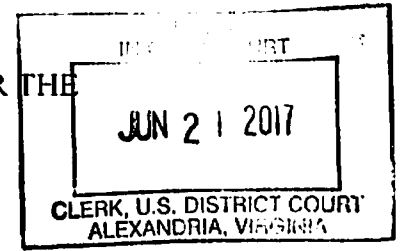


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA)	
)	
v.)	
)	
SOUFIAN AMRI)	
)	No. 1:17-CR-50
Defendant.)	

STATEMENT OF STIPULATED FACTS

The parties stipulate that 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.

1. Soufian Amri is a 31-year-old native-born United States citizen living in Falls Church, Virginia. Michael Queen is a 27-year-old native-born United States citizen living in Woodbridge, Virginia. Amri and Queen work in Fairfax, Virginia, at a computer gaming center business with high-speed internet access that they jointly own.

2. Haris Qamar is a United States citizen born in 1990, and who, until July 2016, resided in Burke, Virginia and was a frequent supporter of ISIS on the internet. In 2015 and 2016, Qamar used scores of variations of the handle "newerajihadi" (such as "newerajihadi21; newerajihadi22; newerajihadi23, etc.) to make posts on Twitter that were openly supportive of the Islamic State. As Twitter, Inc. closed older accounts, Qamar opened newer ones with higher numbers appended to the "newerajihadi" body.

3. This stipulation refers to a Confidential Witness ("CW"), who is a United States citizen and has provided information to the FBI since 2013. None of the information provided by CW has been shown to be unreliable. CW receives money from the FBI for services provided by CW.

4. CW met Qamar in September 2015. Between that time and Qamar's arrest in July 2016, they met in person on numerous occasions, and followed each other on social media. Except for their meetings on September 6, 2015, and September 11, 2015, all conversations between CW and Qamar are documented on recordings provided to the FBI by CW.

5. CW reported that, in addition to supporting ISIS on Twitter, Qamar regularly voiced support for ISIS to his friends, and expressed his love of violence. According to CW, Amri and Queen knew that Qamar watched ISIS videos at the gaming center they owned and operated.

6. On September 11, 2015, a "kill list" was posted to the internet by terrorists connected with ISIS, containing the names and addresses of members of the U.S. military. A few days later, Qamar told CW that the residences of several soldiers who appeared on that "kill list" were near Qamar's own home, and that Qamar had observed undercover police cars near those residences. On October 29, 2015, and again on May 12, 2016, Qamar reminded CW of the addresses on the kill list, and told CW the name of the street.

7. On September 16, 2015, from Twitter account with handle @newerajihadi20, Qamar tweeted his prayer that Allah "give strength to the mujahideen to slaughter every single US military officer."

8. On March 19, 2016, in response to a post by another Twitter user regarding damages done by airstrikes in the ISIS capital of Raqqa, Syria, the user of the Twitter account with the handle @newerajihadi79 posted "May Allah swt take revenge on kuffar and kill their families."

9. Two residences on the list are, in fact, within two miles of Qamar's residence. In light of Qamar's statement to CW that Qamar observed undercover police cars near those residences, the FBI

suspected that Qamar likely drove past those residences after their occupants were included on the “kill list.”

10. In a conversation recorded by CW on September 25, 2015, Qamar told CW that Qamar tried to join ISIS in 2014, but Qamar’s parents prevented him from traveling overseas. Qamar said his parents threatened to notify law enforcement authorities. Qamar also said he fought with his father and called his father a traitor to Islam. In a conversation recorded on March 16, 2016, Qamar told CW that he bought a plane ticket and lost \$700 because he could not travel without his passport.

11. In 2015 and 2016, SOUFIAN AMRI and MICHAEL QUEEN were friends with Qamar. Qamar spent a significant amount of time at the gaming center that AMRI and QUEEN operated. They knew that Qamar was a frequent supporter of ISIS on the internet, and they knew that he had planned to travel to join ISIS in 2014 and had purchased an airline ticket to do so.

