

**Albanian National Pleads Guilty to Attempting and Conspiring to Support Terrorists
District Court Ruled that the Fruits of FISA Surveillance Were Admissible in this Case**

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<http://www.justice.gov/opa/pr/albanian-national-pleads-guilty-attempting-and-conspiring-support-terrorists>

Agron Hasbajrami, 31, an Albanian citizen and resident of Brooklyn, New York, pleaded guilty today to attempting and conspiring to provide material support to terrorists before U.S. District Judge John Gleeson of the Eastern District of New York. At sentencing, the defendant faces up to 20 years in prison.

The guilty plea was announced by Assistant Attorney General for National Security John P. Carlin, Acting U.S. Attorney Kelly T. Currie of the Eastern District of New York, Assistant Director in Charge Diego G. Rodriguez of the FBI's New York Field Office and Commissioner William J. Bratton of the New York City Police Department.

As part of the plea, Hasbajrami agreed to be deported from the United States at the conclusion of his sentence, and the government agreed to allow the defendant to preserve his right to challenge on appeal the lawfulness of surveillance obtained or derived from the FISA Amendments Act of 2008 (FAA), a question of first impression in the Second Circuit. The U.S. District Court of the Eastern District of New York ruled in February 2015 that the fruits of FISA surveillance in this case were admissible.

"This case, like many others before it, has shown that the application of lawful surveillance can allow the United States government to detect and disrupt a terrorist in the United States," said Acting U.S. Attorney Currie. "The defendant's plea today leaves no question as to his role in a very serious terrorism offense, and if he chooses to bring an appeal, we are confident we will prevail in the appellate court as well."

"Today's guilty plea is the result of a thorough investigation conducted by the New York FBI's Joint Terrorism Task Force," said Assistant Director in Charge Rodriguez. "I want to thank all of the agencies that participate on the FBI JTTF. Together we are able to use our combined legal and investigative tools to quickly identify and disrupt threats to our community."

"This case is another example that shows that when people in the New York area conspire with, attempt to join, or fund a terrorist organization, even in the Tribal Area of Pakistan, they will be uncovered by the agents and detectives of the JTTF, and they will face the full consequences of the law," said Commissioner Bratton.

According to court documents and statements made in court today, in September 2011, Hasbajrami attempted to travel to the Federally Administered Tribal Areas of Pakistan (the FATA) for the purpose of joining a radical jihadist insurgent group. In addition, he sent over \$1,000 in multiple wire transfers abroad to support terrorist activities in Pakistan and Afghanistan. In pursuing his goal of fighting jihad, the defendant exchanged email messages with an individual in Pakistan who told him that he was a member of an armed group that had murdered American soldiers and kidnapped Westerners. In one email message, Hasbajrami stated that it was difficult to ask for money from fellow Muslims because they became apprehensive "when they hear it is for jihad." In another email, he stated that he wished to travel abroad to "marry with the girls in paradise," using jihadist rhetoric to describe a reference to his desire to die as a martyr himself.

On Sept. 5, 2011, Hasbajrami purchased a one-way airline ticket to travel to Turkey the following day.

Based on Hasbajrami's email communications, he intended to travel from Turkey to the FATA to join a jihadist group. On Sept. 6, 2011, the defendant was arrested at John F. Kennedy International Airport. At the time of his arrest, he was carrying a tent, boots and cold weather gear. A search of the defendant's residence revealed, among other items, a note reading "Do not wait for invasion, the time is martyrdom time."

Upon receiving notice that evidence in his case had been obtained or derived from surveillance conducted pursuant to the FAA, Hasbajrami was permitted by the District Court to withdraw his prior plea,

and he thereafter moved to suppress the fruits of such evidence, arguing that certain provisions of the act were unconstitutional. On Feb. 20, 2015, the District Court denied the defendant's motion, ruling that the fruits of the FAA surveillance, including the defendant's post-arrest statements, were admissible. Under the terms of the plea agreement, Hasbajrami preserved his right to appeal the District Court's decision on his suppression motion to the Second Circuit Court of Appeals.

Assistant Attorney General Carlin joined Acting U.S. Attorney Currie in thanking the federal, state and local law enforcement agencies who participate in the FBI's Joint Terrorism Task Force in New York.

The government's case is being prosecuted by Assistant U.S. Attorneys Seth D. DuCharme, Saritha Komatireddy, Peter Baldwin and Matthew Amatruda of the Eastern District of New York, and Trial Attorney Danya Atiyeh of the National Security Division's Counterterrorism Section.

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