

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 3:13-cr-141-J-32JRK

SHELTON THOMAS BELL

FACTUAL BASIS

SHELTON THOMAS BELL ("BELL"), at times alleged in the indictment, resided in the Middle District of Florida.

Beginning in approximately May 2012 and continuing through at least July 18, 2013, BELL agreed and conspired with a juvenile and at least one other individual to train in the Jacksonville area to prepare themselves as combatants for overseas violent jihad (for purposes of this agreement, the phrase "violent jihad" means armed conflict), to then travel from Jacksonville, Florida to the Middle East for the ultimate purpose of providing personnel, namely BELL and the juvenile, to terrorists, including members of Ansar al-Sharia in Yemen, to receive further training and deadly weapons from Ansar al-Sharia, and to then engage in violent jihad against, and to kill, others in the country of Yemen and elsewhere. At all relevant times, BELL and the juvenile knew that Ansar al-Sharia had engaged in, and continued to engage in, terrorist activity and the killing of other persons in foreign countries, including both Yemen and Syria.

In May 2012, BELL introduced the juvenile to the concept of traveling overseas for the purpose of engaging in violent jihad and further

inspired the juvenile and another person with the teachings of an Al Qaida spokesperson, Anwar al-Awlaki ("al-Awlaki"). BELL, the juvenile, and the other individual would play audio and video recordings of these lectures by al-Awlaki, agreed with much of his teachings, and resolved to travel overseas to participate in violent jihad. BELL suggested travelling to Yemen to fight because of al-Awlaki's teachings that all young people should travel to Yemen to take up the fight. BELL, the juvenile, and another individual talked about the idea and agreed to go to Yemen to "take up the fight" and join the mujahidin there.

BELL and the juvenile subsequently agreed to a plan in which they would travel to Israel to visit the juvenile's sick Grandmother and then make Hajj. This was an agreed cover story for their eventual plan to travel to Yemen to join Ansar al-Sharia and others engaged in violent jihad in that country and elsewhere. As part of the deception, BELL and the juvenile told others, including their parents, they were traveling overseas to attend Hajj, to study, and to get an education.

By July 2012, BELL, the juvenile, and another individual began taking actions to train for their unlawful plan. For example, BELL, the juvenile, and another individual conducted mental training to prepare them for fighting in Yemen before departing from Jacksonville. This included watching al-Awlaki videos and looking at images of dead Muslims.

Another part of the training took place on July 4, 2012, when BELL and another individual conducted a late-night "jihadi training mission" that

involved the destruction of religious statues in a multi-denominational cemetery located in Jacksonville, Florida. BELL and the other individual created a visual and audio recording of this mission. In preparation for the mission, BELL and the other individual dressed in all black clothing, wore tactical gloves, masks, and wrapped their shoes in black duct tape to avoid leaving footprints. BELL brought a loaded 9 mm pistol with him on the mission to use "in case any kuffar want to cause any trouble." During the drive to the cemetery, BELL indicated that scholars would say, "You're a terrorist" and that they would be demonized as terrorists, "[j]ust as they do the Taliban, just as they do the brothers in Somalia, just as they do the brothers everywhere across the globe."

The training also included firearm training on State of Florida land adjoining BELL's father's home in Duval County, Florida. BELL, the juvenile, and another individual made two trips to a home-made firing range to conduct target practice and prepare themselves as fighters for overseas battles. These training sessions took place on July 4, 2012, and July 10, 2012, and included impromptu battlefield lessons conducted by BELL and participated in by the juvenile and another. The training sessions were recorded, and BELL intended for another individual to upload the recordings to the internet to show that a person like BELL had gone before to fight and participate in violent jihad and to recruit others in joining and emulating him.

During the firearm training on July 4, 2012, BELL provided beer cans to the juvenile and another and stated, "Gotta start off with something small

before you fight off something big.” BELL referred to this firearm training as “the actions of Jihad.” At one point during this training, the juvenile commented about the smell of beer, and BELL stated, “It may stink, but how you think the blood is going to smell?”

