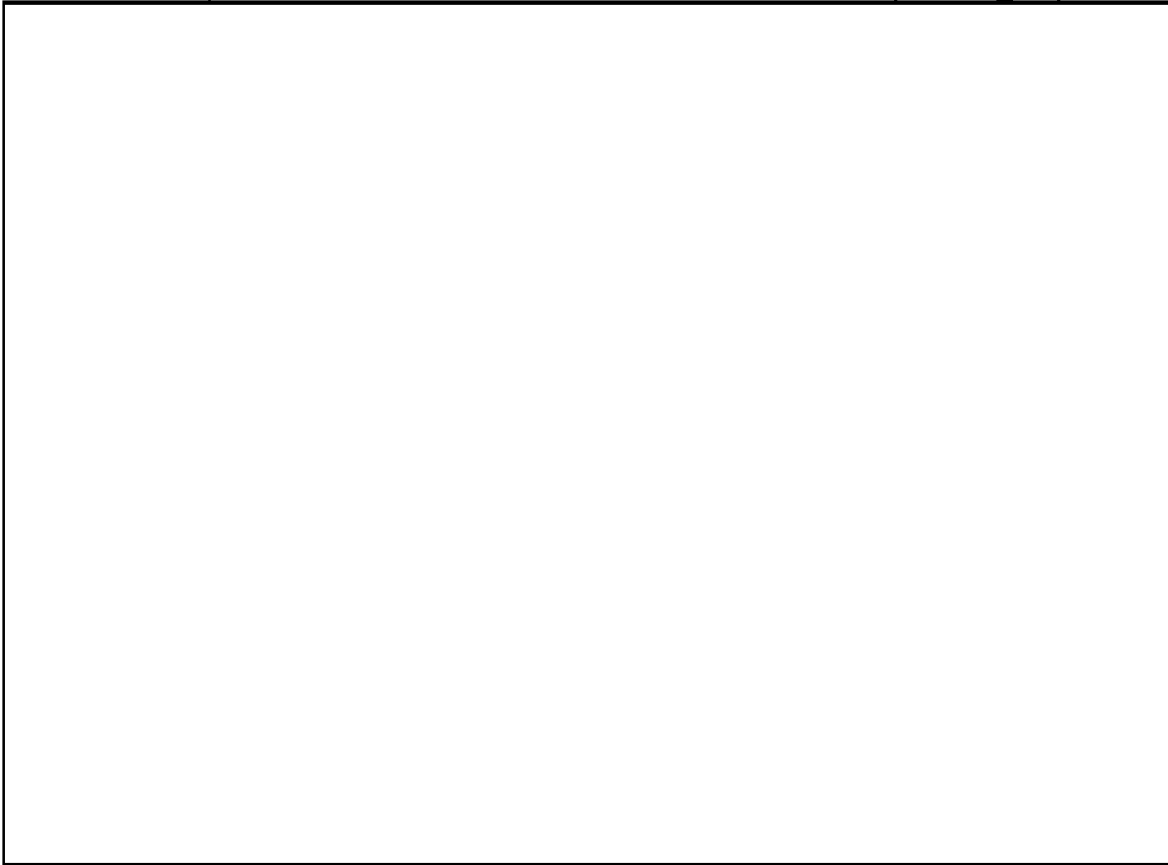
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■ **DOB**

Age:



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■ **DOB**

Age:

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■ **DOB:**

US Person

Age:

■ **POB:**

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■ DOB:

US Person

Age:

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Initiation of New Haven investigation

09/12/2001:

