

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
v.	:	CRIMINAL NO. 11-420
MOHAMMAD HASSAN KHALID,	:	
 a/k/a “Abdul Ba’aree ‘Abd	:	
 Al-Rahman Al-Hassan	:	
 Al-Afghani Al-Junoobi	:	
 W’at-Emiratee”	:	

GOVERNMENT'S CHANGE OF PLEA MEMORANDUM

I. INTRODUCTION

Defendant Mohammad Hassan Khalid has informed the government that he wishes to plead guilty to Count One of the Superseding Indictment in this case, charging him with conspiracy to provide material support to terrorists in violation of 18 U.S.C. § 2339A, arising from his participation in a scheme to support, recruit, and coordinate members of a conspiracy in their plan to wage violent jihad in and around Europe.

II. MAXIMUM PENALTIES

The Court may impose the following maximum sentence: 15 years imprisonment, three years of supervised release, a \$250,000 fine, and a \$100 special assessment. Further, the defendant’s supervised release may be revoked if its terms and conditions are violated, in which case the original term of imprisonment may be increased by up to 2 years. In addition, the

defendant is not a citizen of the United States and may be subject to immigration proceedings resulting in his removal from the United States.

III. ELEMENTS OF THE OFFENSE

In order to prove the defendant violated 18 U.S.C. § 2339A (providing material support to terrorists), the government must prove beyond a reasonable doubt that:

1. That the defendant provided material support or resources; and
2. That the defendant did so knowing or intending that such support or resources would be used in preparation for or in carrying out a conspiracy to kill in a foreign country in violation of 18 U.S.C. § 956.

IV. FACTUAL BASIS FOR THE PLEA

If this case were to go to trial, the government would be able to prove each element of the offense beyond a reasonable doubt. The government would introduce witness testimony as well as electronic evidence to prove that Mohammad Hassan Khalid participated in the charged conspiracy to provide material support and resources to terrorists, knowing and intending that such material support and resources were to be used in preparation for and in carrying out a conspiracy to kill, kidnap, maim, or injure persons or damage property in a foreign country. To that end, the government would prove every Overt Act listed in the superseding indictment.

For example, the government would present extensive evidence of electronic communications between the co-conspirators outlining their efforts to support, recruit, and coordinate a terrorist cell to wage violent jihad in and around Europe. The government would present a series of electronic communications dated July 19, 2009, in which co-defendant Ali Charaf Damache advised Khalid that their group would train “either with AQIM [Al Qaeda in the

Islamic Maghreb] or ISI [Islamic State of Iraq],” and would be “a professional organised team.” Damache directed Khalid to recruit online “some brothers that can travel freely . . . with eu passports [A]nd i also need some sisters too.” Damache explained to Khalid that “sister fatima [Colleen LaRose, charged elsewhere] will be in charge of other sister care [W]e have already organized every thing for her. . . . [W]e are will[ing] to die in order to protect her no matter what the risk is.”


The government would prove through documentary evidence and witness testimony that Khalid thereafter sent an electronic questionnaire to a woman asking about her beliefs and intentions with regard to jihad, including whether or not she had a European passport and could travel freely, and that he forwarded his questionnaire to LaRose. The government would further prove that Damache communicated with another co-conspirator (called CC #5 in the superseding indictment), directing CC #5 to find brothers and sisters to go to a “camp for training . . . and th[e]n come back to europe to do the job [T]he job is to [k]nock down some individual[s] that are harming islam.” Damache further advised CC #5 about his efforts to structure “an ORGANIZATION” divided into a “plan[n]ing team . . . research team . . . action team . . . recruitment team . . . finance team.”

The government would also present witness testimony and documents to prove that Khalid and LaRose communicated extensively about their shared desire to support violent jihad, and they they worked together online to raise funds to support terrorism. Khalid also sought confirmation from LaRose that her “brothers” are “REAL muhahids” [fighters engaged in violent jihad], and he helped remove her online pro-jihad posts after the FBI interviewed her.


The government would further prove through documentary evidence and witness testimony that LaRose sent Khalid a United States passport and other identification documents belonging to another person. And although records and witness testimony will prove that Khalid forwarded some of LaRose's documents to Damache in Europe, Khalid's electronic communications will be introduced to show that he removed and concealed the United States passport so that he could personally provide it to the "mujaahideen."

Respectfully submitted,

ZANE DAVID MEMEGER
United States Attorney



JENNIFER ARBUTTIER WILLIAMS
Assistant United States Attorney



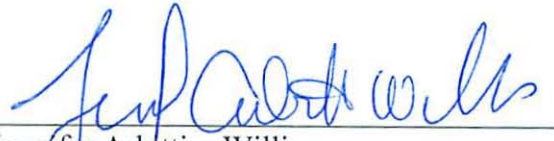
MATTHEW F. BLUE
Trial Attorney
Counterterrorism Section
U.S. Department of Justice

Dated: March 27, 2012

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Government's Change of Plea Memorandum has been served by e-mail upon the following:

Jeffrey M. Lindy, Esq.
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Jennifer Arbittier Williams
Assistant United States Attorney

DATED: March 27, 2012