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Division of Behavioral Health Services

Arkansas State Hospital
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July 20, 2010

FILED 07/27/10 09:54:03
Pat O'Brien Pulaski Circuit Clerk
YM

Honorable Herb Wright
Fourth Division
401 W Markham St.
Little Rock, AR 72204

RE: MUHAMMAD, Abdul
AR. Code Section: 5-2-305
Examination Date: 07/12/10
Pulaski County Docket No.: **CR 09-2626,**
CR 10-1233, CR 10-1232

Dear Judge Wright:

The above named individual was ordered for a forensic evaluation through the Pulaski County Circuit Court. Attached you will find the completed forensic report performed at the Arkansas State Hospital Forensic Services.

If you have any questions or concerns, please call me at {501} 683-3377.

Sincerely,

Tammy Dragon
Office Manager, Forensic Services

60CR-09-2626 601-60100005291-004
STATE V ABDULHAKIM MUJAH MU 19 Pages
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td: tf

cc: John Johnson, Prosecuting Attorney
Claiborne Ferguson, Defense Attorney
Pulaski County Circuit Clerk
Billy Burris, DBHS, Arkansas State Hospital
File

**Arkansas Department of Human Services
Division of Mental Health Services
Arkansas State Hospital**

Forensic Report

IDENTIFYING INFORMATION:

DEFENDANT: Abdul Hakim Muhammad

DATE OF BIRTH: 7/9/85 **AGE:** 25

DEFENDANT'S HOSPITAL NUMBER: 702421

CHARGES AND DOCKET NUMBERS: Capital Murder and Attempted Capital Murder (CR 09-2626), Aggravated Assault (CR 10-1233), and Terroristic Threatening 1st Degree (CR 10-1232)

DATE OF COURT ORDER: 4/30/10

DATE OF EXAMINATION: 7/12/10

PLACE OF EXAMINATION: Forensic Unit of the Arkansas State Hospital

DATE REPORT SUBMITTED: 7/19/10

REFERRED BY: The Circuit Court of Pulaski County, 4th Division

REFERRAL ISSUES: In accordance with ACA § 5-2-305; Opinion on Fitness to Proceed, Criminal Responsibility and Diagnosis of Defendant

SUMMARY OF OPINIONS:

1. At the time of the examination, Mr. Muhammad had the capacity to understand the proceedings against him and the capacity to effectively assist his attorney in his defense.
2. At the time of the examination, Mr. Muhammad did not have mental disease or mental defect. His diagnoses were:
 - Axis I: None
 - Axis II: None
 - Axis III: None
3. At the time of the alleged conduct, should the fact finder conclude that Mr. Muhammad committed the alleged offenses:
 1. He **did not have** mental disease or mental defect.
 2. He **did not lack** the capacity to appreciate the criminality of his conduct.
 3. He **did not lack** the capacity to conform his conduct to the requirements of the law.

SOURCES OF INFORMATION:

1. Face-to-face interview of the defendant by R. Clint Gray, M.D., on 7/12/10 during an outpatient evaluation at the Arkansas State Hospital
2. Mental status examination and administration of the following by R. Clint Gray, M.D.:
 - a. Folstein Mini-Mental State Examination
 - b. Georgia Court Competency Test - Mississippi State Hospital Revision
3. Records and information about the case provided by the Circuit Court of Pulaski County Prosecuting Attorney's office
4. Records from the Arkansas State Hospital
 - a. Psychological Evaluation Note dated 7/14/10
5. Records from Craigmont High School
 - a. Grade reports from 1/00 - 4/03
 - b. ACT test scores dates 4/02, 10/02, 2/03
 - c. High School Diploma dated 4/28/03
6. Records from the Republic of Yemen
 - a. Legal Marriage Document dated 2/10/09
7. Records from the Tennessee Bureau of Investigation
 - a. Shelby County Sheriff's Office M.P.D. Visions dated 2/8/02, 8/17/02, 5/14/03, 5/6/06
8. Last Will and Testament of Addulhakim Mujahid Muhammad notarized 3/18/09
9. Brief discussion with Deputy David from Pulaski County Detention on 7/12/10

INTERVIEW AND DISCLOSURE OF NON-CONFIDENTIALITY:

At the outset of the examination I informed Mr. Muhammad of the nature and purpose of the examination, that his participation was voluntary and not confidential, that a report would be made to the court and that testimony may be required. I informed Mr. Muhammad that he did not have to answer questions or make any self-incriminatory statements. I informed the defendant that, because he had been charged with a crime that could lead to the death penalty, anything he told me could also be used in determination of his sentence if found guilty. He indicated that he understood and was willing to be interviewed.

HISTORY

PREVIOUS FORENSIC EVALUATION:

Mr. Muhammad stated that his attorney retained a private psychologist, John Hutson, to interview him. The defendant reported that Dr. Hutson asked questions of him that pertained to the topic of if he had been "radicalized or brainwashed."