Phone call to FBI New Haven
from



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Connecticut *Jursidiction*

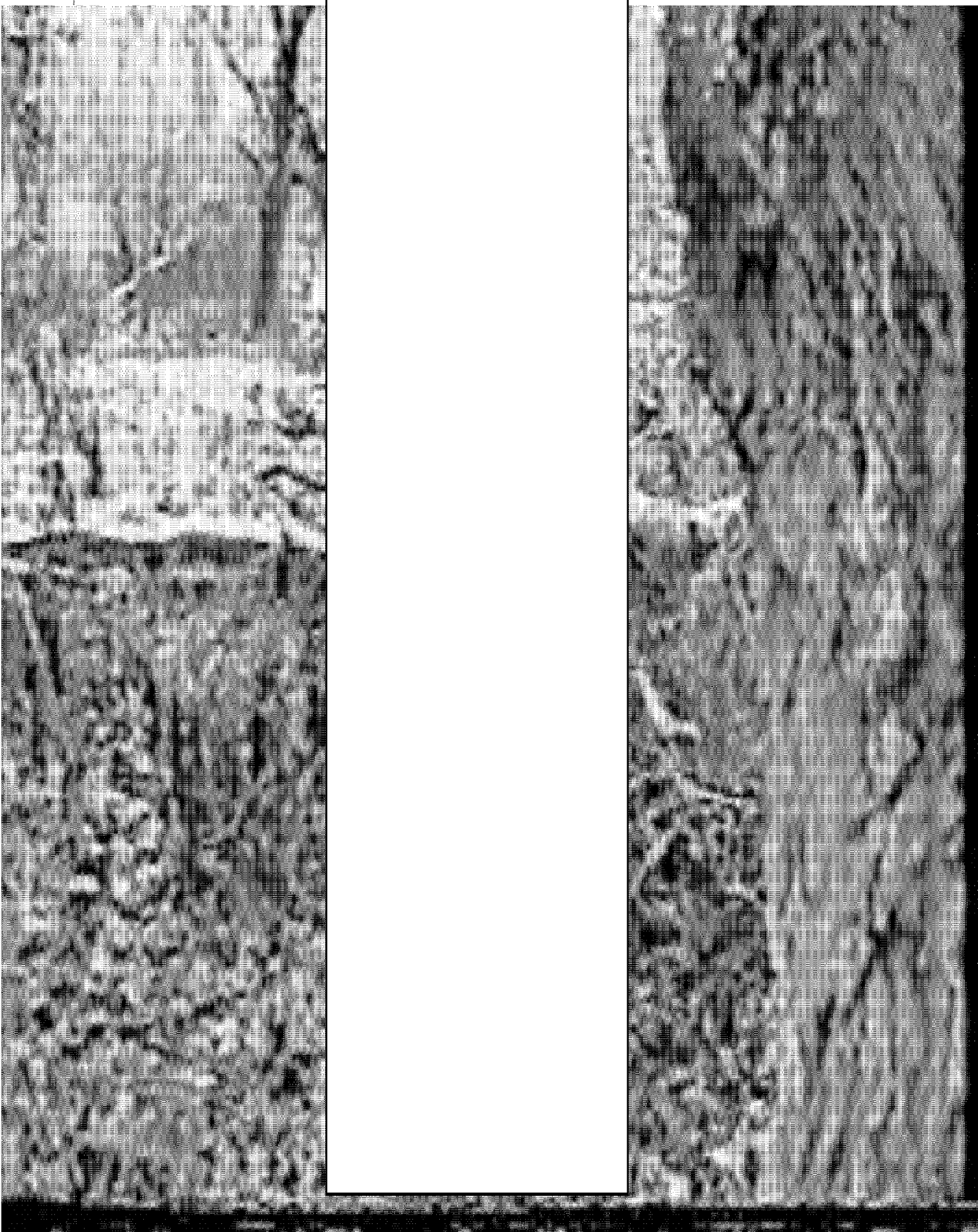
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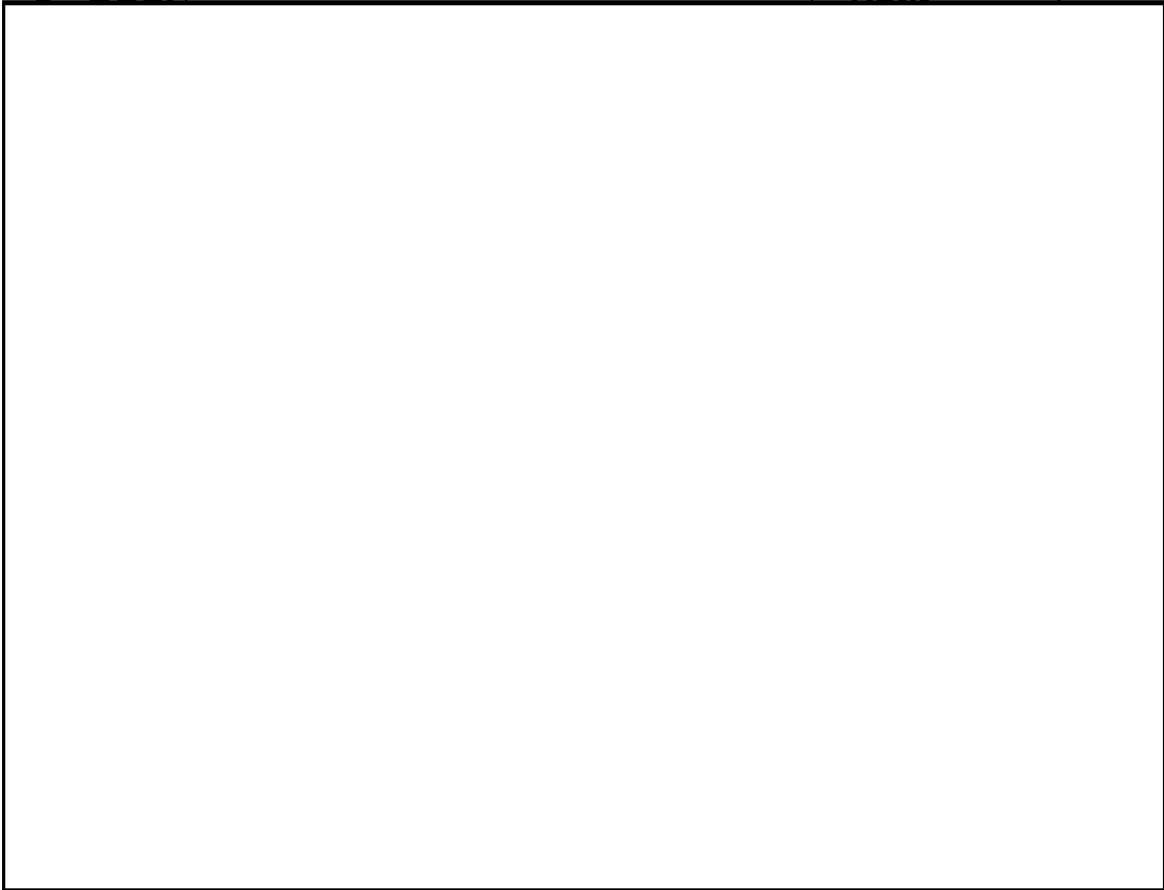


