

Lackawanna Man Indicted on Charges of Attempting to Provide Support to ISIL

U.S. Attorney's Office August 12, 2015

Western District of New York (716) 843-5700

BUFFALO, NY—U.S. Attorney William J. Hochul, Jr. announced today that a federal grand jury has returned a two-count indictment charging Arafat M. Nagi, 44, of Lackawanna, NY, with attempting to provide material support and resources, namely, personnel, to a foreign terrorist organization, ISIL. The charge carries a maximum penalty of 15 years in prison and a \$250,000 fine.

Assistant U.S. Attorneys Timothy C. Lynch and Joseph M. Tripi, who are handling the case, stated that according to the indictment, between November 2012 and August 2014, and again from early 2015 to July 29, 2015, the defendant attempted to provide material support and resources, and personnel, specifically himself, to a designated foreign terrorist organization, namely, the Islamic State of Iraq and the Levant (“ISIL”).

According to a complaint filed earlier in the case, on August 28, 2014, a community member advised the Federal Bureau of Investigation that the defendant spoke about violent jihad to various people in the Lackawanna community and it was common for Nagi to get into verbal complaints over his jihadi beliefs.

Further investigation determined that the defendant pledged allegiance to ISIL and the leader of the terrorist group, Abu Bakr al Bagdadi. Investigators learned that the defendant traveled to Turkey on two occasions, in October, 2012 and July 2014 with the intention to meet with members of the group. Evidence revealed that prior to this trip, the defendant purchased a large number of military combat items, including a tactical vest, army combat shirt, body armor, Shahada Flag, combat boots, backpack, burn kit, a hunting knife, machete and night vision goggles.

During follow up interviews in December, 2014 and March 2015, the community member who alerted the FBI regarding Nagi's actions stated that the defendant still possessed radical political and religious views. According to the individual, Nagi was angry about the killing of rebels in Yemen which he blamed on the United States; pledged an oath to ISIL leaders; expressed agreement with ISIL tactics, including the killing of innocent men, women and children; and planned to travel to Yemen and Turkey again soon.

Today's indictment is the culmination of an investigation by the Federal Bureau of Investigation Joint Terrorism Task Force which includes the Amherst Police Department, the Buffalo Police Department, the U.S. Department of State, the Federal Protective Service, Immigration and Customs Enforcement, Homeland Security Investigations, the Internal Revenue Service, the New York State Police, the Niagara County Sheriff's Office, the Niagara Falls Police Department, U.S. Border Patrol, U.S. Customs and Border Protection, and U.S. Customs and Border

Protection/Air and Marine Branch. Additional assistance was provided by the New York State Attorney General's Office.

The fact that a defendant has been charged with a crime is merely an accusation and the defendant is presumed innocent until and unless proven guilty.