SOCIAL HISTORY:

Mr. Muhammad was born in Memphis, Tennessee to Melvin and Linda Bledsoe. He lived with his parents and older sister in Memphis until he graduated high school and left for college. He attended Tennessee State in Nashville, Tennessee. He reported that he lived in the dorms for the first year of college, then moved to live in an apartment near campus for the second year of school. The defendant stated that he began to question his Christian heritage, and thus, began investigating other religions. He stated that he converted and considered himself a Muslim in December of 2004. In 2007, he moved to Yemen to teach English. He moved several times while in Yemen to teach English and to participate in Islamic Studies. While in Yemen, he married another teacher. He sold his vehicle that remained in America to help pay for the dowry. He had been married for approximately 2 months when Yemen officials arrested him at a road checkpoint. He stated that the officials arrested him because he had a fake Somalia passport, an expired US passport, and he lacked the proper government permissions to travel. Mr. Muhammad stated that he had the fake passport because he planned on entering in to Somalia to join with like-minded others who wanted to wage a Jihadi against Jews and Americans.

Mr. Muhammad stated that "people from the US embassy" came to interview him during his detention in Yemen. He stated that they interviewed him because he had "literature, contact, cell, videos, and people's numbers on my phone that were wanted in Saudi Arabia." The defendant reported that he remained in incarceration for approximately 2.5 months before being deported back to America.

According to the defendant, he lived with his parents in Memphis, Tennessee, for about 3 months before he moved to work for his father in Little Rock, Arkansas. He stated he lived in Little Rock for approximately 2 months before his current arrest and incarceration.

EDUCATION HISTORY:

The defendant stated that he attended kindergarten through 2nd grade at Denver Elementary School in Memphis, Tennessee. He attended 3rd through 6th grade at Brookmead Elementary in Memphis. He attended 7th and 8th grade at Craigmont Middle School and 9th through 12th grade at Craigmont High School in Memphis, Tennessee. He stated that he attended all regular classes. His schools had suspended

him on several occasions for fighting. He clarified, "I was a gang member." He attended 3 semesters of college at Tennessee State in Nashville, Tennessee.

OCCUPATIONAL HISTORY:

According to the defendant, he worked at Chuck-E-Cheese for over a year. At age 16, he began working for his father in their family tour bus business. He worked for his father until he moved to attend college. At age 18, he worked for approximately one year at Opryland Hotel as a bellboy. At age 19, he worked for a temp service doing mainly warehouse assignments. Following his move to Yemen, Mr. Muhammad held several different jobs teaching English language classes. When Mr. Muhammad returned to America, he worked for his father's Little Rock, Arkansas, tour bus business.

MENTAL HEALTH TREATMENT HISTORY:

Mr. Muhammad stated that he had no prior mental health difficulties or treatment.

Deputy David from the Pulaski County Detention stated that, to the best of his knowledge, Mr. Muhammad had not displayed any behaviors that appeared psychotic or due to mental illness while incarcerated.

CURRENT MEDICATIONS:

The defendant stated that he took no medications at the time of this interview or at the time of the alleged offenses.

DRUG AND ALCOHOL HISTORY:

Mr. Muhammad reported that he first used alcohol at "about age 15 or 16." At that time, he drank "maybe 2 or 3 times a year." He stated that his alcohol consumption changed when he went to college. He drank alcohol until intoxicated approximately 4 nights out of the week. He reported that he last used alcohol, prior to his Muslim conversion, in December of 2004.

The defendant stated that he first used marijuana at age 14. He used about "a joint or two every month." He increased his marijuana usage when he entered college. He stated that he smoked an average of an ounce of marijuana weekly. He described his usage at that time as about "two blunts a day." He last used in December of 2004.

Mr. Muhammad stated that he had never attended alcohol or illicit substance abuse specific treatment.

FAMILY HISTORY:

The defendant stated that he had a paternal uncle with alcoholism.

RELEVANT MEDICAL HISTORY:

Mr. Muhammad stated that he had no relevant medical illnesses. He had no history of a head injury or seizures.

FORENSIC EXAMINATION

OFFICIAL VERSION OF THE OFFENSES:

Information relating to the charge of Aggravated Assault (CR 10-1233):

Mr. Muhammad is charged with Aggravated Assault (CR 10-1233). The Pulaski County Sheriff's Case Summary for case #10-7279 documented the following:

At 1100 hours Sgt. Bangs and Dep. Grunerwald went to cell U-326 to get Abdula Hakim Muhammad (B/I #7120-09) for his visit. Dep. Grunerwald opened the trap to place handcuffs on Muhammad. Muhammad stabbed Dep. Grunerwald with a metal object in the duty belt. Grunerwald was not injured.

The Pulaski County Sheriff's Office General report documented the following:

Narrative:

At 1100 hours Sgt. Bangs and myself went to cell U-326 to get Muhammad, Abdulhakim (B/I#7120-09) for his visit. When I opened the trap to place handcuffs on him, he stabbed me with a metallic object in the duty belt. Sgt. Bangs closed the food trap. Inmate Muhammad was yelling "I got ya white boy, you gonna die, Alah, Alah, Alah, Whaknhad. You gonna die white boy. I got your ass." I was not injured during the incident.