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DOB:



Age:



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- Violations of Title 18, United States Code, §§ 2 (aiding, abetting and causing the listed offenses)
- 371 (conspiracy)
- 373 (solicitation)
- 1956(h) (money laundering conspiracy)
- 2339A (providing material support to terrorists)
- 956 (conspiracy to kill or injure persons in a foreign country)
- 50 U.S.C. § 1705(b) (violations of the International Emergency Economic Powers Act ("IEEPA"))

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ACLU# M051056

FBI050568

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PX investigation

- 08/29/2002 – FBI PX initiated a PI after [REDACTED]
[REDACTED]
- [REDACTED] was interviewed by FBI PX and no nexus to terrorism was found
- 10/16/2002 – FBI PX closed the [REDACTED] PI
- 07/29/2003 – FBI PX re-opened the [REDACTED] investigation as an FI
after [REDACTED]
[REDACTED]

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PX coordination

- 7:00 am daily briefing
- IAs support early on ~ ~ PX IAs
- FBI personnel maintained established relationships with PX JTTF members
- PX management dedicated necessary personnel and resources to the investigation and other spin-off investigations

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PX coordination (con'd)

- A PX JTTF member had worked multiple TIIs and was very experienced with telephonic monitoring
- Established relationship with AUSA early on and AUSA continued to be actively involved
- Met with [redacted] personnel daily (PX team and [redacted] teams from other offices)

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- Needed to [redacted]

