

Judge Bateman



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>SEP 08 2008</u>

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UNITED STATES OF AMERICA :

- v. - :

INDICTMENT

AAFIA SIDDIQUI, :

Defendant.

08 CRIM 826

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COUNT ONE

The Grand Jury charges:

Background

1. AAFIA SIDDIQUI, the defendant, resided in the United States from in or about 1991 until in or about June 2002, when she moved to Pakistan. During this period, SIDDIQUI obtained degrees from the Massachusetts Institute of Technology and Brandeis University in biology and neuroscience. SIDDIQUI returned to the United States on December 25, 2002, and departed the United States on January 2, 2003.

2. On or about July 17, 2008, AAFIA SIDDIQUI, the defendant, was detained by the Afghan National Police ("ANP") in Ghazni, Afghanistan. At that time, a number of items were in SIDDIQUI's possession, including various documents, various chemicals, and a computer thumb drive, among other things.

3. Among the documents in the possession of AAFIA SIDDIQUI, the defendant, were handwritten notes that referred to a "mass casualty attack" and that listed various locations in the



United States, including Plum Island, the Empire State Building, the Statue of Liberty, Wall Street, and the Brooklyn Bridge. In addition, certain notes referred to the construction of "dirty bombs," chemical and biological weapons, and other explosives. These notes also discussed mortality rates associated with certain of these weapons and explosives. Other notes referred to various ways to attack "enemies," including by destroying reconnaissance drones, using underwater bombs, and using gliders.

4. The computer thumb drive in the possession of AAFIA SIDDIQUI, the defendant, contained various electronic documents. A number of these documents consisted of correspondence that referred to specific "cells" and "attacks" by certain "cells." Other documents referred to "enemies," including the United States, and discussed recruitment and training.

5. On or about July 18, 2008, in Ghazni, Afghanistan, a team of officers and employees of the United States, and others assisting them, attempted to interview AAFIA SIDDIQUI, the defendant, at an ANP compound. The team included, among others: three officers and employees of the United States Army ("U.S. Army Officer One," "U.S. Army Officer Two," and "U.S. Army Officer Three"); two officers and employees of the Federal Bureau of Investigation ("FBI Special Agent One" and "FBI Special Agent Two"); and two U.S. Army contract interpreters ("Interpreter One"



and "Interpreter Two") (collectively, "the U.S. Interview Team"). The U.S. Interview Team was shown to a meeting room at the ANP compound, which was partitioned by a curtain. Unbeknownst to the U.S. Interview Team, SIDDIQUI was behind the curtain.

Attempted Murder of United States Nationals

6. On or about July 18, 2008, in an offense begun and committed outside of the jurisdiction of any particular State or District of the United States, AAFIA SIDDIQUI, the defendant, who was first brought to and arrested in the Southern District of New York, unlawfully, willfully, and knowingly attempted to commit a killing that is a murder, as that term is defined in Title 18, United States Code, Section 1111(a), of a national of the United States, to wit, SIDDIQUI obtained U.S. Army Officer One's M-4 rifle, attempted to fire and fired it at U.S. Army Officer Two and other members of the U.S. Interview Team, and repeatedly stated her intent and desire to kill Americans.

(Title 18, United States Code, Sections 2332(b)(1) and 3238.)

COUNT TWO

Attempted Murder of United States Officers and Employees

The Grand Jury further charges:

7. The allegations set forth in Paragraphs 1 through 5 above are incorporated by reference as if set forth fully herein.

8. On or about July 18, 2008, in an offense begun and committed outside of the jurisdiction of any particular State or



District of the United States, AAFIA SIDDIQUI, the defendant, who was first brought to and arrested in the Southern District of New York, unlawfully, willfully, and knowingly attempted to commit a killing that is a murder, as that term is defined in Title 18, United States Code, Section 1111(a), of officers and employees of the United States and agencies in the executive branch of the United States Government while such officers and employees were engaged in and on account of the performance of official duties, and persons assisting such officers or employees in the performance of such duties and on account of that assistance, to wit, SIDDIQUI obtained U.S. Army Officer One's M-4 rifle, attempted to fire and fired it at U.S. Army Officer Two and other members of the U.S. Interview Team, and repeatedly stated her intent and desire to kill Americans.

(Title 18, United States Code, Sections 1114(3) and 3238.)

COUNT THREE

Armed Assault of United States Officers and Employees

The Grand Jury further charges:

9. The allegations set forth in Paragraphs 1 through 5 above are incorporated by reference as if set forth fully herein.

10. On or about July 18, 2008, in an offense begun and committed outside of the jurisdiction of any particular State or District of the United States, AAFIA SIDDIQUI, the defendant, who was first brought to and arrested in the Southern District of New



York, unlawfully, willfully, and knowingly forcibly assaulted, resisted, opposed, impeded, intimidated, and interfered with a person designated in Title 18, United States Code, Section 1114, while engaged in and on account of the performance of official duties, and in the commission of said acts, used a deadly and dangerous weapon, to wit, SIDDIQUI obtained U.S. Army Officer One's M-4 rifle, attempted to fire and fired it at U.S. Army Officer Two and other members of the U.S. Interview Team, and repeatedly stated her intent and desire to kill Americans.

