



IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 1:13cr 418
)	
YOUSEF AL-KHATTAB,)	
)	
Defendant.)	

STATEMENT OF FACTS

The parties stipulate that the allegations in the Criminal Information and the following facts are true and correct, and that had the matter gone to trial the United States would have proven them beyond a reasonable doubt.

A. Revolution Muslim Generally

1) Revolution Muslim was an organization started in December 2007 that operated internet platforms and websites that contained postings and information supportive of violent jihad. Revolution Muslim was founded by the defendant and by Jesse Curtis Morton, also known as Younus Abdullah Muhammed. Al-Khattab was an administrator of its websites and internet platforms. As such, he made postings, responded to inquiries from other users, and reviewed and permitted postings on the sites from others.

2) The multiple platforms used by the Revolution Muslim organization allowed some of the sites to always remain active when others were rendered inoperative by internet service providers for violations of terms of service. Although the revolutionmuslim.com site is no

longer operative, many of the organization's posts remain accessible on other internet platforms set up by Al-Khattab, Morton, Zachary Chesser, and others.

3) Al-Khattab and his associates in the Revolution Muslim organization claimed to follow the teachings of Sheikh Abdullah Faisal.¹ They used the organization's websites to encourage Muslims to support Usama bin Laden, Anwar Al-Awlaki², al-Qaida, the Taliban, and other Muslims engaged in or espousing jihad.

4) On February 28, 2008, Al-Khattab posted on a Revolution Muslim website a video titled "Knowledge is For Acting upon - The Manhattan Raid." The video, which is approximately two hours in length, purported to have been released by As-Sahab, the media and propaganda branch of Al-Qaeda, and depicted Usama bin Laden and the 9/11 hijackers as heroes who acted on the knowledge they had. The video asserted that jihad is an individual obligation, and that Islam can neither be established nor gain a foothold without jihad. It quoted bin Laden, "So talk yourself into martyrdom operations. . . because to the same degree that the number of

¹ Sheikh Abdullah Faisal is a Muslim cleric who previously preached the necessity of violent jihad and the virtues of killing kuffars. (The term "kuffar" is an Arabic term, referring to an unbeliever, or disbeliever, in Islam). In February 2003, Faisal was convicted in the United Kingdom of "soliciting to murder," based on lectures he gave in which he openly called upon his followers to kill Americans, Jews, Hindus, and other perceived "enemies of Islam." Faisal completed his prison sentence in the United Kingdom and now resides in Jamaica.

² Anwar Al-Awlaki was a dual citizen of the United States and Yemen, and an Islamic lecturer and spiritual leader of "Al-Qaeda of the Arabian Peninsula" ("AQAP"), a Yemen-based terrorist group that had claimed responsibility for terrorist acts against targets in the United States, Saudi, Korean and Yemeni since its inception in January 2009. Pursuant to a Presidential Executive Order, Al-Awlaki was designated by the United States as a "Specially Designated Global Terrorist" on July 12, 2010. Al-Awlaki was reportedly killed in Yemen on September 30, 2011.

young men who carry out martyrdom operations increases, the time of victory gets closer, with Allah's permission." It quoted one of the 9/11 hijackers as stating that "the martyrdom operation is the best way to wound the enemy and terrorize them . . . as for its legal status, most people of knowledge . . . have permitted it and shown that it is a great way to bring oneself near to Allah." The video quotes one of the hijackers as affirming that "we are those who built our forts out of skulls." On November 29, 2009, January 25, 2010, and again in February 2011, when correspondents contacted Morton to ask him for an opinion on the attacks of 9/11, Morton emailed responses that "we look to the mujahideen" for guidance and that the questioners should watch the "Knowledge is for Acting Upon by Al-Sahab video" and reach their own conclusions.

5) On January 20, 2009, Al-Khattab posted on the Revolution Muslim site a link to a lecture by al-Qaeda leader Zawahiri that Al-Khattab understood to constitute praise for Revolution Muslim.