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PX evaluation

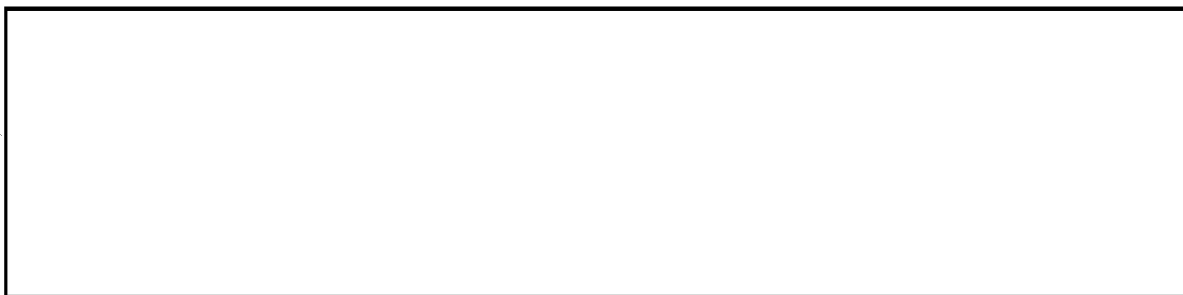
- Needed one SA dedicated to 

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- 24/7surveillance prior to arrest

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PX evaluation

- Be flexible to needs of management

- [REDACTED]

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[REDACTED]

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- [REDACTED]

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- Local contacts/liaison proved to be very valuable as investigation continued (ie: [REDACTED])

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Investigation

- FBI Chicago alerted in July 2006

-Association with possible terrorists

- Residing in DeKalb, Illinois

- Source selected and
in

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Source

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Background

• Born in

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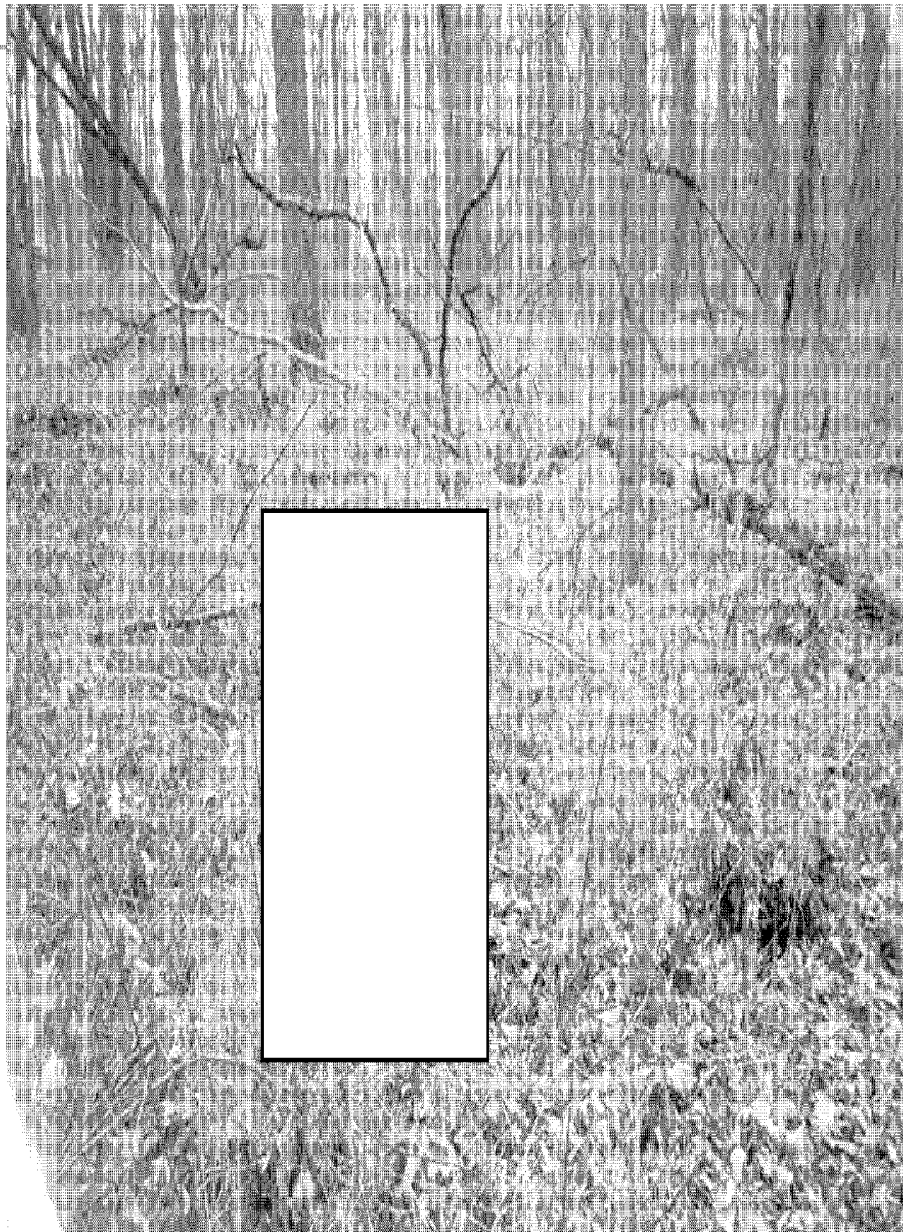
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Investigation continued