The Pulaski County Sheriff's Office Supplemental Report Inmate Disturbance dated 4/12/10 documented the following:

At approximately 1050 hours I was contacted by Deputy Grunenwald to come to U-unit and assist with a full restraint visit. I entered the unit and Deputy Grunenwald and I walked to cell #326 where inmate Muhammad, A #7120-09. Deputy Grunenwald opened up the food trap to handcuff inmate Muhammad and inmate Muhammad jammed his hand out of the trap holding a sharp instrument. He made contact with Deputy Grunenwald's utility belt. He backed up and started yelling "I got you white boy, I got you. Call a Code Blue, Call a Code Blue. Allah, Allah, Allah." I told deputy Grunenwald to check his body for injuries, none were found. The trap was secured. I asked Muhammad did he want to give up his weapon, he said no come and get it. I walked away and contacted Lieutenant Hobbs.

Information relating to the charge of Terroristic Threatening 1st Degree (CR 10-1232):

Mr. Muhammad is charged with Terroristic Threatening 1st Degree (CR 10-1232). The Pulaski County Sheriff's Case Summary for case #10-7531 documented the following:

On 04-12-10 at approximately 1050 hours Deputy Huff was in the lower front subday, where Inmate Muhammad (B.I. #7120-09) is housed in U-323. Inmate Muhammad began yelling very loudly stating, "You're done you redneck ass motherfucker, I'm gonna kill your bitch ass. I'm gonna find something better than a piece of motherfucking glassess, you punk ass white boy. I'm gonna stab you in the motherfucking heart you bitch, I'm gonna get you better than I got mother fucking Grunenwald. I'm gonna stab you in the mother fucking heart." Deputy Huff exited the subday without saying anything and contacted Sgt. Berry over the phone and informed her of the situation.

Information relating to the charge of Capital Murder and Attempted Capital Murder (CR 09-2626):

Mr. Muhammad is charged with Capital Murder and Attempted Capital Murder (CR 09-2626). The Case Report by Detective Matt Nelson documented the following:

On June 1, 2009 at approximately 1019 hrs Little Rock Police Officers responded to a shooting just occurred at 9112 N. Rodney Parham at the U.S. Army Recruiting Center. Officers on scene advised that they had two victims shot multiple times and that Homicide Detectives and C.S.S.U. were requested. Patrol Officers also advised that, through witnesses on scene, the suspect left driving south bound on Rodney Parham. The suspect was described as a black male, driving a black Ford Explorer Sport Track. A broadcast of this information was made city wide for Officers who were circulating the area.

Homicide Detectives responded to 9112 N. Rodney Parham and observed that a crime scene had been established with crime scene tape. Contact was made with emergency personnel who were treating the victims on scene. The first victim who was outside the business on the sidewalk was identified as Pvt. William Long. The second victim who was on the floor inside the business was identified as Pvt. Quinton Ezeagwula. Both victims were transported to Baptist Hospital to be treated for their injuries. Pvt. Long was pronounced dead upon arrival to the hospital by Dr. Flamik; his time of death was 1056 hrs. Pct. Ezeagwula condition was listed as critical and ER personnel advised that he may need to have surgery.

Several pieces of evidence were noted at the scene by Detectives, which included shell casings, bullet holes and possible bullet fragments. These pieces of evidence were marked and noted for the C.S.S.U. when they arrived on scene. Detectives on scene then began to interview several witnesses in the area. While Detectives were at the crime scene, Patrol Officers stopped a vehicle matching the description of the suspect vehicle at the I630 and I30 interchange. A felony traffic stop was conducted and Officers took the suspect, later identified as Abdul hakim Mujahid Muhammad, into custody without incident. The vehicle was secured and impounded into the crime scene bay to be processed. Mr. Muhammad was transported to the Detective Division for a statement.

Det. Matt Nelson and Det. Tommy Hudson responded to the Detective Division to interview Mr. Muhammad. Mr. Muhammad was placed into the Homicide interview room where he was then read his Miranda rights. Mr. Muhammad waived his rights and agreed to give a statement to Detectives. Mr. Muhammad stated that he was a practicing Muslim and advised that he was mad at the U.S. Military because of what they had done to Muslims in the past. Mr. Muhammad advised that he took three weapons, including an assault rifle, and put them into his Ford sport track. Mr. Muhammad further stated that he drove around in the vehicle and saw the two U.S. soldiers smoking outside of the Army Recruiting Station, stopped his vehicle, and began shooting at the soldiers who were standing outside smoking. According to Mr. Muhammad, he fired several rounds at the Soldiers with the intent of killing them. Mr. Muhammad stated that he would have killed more soldiers if there were more in the parking lot.

According to his statement, Mr. Muhammad then fled in his vehicle south bound on Rodney Parham to Markham. Mr. Muhammad advised that he then went west bound on Markham to Shackelford and then south bound on Shackelford. Mr. Muhammad advised that that he then got onto I630 east bound and was pulled over by police at the I30 interchange.