6) On April 17, 2009, Al-Khattab posted a statement on a Revolution Muslim website calling President Obama a kaffir and calling for him to spend his afterlife thrown in the deepest depths of fire. The post closed with the exhortation, "May Allah Destroy the U.S."

7) On November 6, 2009, Al-Khattab posted on the website www.revolutionmuslim.com the following:

An officer & a Gentleman Friday, 06 November 2009 Major Nidal Hasan M.D. An officer and a gentleman was injured while partaking in a preemptive attack. Get Well Soon Major Nidal We Love You. We do NOT denounce this officer's actions....Sharing a Smile with the International Community, Yousef al-Khattab.

8) Later in November 2009, Al-Khattab posted on Revolution Muslim's website a video aimed at children, titled: "Revolution Kids - Education Time with Farfour: Episode 1 Iraq & Fort

Hood for Toddlers & Americans." In the video, Al-Khattab dressed up in the costume of a mouse character known as "Farfour" from a television show aimed at children aired by a television station affiliated with Hamas. In costume, he stated regarding the killings by Nidal Hassan at Fort Hood:

Last week, last week a Muslim, he made a decision...and what he decided to do was, he said to himself, he weighed the issues...he said to himself, self, should I go overseas and become a kaffir, or should I die a Muslim. That's probably what was in his mind. Anyway he decided to die a Muslim. Didn't work out that way but...bottom line was, 13 knock outs, like 38 tkos, and zero losses!

B. The Threats Against Jewish Organizations

9) In March 2008, Al-Khattab posted to the Revolution Muslim website a video praising the Palestinian who died in the course of killing eight students and wounding 11 more at the Merkaz HaRav Yeshiva (a Jewish religious school) in Jerusalem, Israel, two days earlier. Al-Khattab closed the video by saying:

An Islamic warrior did a martyrdom operation which he slaughtered eight rabbinical students in Merkaz HaRav, which is a Yeshiva the Zionist War Machine uses to train its religious soldiers. Unbelievable! Unbelievable! I cannot believe it. Well, I can believe it in Jerusalem. What is your opinion? Wow! Wow! Mash-Allah, Subhan-Allah [expressions of gratitude toward God]. Yaaaah---Boooeeey! Interesting stuff. Yousef Al-Khattab, RevolutionMuslim.com, Queens, New, York.

10) On December 3, 2008, Al-Khattab asserted on Revolution Muslim's website that the November 26, 2008 attack on the Chabad House in Mumbai, India, and the killing of six people inside (including the rabbi and his wife who operated the house) was justified on the grounds that Chabad supported Israel.³

³ Chabad is an organization of the Lubavitch sect of religious Jews.

11) On or about January 8, 2009, Al-Khattab posted to the Revolution Muslim website a video encouraging viewers upset about the conflict in Gaza to seek out the leaders of Jewish Federation chapters in the U.S. and "deal with them directly at their homes." In the video, Al-Khattab gave the names and addresses of three of the larger synagogues in New York, and the address of the Chabad organization in Brooklyn. The video showed Al-Khattab encouraging viewers to "take your time, all your effort, your baraa"⁴ and "put it to the right purpose. Al-Khattab told viewers that

I mean you have the right to assemble in the United States. You have freedom of speech. I mean we have many things in America, we have a great many things. We have the right to bear arms and form militias. That's pretty awesome too. So there's a lot that can be done but people have to take the platform and you don't have to do it here on YouTube. You don't have to put a comment on with your name, and where you live, and who you are, and what you want to do. Just do it.

Khattab closed the video by stating:

Let them understand that there are consequences for those that occupy sovereign lands. And a brother told me a slogan, I don't know if it is legal, I have to check it out . . . He said, Give me liberty or I'll give you death. Pretty interesting.