During another recorded firearm training session on July 10, 2012, Bell stated that they had come to “practice jihad” and jokingly referred to what they were doing as “mujahidin training” and by saying, “Its American terrorist.” This training again consisted of target shooting by BELL, the juvenile, and another individual. At one point during this training, BELL taped an American flag to a plywood board, and the juvenile commented, “You see that. Real target. BELL then replied, “[n]ot the American people, just the flag and the Government.” During the remainder of this recorded training, BELL provided firearm instructions, and told another individual to “crouch like you would be in the battlefield.” At another point, the three overheard an airplane, and BELL stated, “Stand down. Like if we were on the battlefield, this is what we’ve got to watch out for is them drones.” At the conclusion of this training, BELL placed the American flag on a machete, burnt it, and commented that the flag was “burning to the ground by the mujahidin’s hands.”

On July 26, 2012, BELL created a recording of himself in the same wooded area. In this recording, BELL dressed himself in a white gown, wore black boots, black knee and elbow pads, a black tactical vest, and a black turban. BELL began this recording by making various statements. He noted that “we’re

partaking in the training of jihad” and “actively seeking participation in jihad.” He stated, “Yes fighting is included. Your lives may be at stake.” He noted with approval comments from “Sheik Osama Bin Laden.” He also noted that “[w]e will be the ones to liberate this entire planet of the Kuffar.” He specifically referenced a jihadist flag flying over locations such as the White House in Washington, D.C. and the Prime Minister’s Castle in Canada. He concluded this video by stating, “Any message to the youth who are listening now or listening through the camera, yeah, uh, then there’s only one message. That message is what are you doing for the sake of Allah? What lengths are you willing to go?” Bell concluded this recording with footage of himself shooting at targets and exploding various devices, including a device he termed a “frag grenade.”

BELL and the juvenile also planned to take footage of each other actually participating in armed conflict in the Middle East once they made it there and began fighting. The purpose of this footage would be to upload to the internet to assist in recruiting other youth to travel and join in armed conflict. To facilitate his travel, on September 11, 2012, Bell placed an order and paid for an expedited passport with a company called Expresspassports.com. BELL then completed an Application for a U.S. Passport on September 13, 2012, at a United States Post Office in Jacksonville. On September 20, 2012, the Department of State issued a passport to BELL.

In September 2012, in Duval County, Florida, the juvenile gave BELL money for his airline ticket. On September 21, 2012, BELL used an on-line

travel service to purchase one-way plane tickets for himself and the juvenile from Jacksonville, Florida to Tel Aviv, Israel. This was to be the beginning of the planned travel to Yemen.

On September 25, 2012, BELL and the juvenile left Jacksonville, Florida and flew to New York, Poland, and Tel Aviv, Israel where they were detained by Israeli officials and deported to Poland. From Poland, BELL and the juvenile traveled to Jordan to stay with the juvenile's relatives. While in Jordan and in furtherance of their plan, BELL and the juvenile contacted another person to assist in their plan of joining up with Ansar al-Sharia. BELL and the juvenile also bought airline tickets to the country of Oman, believing they would fly to Oman and walk across the border to Yemen to join the armed conflict there and participate in killing others. As part of the conspiracy, BELL and the juvenile intended to travel to Yemen where they intended to fight violent jihad for Ansar Al-Sharia. BELL and the juvenile were ready to fight, ready to kill others, and ready to die.

While in Jordan, the juvenile purchased a cellular telephone to assist in communicating with others to facilitate their unlawful plan.

While in Jordan, BELL and the juvenile also made additional recordings documenting discussions between them. During a recording dated October 25, 2012, BELL acknowledged both he and the juvenile's original intentions and that they had kept those intentions quiet by stating, "If we told him our original intentions, yea we wanna go fight, guess what, everyone would

disagree about it.” Later, BELL confirmed that the original plan “was to go straight to Yemen.”

During and in furtherance of the conspiracy, BELL and the juvenile took steps to avoid detection by law enforcement, including using a cover story for the trip overseas and staying "undercover" during the overseas travel, which meant not informing people of their true intentions for their travel and limiting their communications.

Ultimately, BELL and the juvenile were deported from Jordan to the United States. BELL initially requested to be deported to Turkey, but instead was returned to the United States on November 21, 2012. At that time, BELL spoke with agents and provided a non-custodial statement. During his statement, among other things, BELL acknowledged that he and the juvenile had purchased plane tickets to Oman with the intention of entering Yemen. BELL stated, “If you ask me if was going for jihad in Yemen, I say yes.” BELL stated that he and the juvenile would have fought for whatever group was fighting against those who were persecuting Muslims. BELL confirmed that Ansar al-Sharia was the group they sought to join, but explained that several groups were affiliated with Ansar al-Sharia, including al Qa’ida and the Taliban.