Two search and seizure warrants were conducted by the Little Rock Police Department. The first one was on Mr. Muhammad's vehicle that he used in the commission of the crime. The second warrant was conducted on Mr. Muhammad's apartment. The vehicle is a black 2003 Ford Sport Trac (Tennessee LPN-585FFGK) and was registered in Mr. Muhammad's father's name. Several pieces of evidence were taken from the vehicle during the search warrant including SKS 7.62 x 39 assault rifle and several rounds of ammunition. The address where the second search warrant was conducted was 12201 Mara Lynn Road apartment 4205. Little Rock Police Detectives seized several pieces of evidence in the search warrant including items used to make Molotov cocktails...

The Officer's Report by Officer Stephen Gorbet dated 6/1/09 documented the following:

... I activated my blue lights and the vehicle pulled towards the right shoulder near the [illegible] on ramp. The vehicle slowed down but didn't stop. The vehicle then pulled all the way across to the left lane end he continued e/b to the I30 e/b on ramp. About halfway up the ramp in the curve the subject pulled to the shoulder. At that time I exited my patrol unit and the b/m stuck his hands out the driver's side window. I drew my service weapon and ordered the subject to keep his hands outside the window. At that time officer Metcalf arrived at the scene followed by Sgt Stephens. The suspect was ordered to turn the vehicle off and throw the keys out. We then ordered the subject to open the door and step out. When the subject stepped out he was wearing a green ammo belt around his waist. At that time the subject was told to lay down on the ground. The subject got down on the ground and he was then handcuffed. I did a pat down of the subject and in his right front pants pocket he had a Horcin .380 semi auto weapon that was loaded. Also several loose rounds (.380) were found in his right front pocket. The ammo belt that the subject was wearing had several clips with ammo in them...

Officer Metcalf documented the following in the Officer's Report dated 6/1/09:

... Mr. Muhammad was placed in my patrol vehicle and transported to the Downtown D.O. While en route to the D.O. Mr. Muhammad stated to me, "It's a war going on against Muslims and that is why I did it." He further stated, "he saw it on the news last night someone was pissing on the Koran." He further stated, "You see how I gave up with no problem." He was at D.O. for questioning. Charges are pending at this time.

Detective Tommy Hudson documented the following information in the Homicide Information Sheet dated 6/4/09:

Detective Nelson and I responded to the Downtown Detective Division to interview Abdulhakim Mujahid Muhammad. Upon our arrival, we made contact with Mr. Muhammad in interview room number four. We then walked Mr. Muhammad to the Homicide Interview Room where I read his Miranda Rights to him. Mr. Muhammad agreed to waive his rights and give a statement to Detective Nelson and myself. I then initiated the video system and a voice recorder and read over Mr. Muhammad's rights to him again which he again agreed to waive.

At this time I began asking Mr. Muhammad why he shot the soldiers in this incident. Mr. Muhammad stated that he was a practicing Muslim. Mr. Muhammad stated that he was originally from Memphis TN. and later moved to Nashville TN. where he attended college at TN. State. Mr.

Muhammad stated that he was studying religion and was turning his life around after being arrested for possessing an SKS Rifle and a sawed-off shotgun in Nashville. Mr. Muhammad stated that after this arrest, he converted and became a Muslim.

Mr. Muhammad stated that he wanted to move to Saudi Arabia and go to MECA but was unable. Mr. Muhammad stated that in 2007 he moved to Yemen where he taught English to people that lived in Yemen. Mr. Muhammad stated that he studied Arabic and attended an unknown MOSC in Yemen. Mr. Muhammad stated that he had a bank account with a Yemen bank but was always paid cash. Mr. Muhammad stated that he married a woman from Yemen but did not give her name to me. Mr. Muhammad stated that eventually he was caught with a forged Somali identification card and imprisoned by the Yemen authorities. Mr. Muhammad stated that while in the Yemen prison, he met other Muslims from other countries including Germany, Britain, and Somalia.

Mr. Muhammad stated that while in prison, he met with an F.B.I. Agent named "Greg." Mr. Muhammad stated that "Greg" told him that he was going to be deported from Yemen back to the United States. Mr. Muhammad stated that he told "Greg" that he didn't want to return to the United States but was told he had no choice.

Mr. Muhammad stated that when he returned to the United States in 2009, he had a great hatred for the United States and particularly the United States Military. Mr. Muhammad stated that he was mad at the CNN for filtering its news and not showing the truth in the Middle East. Mr. Muhammad accused the United States Military Personnel of "target shooting the Koran" and "pissing on the Koran." Mr. Muhammad also stated that United States Soldiers were also raping Muslim women and children in the Middle East.

Mr. Muhammad got into a theological conversation with me over the difference between Christianity, Muslim, and Judaism. Mr. Muhammad stated that Christians should be friendlier to Muslims since Muslims believed that Jesus Christ was a prophet. Mr. Muhammad stated that Christians should not be on the side of Jews since they killed Jesus Christ.

Mr. Muhammad stated that killing and shooting the soldiers at the Recruit Center was an act of war and Jihad and he was not guilty of murder. Mr. Muhammad stated that he would have killed more soldiers had there been more on the parking lot. I told Mr. Muhammad that we were conducting search and seizure warrants on his vehicle and his apartment. I asked Mr. Muhammad if there were any bombs in his vehicle or at his apartment and if they were booby-trapped. Mr. Muhammad stated that there were at least six Molotov-cocktails in the bed of his vehicle in a milk crate. Mr.