12) On January 10, 2009, Khattab posted to the Revolution Muslim website a video titled, "No More Soft Islam." The videos creator dubbed both Faisal and Awlaki lectures into one. Faisal commands in relevant part:

⁴ "Baraa" is an Arabic term used by Al-Khattab for "hatred for the sake of Allah" of non-Muslims and Muslims who transgress. For example, Al-Khattab posted on RevolutionMuslim.com a lecture given by Shaikh Faisal on "Al-Wala-Wal-Bara" which discusses "Love For The Sake Of Allah & Hate For The Sake Of Allah." In the lecture, Faisal said "Those who want to go to Jannah [paradise], it's easy, just kill a Kaffar [unbeliever] ... by killing that Kaffar you have purchased your ticket to paradise." Faisal told audiences to kill Hindus, Jews, and other non-Muslims like "cockroaches."

The Ummah has woken up there is no more soft Islam. There is no more leaflet manhaj [methodology] and there is no ... no more democracy manhaj! There is no more leaflet manhaj just drop a leaflet and the victory will come. There is only one way forward now and that is Jihad FisibilAllah [for the sake of Allah] and even if you don't want do jihad the kaffirs are going to bring it to your doorstep. So the days for soft Islam are over! Because Kaffirs are not preaching soft they are preaching hard they are not talking they are killing you in Chechnya, they are killing you in Palestine, killing you in Iraq everyday 24 hours a day! ...So even if you don't want to wake up the kaffirs are making sure you wake up by killing your men putting your scholars in prison, raping your women and stealing your natural resources.

13) On or about January 20, 2009, Al-Khattab posted to the Revolution Muslim website a photo of the headquarters of the Chabad organization in Brooklyn, with accompanying links to a video and a map. The video depicted participants at a rally in support of Israel actions in Gaza, including several apparently Hasidic Jews expressing joy over those actions. Above the photo was the message "Do Not Let Orthodox Judaism Get Away From Murder in Ghaza," and the text, "The Orthodox Jews in This Video are Lubavitch Hasidim. Please See the Below Map After Watching the Entire Video." Inserted into the photo were cartoon balloons pointing out the location of Chabad's main temple facility, and noting that it was always full at prayer times. Below the photo, Al-Khattab inserted the text, "Make EVERY attempt to reach these people and teach them the message of Islam or leave them a message from Islam."

14) Shortly thereafter, Al-Khattab posted a link to "The Anarchist Cookbook," which is a manual for (among other things) constructing and using explosive devices. Al-Khattab wrote above the link to "The Anarchist Cookbook" the message "Anyone Know if this Book is Legal?" and wrote below it, simply, "Wow!"

15) Considering Al-Khattab's posts as a threat, the New York Police Department ("NYPD") parked a large police vehicle right in front of the Chabad Lubavitch headquarters

building in Brooklyn, New York. On or about January 21, 2009, Al-Khattab posted to the Revolution Muslim website a slideshow alternating between photos of the NYPD's protecting the Brooklyn headquarters of Chabad, a blood-stained Hebrew prayer book from the massacre of Mercaz HaRav Yeshiva students in March 2008, and dead children, presumably just killed by the Israeli military in Gaza. The only soundtrack was a low heartbeat that quickened and slowed and then sped up again until the end, when the heartbeat was terminated by loud and jarring sounds of gunshots.

16) In the course of investigating the threatening nature of Al-Khattab's posts, NYPD detectives contacted Al-Khattab on January 22, 2009, at his home in Atlantic City, New Jersey. Al-Khattab admitted that he made the posts, and said that he could see how the NYPD could take them as a threat, but denied that he was threatening anyone. He told the NYPD that he had already taken the posts down. In fact, the videos were never taken down, and most remain on the internet to this day.

17) On January 21, 2009, Al-Khattab and Morton exchanged emails about the postings to Revolution Muslim's website regarding Chabad and Jewish organizations. In response to Morton's request that Al-Khattab stop the posts regarding Chabad and Jewish organizations, Al-Khattab wrote "all I can say is [my brother] we are always at risk and [God willing] we are all for one and one for all. Most things we publish carry a chance that you and I can be incarcerated. . . . Muhammad, you and I chose a rooooooogh road this is only the beg[in]ing."