(Title 18, United States Code, Sections 111(a)(1),
111(b) and 3238.)

COUNT FOUR

Discharge of A Firearm During Crime of Violence

The Grand Jury further charges:

11. The allegations set forth in Paragraphs 1 through 5 above are incorporated by reference as if set forth fully herein.

12. On or about July 18, 2008, in an offense begun and committed outside of the jurisdiction of any particular State or District of the United States, AAFIA SIDDIQUI, the defendant, who was first brought to and arrested in the Southern District of New York, unlawfully, willfully, and knowingly, during and in relation to a crime of violence for which she may be prosecuted in a court of the United States, used, carried, brandished and discharged a firearm, to wit, SIDDIQUI used, carried, brandished and discharged U.S. Army Officer One's M-4 rifle (a machine gun)



in connection with the crimes described in Counts One, Two and Three.

(Title 18, United States Code, Sections 924(c) (1) (A) (iii), 924(c) (1) (B) (ii) and 3238.)

COUNT FIVE

Assault of United States Officers and Employees

The Grand Jury further charges:

13. The allegations set forth in Paragraphs 1 through 5 above are incorporated by reference as if set forth fully herein.

14. On or about July 18, 2008, in an offense begun and committed outside of the jurisdiction of any particular State or District of the United States, AAFIA SIDDIQUI, the defendant, who was first brought to and arrested in the Southern District of New York, unlawfully, willfully, and knowingly forcibly assaulted, resisted, opposed, impeded, intimidated, and interfered with a person designated in Title 18, United States Code, Section 1114, while engaged in and on account of the performance of official duties, where said acts involved physical contact with that person and the intent to commit another felony, to wit, SIDDIQUI physically resisted and struggled with Interpreter One as he attempted to obtain U.S. Army Officer One's M-4 rifle from her.

(Title 18, United States Code, Sections 111(a) (1) and 3238.)



COUNT SIX

Assault of United States Officers and Employees

The Grand Jury further charges:

15. The allegations set forth in Paragraphs 1 through 5 above are incorporated by reference as if set forth fully herein.

16. On or about July 18, 2008, in an offense begun and committed outside of the jurisdiction of any particular State or District of the United States, AAFIA SIDDIQUI, the defendant, who was first brought to and arrested in the Southern District of New York, unlawfully, willfully, and knowingly forcibly assaulted, resisted, opposed, impeded, intimidated, and interfered with, a person designated in Title 18, United States Code, Section 1114, while engaged in and on account of the performance of official duties, where said acts involved physical contact with that person and the intent to commit another felony, to wit, SIDDIQUI physically resisted, opposed, impeded and interfered with FBI Special Agent One, as he attempted to subdue her, by hitting and striking him and stating her intent and desire to kill Americans.

(Title 18, United States Code, Sections 111(a)(1) and 3238.)

COUNT SEVEN

Assault of United States Officers and Employees

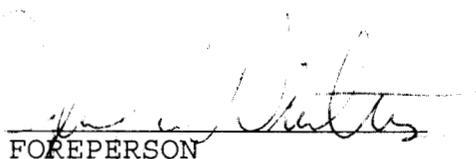
The Grand Jury further charges:

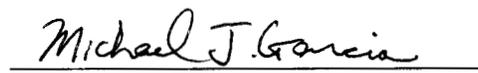
17. The allegations set forth in Paragraphs 1 through 5 above are incorporated by reference as if set forth fully herein.



18. On or about July 18, 2008, in an offense begun and committed outside of the jurisdiction of any particular State or District of the United States, AAFIA SIDDIQUI, the defendant, who was first brought to and arrested in the Southern District of New York, unlawfully, willfully, and knowingly forcibly assaulted, resisted, opposed, impeded, intimidated, and interfered with a person designated in Title 18, United States Code, Section 1114, while engaged in and on account of the performance of official duties, where said acts involved physical contact with that person and the intent to commit another felony, to wit, SIDDIQUI physically resisted, opposed, impeded and interfered with U.S. Army Officer Two as he attempted to subdue her and carry her out of the ANP facility, by kicking him, and attempting to kick him.

(Title 18, United States Code, Sections 111(a)(1) and 3238.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney



Form No. USA-33s-274 (Ed. 9-25-58)

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SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v -

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Defendant.

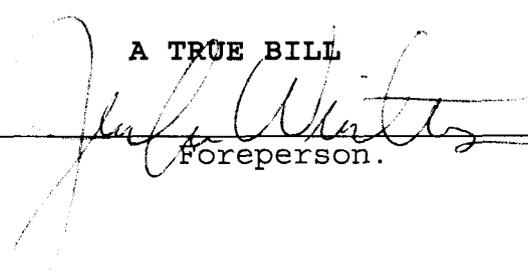
INDICTMENT

08 Cr. ____

(Title 18, United States Code, Sections
111, 924(c), 1114, 2332(b))

Michael J. Garcia
United States Attorney.

A TRUE BILL


Foreperson.