Muhammad described these bottles as some being green and some being clear. Mr. Muhammad stated that there was gasoline and oil in these bottles with a wick and taped together with duct tape. This information was relayed to other Homicide Detectives and the F.B.I. who were conducting these searches.

DEFENDANT'S ACCOUNT OF THE OFFENSES:

Information relating to the charge of Aggravated Assault (CR 10-1233):

Mr. Muhammad stated that the officer he allegedly stabbed had just returned from Iraq. He stated that the officer "had been bragging about killing sand niger's and Muslims in front of me. Mr. Muhammad stated he then decided "to kill the mutherfucker." The defendant stated, "He lied and said I stabbed his belt. I stabbed his stomach, that bastard." Mr. Muhammad stated that he "stabbed to kill."

Mr. Muhammad reported that he had made a shank utilizing an earpiece from one of his glasses. He decided to "wait until the opportune time." He had the shank for two weeks before the alleged incident. The defendant stated that he waited until the specific targeted officer opened the flap door before he attempted to stab him.

Information relating to the charge of Terroristic Threatening 1st Degree (CR 10-1232):

According to Mr. Muhammad, the officer he attempted to stab had a "friend, they're buddies" who also worked at the jail and had recently returned from Iraq. He accused the officer of urinating on his clothes because one day his clothes smelled to him of urine. Thus, the defendant stated he threatened to kill the officer. Mr. Muhammad continued, "I plan on stabbing him. I'll kill him if I get the chance. Or, I'll get someone else to do it. Then, I'll piss on him."

Information relating to the charge of Capital Murder and Attempted Capital Murder (CR 09-2626):

Mr. Muhammad stated that he first began planning to "carry out Jihad on America" while incarcerated in Yemen. He began to research and develop a plan after he returned to live in Little Rock, Arkansas. He stated he planned "different Army recruiting centers and Jewish organizations." He explained that he chose those two targets "because what they're doing in Palestine or years of killing Muslims." He described the path he planned to take on his Jihad as, "Little Rock, Memphis, Nashville, Florence, Kentucky, Philadelphia, Baltimore, and D.C."

According to the defendant, he began preparing for his Jihad weeks prior to the alleged crime. He stated that he bought several guns and "stockpiling ammo." He said that he had to buy the weapons and ammo over time because he was "on a

budget." When asked, he said that he did not use a credit card to buy supplies because "Muslims don't believe in interest." The defendant described buying an SKS rifle "off a guy to avoid the FBI." In addition he bought a "pistol off people, second hand" to "avoid the FBI." He expounded that he expected the FBI to be tracking him and possibly monitoring if he bought a gun due to the required background check. He stated that he bought the guns through individuals to avoid the background check that might alert the FBI to his intentions to kill people in America. He reported that he expected the FBI to be tracking him because they had interviewed him in Yemen and again when he entered the United States.

Mr. Muhammad stated that he bought a .22 rifle "over the counter at Wal-Mart to test if I'd get caught or questioned." He explained that he bought the .22 rifle specifically as a "test to see if I was under surveillance." He described walking out of the store through the Wal-Mart parking lot with the new gun thinking to himself, "It's on." "Meaning, I'm not under surveillance. The FBI had not put a hold or checked."

Mr. Muhammad described "training" for his Jihad. He reported that he went to empty construction sites to practice shooting his guns. He stated that he was "practicing to shoot people."

According to Mr. Muhammad, he began his Jihad in Little Rock, Arkansas. He reported that he "did something here," but declined to expound. Then, he drove through Memphis to Nashville, Tennessee. He drove to the house of a Jewish rabbi. He stated that he "picked an orthodox rabbi" and his actions were "retaliation, nothing personal." He had previously prepared a carton of Molotov cocktails. He lit one and threw it at the house, but "it bounced off the glass. It didn't go through." He described quickly leaving the scene and driving directly to his next predetermined target, an Army Recruiting Center in Florence, Kentucky. He stated that he had researched Army Recruiting Centers prior to leaving Little Rock over the internet. He decided on the center in Florence because "it was near an interstate and bordered Ohio. Easy to get away." He drove to the Army Recruiting Center, but the office was closed. Mr. Muhammad stated, "It was supposed to be my first."

After arriving at the Army Recruiting Center in Kentucky and finding it closed, Mr. Muhammad decided "after two failed attempts I'm going home and plan." He drove directly back to Little Rock. He described feeling dejected and frustrated with his unsuccessful attempts. He had been planing and saving for the Jihad for a long time and things had not gone as planned. He had saved for the guns, ammunition and gas for the trip. He reported that gas at the time of the alleged crime had reached "near \$4 a gallon." Thus, he had spent considerable money without accomplishing his goals. When he drove in to Little Rock and down Rodney Parham street, he noticed "two guys in Army fatigues smoking" outside of the Army Recruiting Center.

Mr. Muhammad described his actions at the time of the alleged crime. He said, "I went around the corner so they cannot see me. I did not want them to see me coming. I had the SKS with me and put it out the window. I rolled by and started shooting." He continued, "I was trying to kill them." When questioned, he stated that he used the SKS rifle because "it was the most powerful one I had." He stated he "drove off and made a right on West Markham." He reported he drove off "to avoid capture. Going to jail was not part of the plan."