18) On or about January 23, 2009, Al-Khattab posted to the Revolution Muslim website a video accusing the headquarters of Chabad with funding terrorism, and urging viewers to find the leaders of Jewish organizations he named, "hold them responsible," "speak in front of their

homes," and "leave them the message of Islam." The video portrayed Al-Khattab as saying "That's not a threat, that's what it is" and:

New York City Police Department, CIA, and FBI, you can put me in jail for the rest of my life. As long as I got that information out there for people to what to do, I did something. I didn't sit on my behind. I did what I could legally do, what was in my means to do so.

The video ended with gunshots.

19) On or about February 23, 2009, Al-Khattab posted to the Revolution Muslim website a video in memory of the Palestinian believed to have died in the course of killing eight students and wounding 11 more at the Merkaz HaRav Yeshiva in Jerusalem, Israel, in March 2008.

20) On March 13, 2009, an article posted to the Revolution Muslim website quoted Al-Khattab as stating that Rashid Baz - - who shot at a bus filled with religious Jews near the Brooklyn Bridge and killed a 16-year-old in March 1994 - - "took it to the next level," and "understood Lubavitch probably better than we did." On March 24, 2009, Al-Khattab posted an article asking for support for "Brother Rashid [Baz, who] was accused of taking out 2 [sic] 9mm handguns and opening fire on a van full of Lubavitch Yeshiva students."

21) In March 2009, Al-Khattab posted to Revolution Muslim's website a video of a speech by Bin Laden on the liberation of Palestine. In introductory text for the video, Al-Khattab apparently referred to street demonstrations against Israel and supporters of Israel, writing that "Let the Demonstrations be followed by blasts!"

22) In June 2009, Al-Khattab posted to a Revolution Muslim BlipTv account a video of a rally in New York on May 29, 2009, depicting Al-Khattab and Morton carrying a sign stating that "All Supporters of Israel are Enemy Combatants." In the video, Al-Khattab engages in a call and response with a supporter about the Merkaz HaRav Yeshiva.

23) On or about October 7, 2009, Al-Khattab posted to the Revolution Muslim website a prayer asking Allah to carry out his wrath on the Jewish occupiers of Palestine and their supporters, by burning "their flammable sukkos [ceremonial prayer booths] while they sleep," throwing "liquid drain cleaner in their faces," and by making "their fingers and brains stick on café walls from impact." Later that month, he posted on the Revolution Muslim website a defense of the prayer that he made in an interview with Alan Colmes. In response to Colmes's observation that the prayer seemed violent, Al-Khattab said that "well, that is the way the immune system is, it eradicates disease." When Colmes asked him what he would think if someone who listened to him was incited to violence and went out and killed Jews, Al-Khattab responded by saying that "beauty is in the eye of the beholder."

24) On October 23, 2009, Al-Khattab posted on RevolutionMuslim.com a *Time* magazine cover from 1933 featuring Nazi leader Joseph Goebbels, and a link to Goebbels' article "The Jew." Below the magazine cover, the text was inserted, "This speech was written in 1929 and it is just shocking how applicable it is in 2009." That same article was posted by Al-Khattab on the IslamicAwakening.com forum in January 2007. In making the 2007 post, Al-Khattab wrote that "I am not a Neo Nazi in fact I am a former Jew, but I urge you to rush forth in Allah's service in any and all ways legal :wink: to eliminate the teachings of Judaism aka The Jewish People."

25) On December 9, 2009, Al-Khattab posted several videos on RevolutionMuslim.com under the banner which read, "Palestine Remembered RM 2008-2009." These videos included images of a suicide vest on a sign with the words, "Every Supporter of Israel is an enemy Combatant." On December 12, 2009, another video was posted with the banner with the words "Every Supporter of Israel is an enemy combatant."