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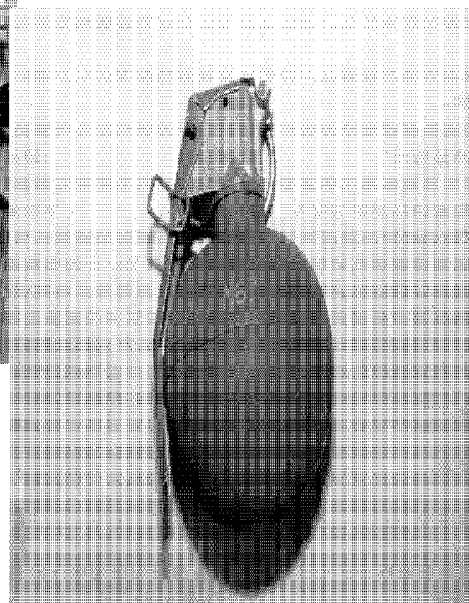
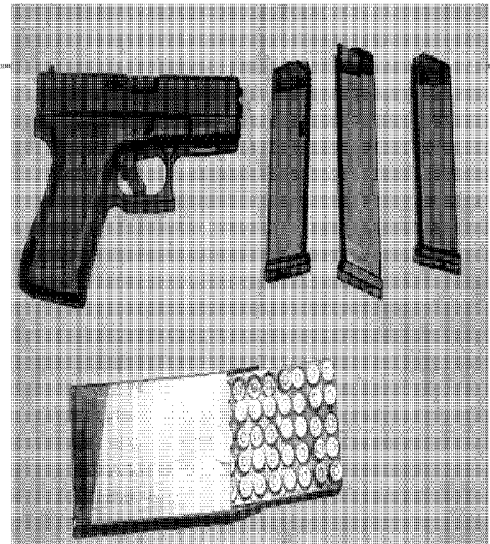
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Investigation continued