The defendant stated that "I got myself caught." He said that he decided, after shooting the soldiers, he would flee to Memphis and change vehicles there to avoid detection by authorities. He reported that he mistakenly took a wrong turn due to construction at the I430 and I630 interchange. In addition, he stated that he made the mistake of leaving "the flat bed down." He explained that by leaving the tailgate down, it made identification of his vehicle much easier for police. He said, "Police knew 100% it was me. I had a black truck with the tailgate down."

Mr. Muhammad stated that he shot the soldiers "not due to mental illness, but due to obligation. It is a religious belief."

CLINICAL EVALUATION:

Mr. Muhammad described his mood as, "Stressed out from being in jail." He described being in a single person isolation cell. He stated that he had been placed in isolation because jail authorities had accused him on inciting the other inmates. The defendant stated that he had arranged for another inmate to throw urine on an jail officer. The defendant stated that he planned on killing the officer when he had the chance. He reported that he had experience using weapons that could cause serious harm beginning in middle school. He described using guns and knives in altercations during his school years. Records from Shelby County Sheriff's Office documented that the defendant had been involved in incidents that included fighting, threats to kill others and property destruction with brass knuckles.

Mr. Muhammad stated, "I'm not insane. I can stand trial. I'm not crazy." He reported that he agreed to this evaluation to avoid delays in this trial. He explained that if he exercised his right not to participate in this interview, it would likely delay his trial because there might be further hearings to determine if he could stand trial because the issue had not been quickly settled by "just doing this evaluation."

Mr. Muhammad stated, "I have no mental problems." He reported that his attorney wanted to prove that he "had been radicalized" by Muslim extremists. He stated, "I'll be on Death Row. What other defense can he use? I can prove my belief is in the Koran, not radicalized. It's my religion. My family's Baptist. They don't understand. I'm saying I'm not brainwashed. I'm going to tell him nothing but to plea guilty. I tried to write the judge a letter to tell him that." Mr. Muhammad spoke about his beliefs based upon his understanding of the versus in the Koran. I asked Mr. Muhammad to read a printed copy

of the handwritten letter he allegedly wrote to the judge. The defendant stated that he wrote the letter. Mr. Muhammad quoted versus he stated were in the Koran. He discussed the versus and expounded on how he considered his actions in the alleged offense of Capital Murder and Attempted Capital Murder were justified according to his religious beliefs. The defendant stated he wrote the following letter:

To Judge Wright Jr.
From Abdulhakim Muhammad

I'm writing this because I wish to plead guilty. To all charges I'm facing. Without deals without respite. I wrote the prosecutor and Federal Bureau of Investigations and TBI (Tenn. Bureau of Investigation). Informing them of all of the acts I was involved in around or about May 29 - June 1 2009. I do not wish to receive funds for my defense. I don't wish to have a trial. I'm affiliated with Al-Qaeda in the Arabian Peninsula. Member of the Abu Basir's Army. This was a Jihadi Attack on infidel forces. That didn't go as plan. Flat out truth. I plead to capital Murder, Attempt capital Murder and The other 10 counts without compulsion without deals. My lawyer and prosecutors have fail to comply. I wrote John Johnson informing him of this. He responded I couldn't plead guilty to capital murder case. Which I think is a lie. That's why I'm writing you my lawyer has no defense. I wasn't insane or post traumatic nor was I forced to do this act. Which I believe it is justified according to Islamic Laws and the Islamic Religion Jihad to fight those who wage war on Islam and Muslims. At the next hearing I look forward to pleading guilty and await sentencing.

Abdul Hakim Muhammad
11 pm 1/12/2010

The defendant stated that he did not have any mental health difficulties presently or at the time of the alleged offenses. He stated that he had never experienced hallucinations, delusions, mania, or excessive difficulties with his moods. He stated that he had no plans to kill himself and listed his religious beliefs as strong barriers to self harm.

On 7/14/10, Michael Simon, Ph.D., administered the Wechsler Adult Intelligence Scale - 4th Edition (WAIS-IV) to Mr. Muhammad. Dr. Simon reported the following in the Psychological Evaluation Note dated 7/14/10:

Mr. Muhammad's performance on the WAIS-IV yielded a Full Scale IQ of 90 (Verbal Comprehension Index = 93; Perceptual Reasoning Index = 86; Processing Speed = 92; Full Scale IQ = 90) which indicates that he presently functions at the bottom end of Average range of intelligence. His test results are believed to provide a valid measure of his intellectual functioning. Evidence of this is provided by the fact that he attained two of his best scores on Matrix Reasoning and Coding, subtests which are often correlated with an examinee's level of motivation. His vocabulary and general fund of information were also areas of strength.

In summary, the results of intellectual testing indicate that Mr. Muhammad functions at the low end of the Average range of intelligence. There is no evidence to indicate that intellectual functioning will be a significant issue with regard to his competency to stand trial.