12. On June 24, 2016, FBI agents interviewed AMRI at the business he shares with QUEEN, in part to learn additional information about Qamar, including but not limited to his attempted travel to join ISIS, and in part about a pro-ISIS Facebook post made by QUEEN. The FBI agents told AMRI that lying to the FBI is a federal offense. Amri was asked if he knew anyone who voiced support for ISIS. He stated “particularly, not really . . . that comes here no.” AMRI also said that he knew one person who—long ago—mentioned traveling for the purpose of joining ISIS. AMRI described that individual as a tall, thin, Indian kid, whom AMRI had not seen for a long time.

13. Later that day, FBI agents observed AMRI talking to QUEEN at their business, and then interviewed QUEEN. The FBI agents explained to QUEEN that lying to the FBI is a federal offense. QUEEN said that he did not know of anyone who voiced support for ISIS or posted pro-ISIS materials online. QUEEN identified the tall Indian individual referenced by AMRI as “Sunite,” but

said that he did not know if Sunite was serious about supporting ISIS. QUEEN also said that he did not know of anybody who tried to travel overseas for the purpose of joining ISIS.

14. On June 28, 2016, a confidential witness (“CW”) recorded a conversation between QUEEN, Qamar, and the CW. In that conversation, QUEEN told Qamar and the CW about the FBI interviews on June 24, 2016. QUEEN said the FBI asked if QUEEN and AMRI knew anyone who was going to join ISIS, or otherwise was pro-ISIS. QUEEN told them he said to the FBI, “I don’t know, we threw some . . . Hindu dude that we used to know underneath the bus.” QUEEN said, “I’m never going to throw a Muslim underneath the bus to try to do the right thing.”

15. Later that day, in another conversation recorded by the CW, Qamar told the CW that, after the FBI interviews, QUEEN told Qamar to be careful because the FBI was asking about anyone who supported ISIS. Qamar told the CW that QUEEN said when he (QUEEN) first heard about the FBI agents at his business, QUEEN immediately thought the FBI was there about Qamar.

16. On July 1, 2016, in another conversation recorded by the CW, AMRI told the CW that he told the FBI on June 24 that he had previously supported ISIS. When the CW asked why, AMRI responded, “[B]ecause with those guys you have to play along with them, you give them a glimpse of honesty, then you shut it. . . . After that I told them now I don’t support them.”

17. On July 8, 2016, Qamar was arrested and charged with attempting to provide material support to ISIS, in violation of 18 U.S.C. § 2339B, in part on the basis of Qamar’s attempts to send money to ISIS, as well as videos of local landmarks for use in an ISIS publication to

encourage lone-wolf attacks in the United States. Unbeknownst to Qamar, the account to which he was attempting to send the money and the videos was controlled by an FBI agent.

18. On July 8, 2016, shortly after Qamar's arrest, FBI agents spoke to AMRI again in another recorded conversation. Amri said he has known Qamar since 2009. Amri said that Qamar was obsessed with ISIS and constantly talked about ISIS. AMRI said that he knew that Qamar and the CW supported ISIS, but he failed to mention them to the FBI agents on June 24, 2016, because he did not want Qamar and the CW to be questioned by the FBI.

19. In the same interview, AMRI admitted that Qamar told him in 2014 about Qamar's plan to travel to Turkey for the purpose of joining ISIS. AMRI said Qamar ended up not going after Qamar's father took away Qamar's expired passport so that Qamar could not get a new passport. AMRI said that he gave Qamar \$50 for basic necessities after Qamar was unable to get a refund for his \$700 airline ticket to Turkey.

20. Also in AMRI's conversation with the FBI agents on July 8, 2016, he stated that after he was interviewed by the FBI on June 24, 2016, AMRI talked with QUEEN. AMRI admitted that he asked QUEEN not to mention Qamar to the FBI.

21. In the same interview with the FBI on July 8, 2016, AMRI said that after he was interviewed by the FBI on June 24, 2016, AMRI told Qamar about the interview. AMRI told Qamar not to worry because AMRI and QUEEN did not mention Qamar to the FBI.