26) On May 21, 2010, Khattab posted a statement on the IslamicAwakening.com website in which he wrote that the attack at the Merkaz Harav Yeshiva scares "the Jews." In the course of a discussion of the merits of attacking the compounds of Israeli settlers, Khattab argued that such attacks were ineffective because they do not ""strike fear in the hearts of the Kufar." He argued, instead, that "[w]hat does scare the Jews are the bus bombs, cafe explosions, and French Hill attacks, the attacks at Yeshivat Merkaz Harav and on Tel Aviv streets that Hamas & Jihad al Islami have done."

27) By making the posts involving Jewish organizations in 2009, Al-Khattab was trying to scare Jews and Jewish organizations. Al-Khattab expressed pride when security cameras had to be installed at the Chabad organization in Brooklyn.

28) Al-Khattab knew that some viewers of the Revolution Muslim websites were inclined to violence. On February 23, 2009, Morton told NYPD detectives that Revolution Muslim received posts and questions from individuals that may seem radical.

29) Although the organization known as Revolution Muslim no longer exists in most respects, its presence on the internet remains. All of the videos described above are still available on-line. In July 2012, Special Agent McGuckin accessed virtually all of them from his office in Alexandria, Virginia. The only video which was no longer accessible to the public online was Al-Khattab's statement of December 4, 2008, supporting the attacks on the Chabad House in India.

D. Al-Khattab's Statements to Law Enforcement

30) In May 2011, Al-Khattab agreed to speak with JTTF SA Kirgan from the FBI's Washington Field Office about Morton. Al-Khattab freely admitted creating Revolution Muslim with Morton to disseminate the teachings of Sheikh Faisal. He claimed that Revolution Muslim

only posted information, and never shipped anyone off to fight. He admitted that Revolution Muslim radicalized some of its viewers.

31) On December 28, 2011, Al-Khattab spoke with JTTF SA McGuckin from the FBI's Washington Field Office. Al-Khattab admitted creating Revolution Muslim with Morton. Al-Khattab said that he was worse than Morton, and that he used to believe that there was no such thing as "bad press." With respect to the 2009 postings about the Jewish organizations, Al-Khattab said that his "point was to hold people accountable." He claimed that he had no responsibility for whether anyone at Chabad felt scared as a result of his posts. When SA McGuckin raised the subject of Al-Khattab's posts in support for Rashid Baz, Al-Khattab stated that it was the jihadist position that those actions were justified, "that is just like Fort Hood, a military target!" Al-Khattab admitted that his position was that every supporter of Israel was an enemy combatant.

32) Within days of his interview with SA McGuckin, Al-Khattab posted on his website a video of Al-Khattab's comments in response to the interview. He denied that his intent in making the Chabad posts was to incite anyone to attack Jews. He said that "I am only responsible for what I say not what you think." He said that he remembered that

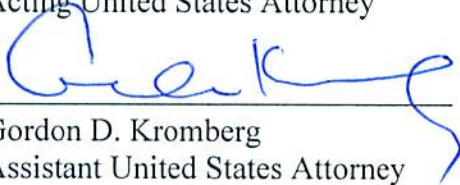
when I put the Crown Heights posts up, Younus [Morton] was really pissed off. I agreed with him. JTTF went to see me. It was a big mess. Younus told me that he didn't want to go to jail for this shit again, for just nonsense. And he was correct. Things really changed. Nothing like that really went down.

33) Al-Khattab further stated in his video that "I should not have put up the Crowns Heights posts because of the results that would come from it, from stupid people, from people with less life experience."

34) The acts taken by the defendant, Yousef Al-Khattab, as described above were done knowingly and voluntarily and not by mistake or accident.


Dana J. Boente
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By:



Gordon D. Kromberg
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After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, Yousef Al-Khattab and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.


Yousef Al-Khattab
Defendant

I am Yousef Al-Khattab's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.


Alan H. Yamamoto
Attorney for Yousef Al-Khattab