CherryVale Shopping Center



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Investigation continued



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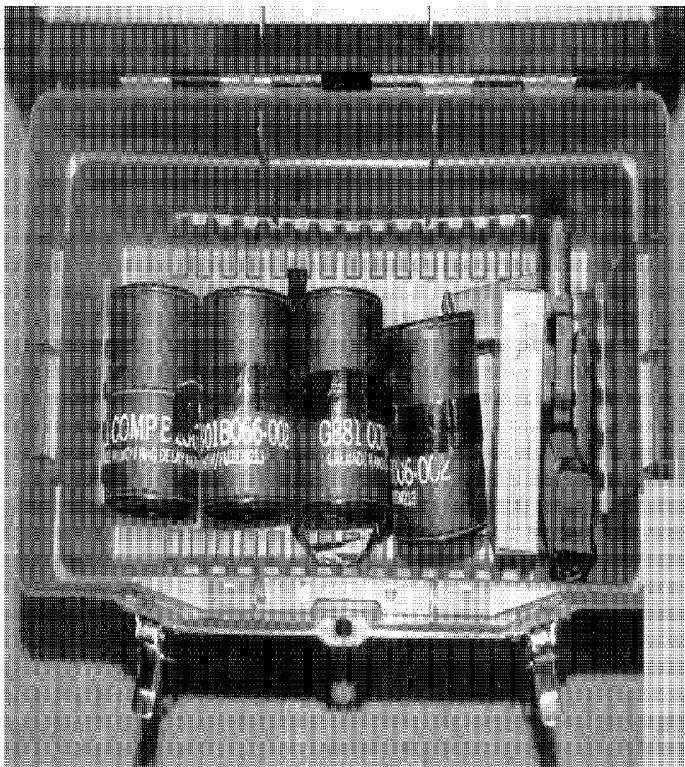
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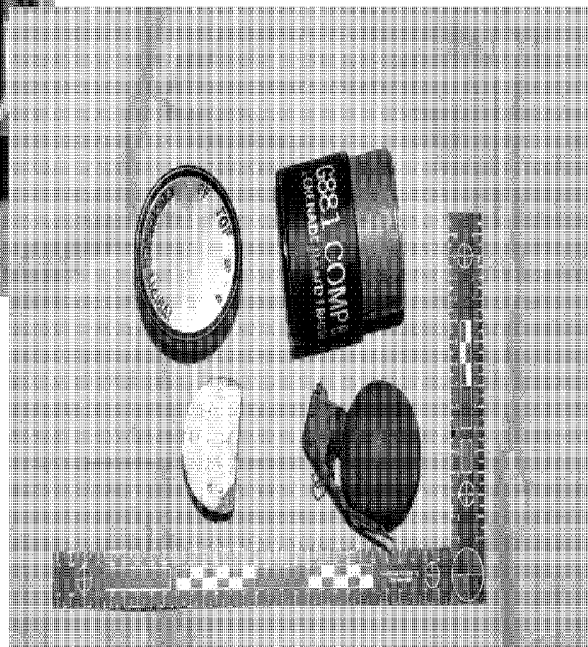
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Investigation continued



Tool box w/ 4 grenades
and 1 Glock

Contents of Grenade package



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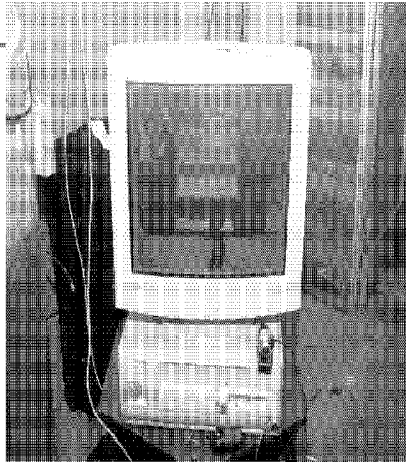


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ACLU RM 051070

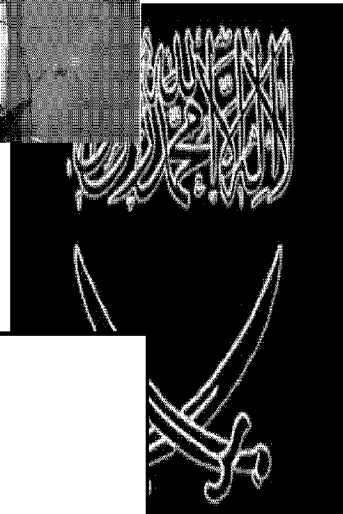
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Prosecution



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U.S. v. Derrick SHAREEF

Pled guilty: 11/28/2007

18 U.S.C. Section 2332(a)(2)(D)

....attempting to use a weapon of
mass destruction against persons
and property with the U.S.