22. On July 8, 2016, the FBI also spoke to QUEEN again, shortly after Qamar's arrest. QUEEN initially reiterated that Sunite was the only person he knew who supported ISIS, and repeated that he was unaware of anyone who had tried to travel for the purpose of joining ISIS. Although QUEEN admitted to being friends with Qamar, he denied knowledge that the Twitter

accounts used by Qamar were actually controlled by Qamar; denied knowing that Qamar supported ISIS; and denied knowledge that Qamar ever attempted to travel for the purpose of joining ISIS.

23. During his two interviews with the FBI, AMRI indicated the following: He was against ISIS, and had been for years. He indicated that members of that organization were “crazy lunatics.” He indicated that anyone who would try to join them was “stupid.” He prohibited people who used the computers in his business from looking at ISIS related materials, and would “ban” them if they were caught violating the policy. He did not believe that any of his friends, including Qamar, were dangerous, as he believed their statements to be bluster. He loves the United States and the rights it provides its residents.

24. After AMRI learned about Qamar’s trip to join ISIS in 2014, AMRI became very upset with him, told Qamar that he was an “idiot” for wanting to go, and demanded that Qamar apologize to his parents. AMRI said he (AMRI) “sparked the conflict” with Qamar’s parents that ultimately resulted in Qamar not going to join ISIS. AMRI would scold Qamar when Qamar referred to ISIS positively. Subsequent to learning about the 2014 trip, AMRI told Qamar he needed to focus on school, and get his “civil engineering degree” so that he could “help people in the right way.” Qamar had previously indicated to AMRI an interest in “building water and irrigation in Pakistan” which is lacking in adequate amounts of those facilities, and AMRI looked online at possible courses and encouraged Qamar to take the appropriate courses, including waste management courses. AMRI is hoping to start a granite business in the future, and would be willing to give Qamar a job in the business one day, in the hopes of redirecting Qamar towards more productive and appropriate endeavors. AMRI indicated that given the length of their

friendship, he viewed Qamar as family, as a “brother,” and felt a duty to try to help him, and AMRI did not want to be perceived as having betrayed Qamar and his family, which he believed would happen if he reported Qamar’s behavior to the authorities. AMRI was unaware of the facts contained in paragraphs 2-9 of this document, except to the extent that AMRI was aware that Qamar generally “was a frequent supporter of ISIS on the internet,” and indicated he was unaware that Qamar had attempted to do anything illegal, and did not believe Qamar was capable of breaking the law.

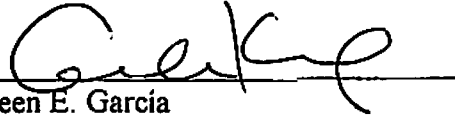
25. AMRI has two years of college education in which he majored in economics. AMRI and QUEEN opened a new computer gaming business in 2015 on Braddock Road in Fairfax, Virginia with high speed internet, where they were responsible for hiring and working with an architect, a broker, construction personnel, going through a zoning process, marketing, hiring IT personnel, and other complex processes. AMRI and QUEEN continue to own and operate that business, which is how they spend their work days. AMRI and QUEEN’s July 8, 2016 interviews took place in their respective homes. During the interviews, there were no physical constraints on their movement, no physical discomfort during the interviews, they were free to leave at any time, and there was no other form of physical intimidation or physical mistreatment during the interviews. AMRI and QUEEN were also advised, before they began speaking with the FBI, that making false statements to the FBI agents was illegal.

Respectfully submitted,

Dana J. Boente

United States Attorney

By:

A handwritten signature in black ink, appearing to read "Colleen E. Garcia", written over a horizontal line.

Colleen E. Garcia


Gordon D. Kromberg

Assistant United States Attorneys

~~Defendant's Signature: After consulting with my attorney, I hereby stipulate that the above Statement of Stipulated Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proven the same beyond a reasonable doubt.~~

~~Date: _____ By: _____~~
Soufian Amri
Defendant

~~Defense Counsel Signature: I am counsel for the defendant in this case. I have carefully reviewed the above Statement of Stipulated Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.~~

Date: 6/21/17 By: 
Cary Citronberg, Esq.
John Zwerling, Esq.
Counsels for Mr. Amri