MENTAL STATUS EXAMINATION:

Mr. Muhammad is a male with good personal hygiene. He wore a jail issue jumpsuit. He had well maintained hair and nails. He talked in a conversational and respectful manner during the interview. He engaged well in the interview. He demonstrated a normal level of eye contact and psychomotor activity. He spoke in a normal rate and tone. He responded to questions directly and in a clear, understandable manner. Mr. Muhammad neither reported nor demonstrated symptoms of psychosis, such as paranoia or hallucinations. He voiced no delusional thoughts. He reported no thoughts of harming himself. Based on interactions and general level of vocabulary used in the interview, Mr. Muhammad demonstrated his intelligence to be in the Average range of intellectual functioning.

On 7/12/10, I administered the Folstein Mini-Mental State Examination to Mr. Muhammad, a structured interview that looks for significant defects in an individual's orientation, concentration, attention, language abilities and abilities to reproduce drawings. He participated and provided a fair effort. He scored in the normal range with a score of 25 points out of a possible 27, missing two point on concentration tasks. (Three tasks requiring the use of his hands were not asked of him due to him remaining in wrist shackles during the interview.)

EXAMINATION OF FITNESS TO PROCEED:

On 7/12/10, I administered the Georgia Court Competency Test - Mississippi State Hospital Revision (GCCT-MSHR) to Mr. Muhammad. The GCCT-MSHR is a structured interview that assists in the assessment of a defendant's understanding of the trial process and issues related to his own defense. A score of 70 is considered passing. Mr. Muhammad provided appropriate answers and obtained a passing score of 100 out of 100.

Mr. Muhammad identified a picture of a courtroom and identified the locations of the following courtroom participants: judge, jury, defendant, defendant's attorney, prosecuting attorney, testifying witness and audience.

Mr. Muhammad described the role of the judge during the trial as, "Judge the trial. Depends if it's a bench or jury trial. The jury decides guilty or innocent if jury trial. The judge decides if bench trial." He described the role of the jury during a trial as, "Decide if guilty or innocent if jury trial." He described the role of the defendant's lawyer during a trial as, "Defend me from death penalty. Defend my case." He described the role of a testifying witness during a trial as, "Testify to what they knew, heard, or seen."

Specifically, regarding the case, offense, or things the defendant knew." He described the role of the audience during the trial as, "Just witness the case. Spectate." He described the role of the defendant during a trial as, "I won't do anything. Maybe take the stand. Just sit there and make sure lawyer won't say what I do."

Mr. Muhammad identified his attorney by name and described him as a private attorney hired by his parents. He stated that he could contact him by calling or writing a letter. He described how he could assist his lawyer. He stated, "By giving facts of what happened. Give facts of what didn't happened and how I feel toward the government." He named his charge as, "Capital Murder, Attempted Capital Murder, Unlawful Discharge from a Vehicle, Aggravated Assault, and Terroristic Threatening." He described a possible sentence if convicted as, "Death Penalty."

The defendant stated that his family initially hired Jim Hensley as the lawyer to represent him for the alleged charges. Mr. Muhammad reported that Mr. Hensley "was saying stuff to the media that was not true, stuff I didn't tell him." For example, he said the attorney told the media he had been beaten in a Yemen prison. Mr. Muhammad stated that he asked his family to fire that attorney and hire a different attorney. The defendant stated that he planned on working with his present attorney to defend himself in court. He said, "We started off on a good foot. My only defense, I wanted to plea guilty. They caught me red handed. But I am forced to go to trial. It's the only way." He continued, "It's not federal. [They're] making the state pick it up. The prosecutor is not offering a plea. He is seeking the death penalty."

The defendant also described other possible pending legal charges against him. He described attempting to fire bomb a prominent jewish rabbi's home in Tennessee with a Molotov cocktail. He stated, "I expect a federal case because it was multi-state."

When asked to describe the alleged offenses he gave concise and consistent answers. He stated that at his last court appearance he had his next court appointment rescheduled to August 17 to review the results of this evaluation.

FORENSIC OPINIONS:

OPINION ON THE CURRENT MENTAL CONDITION OF THE DEFENDANT:

Mr. Muhammad did not have any mental illness at the time of the alleged crimes or this evaluation.

Based on the above, he has no diagnoses:

Axis I: None
Axis II: None
Axis III: None

OPINION ON THE DEFENDANT'S CAPACITY TO UNDERSTAND THE PROCEEDINGS AGAINST HIM AND TO ASSIST EFFECTIVELY IN HIS OWN DEFENSE: It is my opinion that, at the time of this examination, the defendant had an understanding of the proceedings against him and had the capacity to effectively assist his attorney.

Mr. Muhammad participated in this assessment appropriately. He comprehended questions asked of him and followed instructions. He demonstrated a good understanding of legal proceedings, evidenced by conversations, responses and passing scores on the Georgia Court Competency Test – Mississippi State Hospital Revision. He related to the examiner in a rational and controlled manner. Mr. Muhammad had a good understanding of the roles of the participants in the courtroom. Based on this data, a number of conclusions can be drawn:

1. He had the ability to effectively assist counsel, evidenced by his ability to cooperate with examinations performed at the Arkansas State Hospital.
2. He had sufficient present ability to consult with his attorney with a reasonable degree of understanding.
3. He had the capacity to disclose to his attorney available pertinent facts surrounding the alleged offenses.
4. He had the capacity to make decisions in response to well-explained alternatives.
5. He had the capacity to recall and relate facts pertaining to his actual whereabouts at certain times.
6. He had an understanding of the proceedings against him.
7. He had the ability to consider the potential consequences of several options, to make judgments about the desirability and probability of those consequences, and to compare them.
8. He had an ability to appreciate the range and nature of the possible penalties he faces.