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U.S. v. Derrick SHAREEF

Sentenced on 09/30/2008:

420 months/35 years

\$250,000 fine

5 years probation

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Derrick SHAREEF

Sentenced on 09/30/2008:

420 months/35 years

\$250,000 fine

5 years probation

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FBI050587

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U.S. v. Hassan ABU-JIAHAD

Charges

- (1) providing material support or resources, knowing or intending that they were to be used in preparation for, or in carrying out, a violation of 18 U.S.C. Section 2332 (b) (conspiring to kill United States nationals), in violation of Title 18 U.S.C. Section 2339

and

- (2) that he willfully delivered, communicated, transmitted or caused the delivery, communication or transmission of classified information relating to the national defense to persons not entitled to receive it with reason to believe that such information could be used to the injury of the U.S, in violation of Title 18 U.S.C. Section 793 (d)

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Arrest and transport of

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03/07/2007 - was arrested at the
UPS facility in Phoenix, Arizona on
Connecticut charges by
New Haven and Phoenix SAs

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03/22/2007 - was removed from
Arizona to District of Connecticut to
stand trial

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FBI050589

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Analytical Component

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FBI050590

Traditional role of the [REDACTED] IA

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- Review case file to identify intelligence gaps
- Conduct [REDACTED]
[REDACTED]
- Review intelligence [REDACTED]
- Provide case agent with updated summaries/reports of investigative developments
- Determine [REDACTED]
[REDACTED]

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Enhanced role of New Haven IAs

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New Haven secondary review

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- 6 intercepts used at trial

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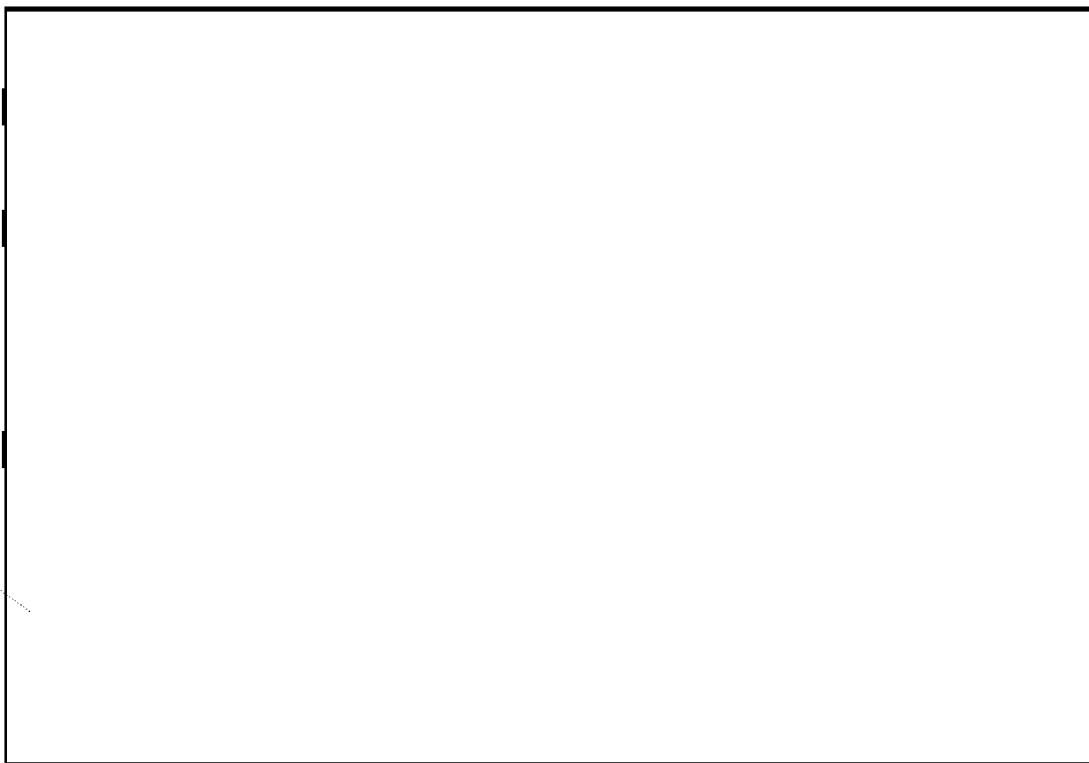
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ACLURM051081

FBI050593

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Enhanced role of New Haven IAs (con'd)



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- Actively participated in trial preparation
- Attended all pre-trial and trial proceedings

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FBI050594

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U.S. v. Hassan ABU-JIAHAD **Trial**