OPINION ON THE PRESENCE OR ABSENCE OF MENTAL DISEASE OR DEFECT AT THE TIME OF THE ALLEGED OFFENSES: It is my opinion that at the time of the alleged conduct, should the fact finder conclude that Mr. Smith committed the alleged offenses, he did not have a mental disease or a mental defect. This opinion is based on the following information:

1. Based on my examination, the defendant did not have a substantial disorder of thought, mood, perception, orientation or memory that grossly impaired

judgment, behavior, capacity to recognize reality or ability to meet the ordinary demands of life at the time of the alleged offenses, indicating no mental disease.

2. Based on Mr. Muhammad's educational history, IQ testing and participation in this evaluation, he had a level of intelligence in the average range, indicating no mental defect.

OPINION ON THE DEFENDANT'S CAPACITY TO APPRECIATE THE CRIMINALITY OF HIS CONDUCT AT THE TIME OF THE ALLEGED OFFENSES: It is my opinion that at the time of the alleged conduct, **Capital Murder and Attempted Capital Murder (CR 09-2626), Aggravated Assault (CR 10-1233), and Terroristic Threatening 1st Degree (CR 10-1232)**, should the fact finder conclude that Mr. Muhammad committed the alleged offenses, he did not lack the capacity to appreciate the criminality of his conduct. This opinion is based on the following information:

1. At the time of the alleged conduct, Mr. Muhammad had no mental disease or defect that would have rendered him incapable of appreciating his actions as unlawful.
2. At the time of the alleged incident, Mr. Muhammad demonstrated that he appreciated that stabbing a person could result in that person's death. Witnesses at the scene reported that after attempting to stab the officer he said, "I got you white boy, you gonna die." At the time of this evaluation, Mr. Muhammad stated that he attempted to stab the officer in order to kill him.
3. Mr. Muhammad reported that he did the alleged crimes as part of a Jihad against American soldiers. The defendant based his actions on his understanding of his religious obligations. He formulated his religious beliefs by reading the Koran, studying in organized religious centers, and talking to others that held similar and differing religious beliefs. His beliefs were not secondary to psychosis or delusions. Mr. Muhammad had a long history of acting in violent manner prior to the alleged offenses. Participating in the alleged activities as part of a Jihad is a rational explanation for his actions not related to mental disease or defect.
4. The defendant reported that he attempted to avoid detection of authorities in efforts to avoid arrest. For example, he bought weapons from individuals to avoid the background check. He bought a .22 rifle from Wal-Mart in an effort to determine if the FBI was monitoring him. The defendant's efforts to avoid authorities and resulting arrest demonstrated that he had the capacity to appreciate the criminality of his actions at the time of the alleged crimes.
5. Immediately after the alleged offenses, Mr. Muhammad reported that he fled the scene with the goal of changing vehicles to avoid arrest. Mr. Muhammad's efforts to avoid capture and arrest indicated he appreciated the illegality of his actions.

OPINION ON THE DEFENDANT'S CAPACITY TO CONFORM HIS CONDUCT TO THE REQUIREMENTS OF THE LAW AT THE TIME OF THE ALLEGED OFFENSES:

It is my opinion that at the time of the alleged conduct, **Capital Murder and Attempted Capital Murder (CR 09-2626), Aggravated Assault (CR 10-1233), and Terroristic Threatening 1st Degree (CR 10-1232)**, should the fact finder conclude that Mr. Muhammad committed the alleged offenses, he did not lack the capacity to conform his conduct to the requirements of the law. This opinion is based on the following information:

1. At the time of the alleged conduct, Mr. Muhammad did not have mental disease or defect that would have rendered him incapable of conforming his actions to lawful requirements.
2. Mr. Muhammad demonstrated that he had the ability to control his behaviors at the time of the alleged offense of Aggravated Assault as evidenced by his ability to make a shank from objects available to him in jail, wait approximately two weeks until he had an opportunity to reach the officer, and wait until the specific officer he targeted opened the flap door to his cell.
3. Mr. Muhammad prepared for the alleged offenses over an extended period of time. He saved money for gas, bought ammo and guns as his finances allowed, made Molotov cocktails, and practiced using the weapons. The defendant's capacity to develop a plan, prepare in a focused manner for a notable period of time, and then attempt to implement the plan according to his preparations demonstrated that he had the capacity to control his actions. Thus, he had the capacity to conform his actions to the requirements of the law at the time of the alleged crimes.
4. The defendant stated that he shot the soldiers "not due to mental illness, but due to obligation. It is a religious belief." Mr. Muhammad stated that his actions were secondary to theological views and not secondary to mental disease or defect.

Respectfully,



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Arkansas State Hospital