Trial Dates: 02/25/2008 through
03/05/2008

Location: US District Court
New Haven, Connecticut

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Defense trial strategy

- Defense claimed HAJ was not responsible for dissemination of the BGD
- Defense claimed the information within the BGD was public source information
- HAJ did not take the stand

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U.S. v. Hassan ABU-JIAHAD

Verdict

March 5, 2008
Guilty on both counts

- (1) providing material support or resources, knowing or intending that they were to be used in preparation for, or in carrying out, a violation of 18 U.S.C. Section 2332 (b) (conspiring to kill United States nationals), in violation of Title 18 U.S.C. Section 2339

and

- (2) that he willfully delivered, communicated, transmitted or caused the delivery, communication or transmission of classified information relating to the national defense to persons not entitled to receive it with reason to believe that such information could be used to the injury of the U.S, in violation of Title 18 U.S.C. Section 793 (d)

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U.S. v. Hassan ABU-JIAHAD

Overtured Count 1

March 4, 2009

Conviction on material support was overturned for reasons largely related to the language of the governing statute.

The disclosure of classified information conviction was upheld.

Alert: Officer shot while arresting suspected burglar in Avondale

PHOENIX (AP) — A federal judge on Wednesday threw out a conviction against a former Navy sailor accused of passing along information about ship movements, dealing a post-mortem blow to a Bush administration that had praised the case as a success.

U.S. District Judge Mark Kravitz overruled last year's conviction of Hassan Abu Jihad, of Phoenix, on a charge of providing material support to terrorists, citing the fair language of the law. He upheld his conviction for disclosing classified national defense information.

Abu Jihad was a signon aboard the USS Kearsarge. He was accused of passing along information including the makeup of his Navy battle group and a drawing of the formation the group would use to pass through the dangerous Strait of Hormuz in the Persian Gulf in April 2001.

The ship was not attacked.

Related Links

U.S. District Judge Mark Kravitz overruled last year's conviction of Hassan Abu Jihad, of Phoenix, on a charge of providing material support to terrorists, citing the fair language of the law.

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Hassan ABU-JIAHAD

Sentenced on April 3, 2009:

120 months/10 years

.....willfully delivered, communicated, transmitted
or caused the delivery, communication or
transmission of classified information relating to the
national defense to persons not entitled to receive it
with reason to believe that such information could
be used to the injury of the U.S, in violation of Title
18 U.S.C. Section 793 (d)

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HAI incarceration

Facility: Federal Correctional
Institution, Phoenix, Arizona

Release
date:

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Status of and

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[redacted]

arrested and charged in the UK

on [redacted]

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- Violations of Title 18, United States Code, §§ 2 (aiding, abetting and causing the listed offenses)
- 371 (conspiracy)
- 373 (solicitation)
- 1956(h) (money laundering conspiracy)
- 2339A (providing material support to terrorists)
- 956 (conspiracy to kill or injure persons in a foreign country)
- 50 U.S.C. § 1705(b) (violations of the International Emergency Economic Powers Act ("IEEPA"))

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ACLJRM051090

FBI050602

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[REDACTED]

arrested and charged in the UK

on [REDACTED]

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- Violations of Title 18, United States Code, §§ 2 (aiding, abetting and causing the listed offenses)
- 371 (conspiracy)
- 2339A (providing material support to terrorists)
- 956 and 2332 (b) (conspiracy to kill or injure persons in a foreign country)

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Extradition status

 are fighting extradition to the United States:

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Cases were heard by the UK High Court and appealed to the European Court of Human Rights (ECtHR) in Strasbourg, France

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ECtHR

Standard protocol of complaints:

Complaints are heard by three judges who determine if the complaint will be heard and decided by the full chamber of the ECtHR.

Decisions of great importance may be appealed to the ECtHR Grand Chamber.

Upon final ruling from the ECtHR [redacted] and [redacted] will be transported to the United States and will face trial in the District of Connecticut.

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Summary

- Multi-agency/country participation
 - check ego at the door ~ need to work together
 - competing agendas
 - use employee's skill sets to the advantage of the investigation
- Must have/develop a good working relationship with AUSAs
- Use of IA's essential to overall investigation

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Contact information

SA



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IA



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