

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 16-20349-CR-SCOLA(s)

UNITED STATES OF AMERICA

v.

JAMES GONZALO MEDINA,

Defendant.

STIPULATED FACTUAL PROFFER

Had the United States proceeded to trial, the government would have proven beyond a reasonable doubt that beginning on a date unknown to the Grand Jury, but no later than in or around March 2016, and continuing until on or about April 29, 2016, in Miami-Dade and Broward Counties, in the Southern District of Florida, the defendant, JAMES GONZALO MEDINA, did knowingly attempt to use, without lawful authority, a weapon of mass destruction, that is, a destructive device, as defined in Title 18, United States Code, Section 921(a)(4), against persons and property within the United States, and the offense and the results of the offense would have affected interstate and foreign commerce, in violation of Title 18, United States Code, Section 2332a(a)(2).

Additionally, beginning on a date unknown to the Grand Jury, but no later than in or around March 2016, and continuing until on or about April 29, 2016, in Miami-Dade and Broward Counties, in the Southern District of Florida, the defendant, JAMES GONZALO MEDINA, did knowingly and intentionally attempt to deface, damage, and destroy religious real property, that is, the Aventura Turnberry Jewish Center located at 20400 N.E. 30th Avenue, Aventura, Florida 33180, because of the religious character of that property, in and affecting interstate and foreign commerce, and such acts included an

attempt to kill, in violation of Title 18, United States Code, Sections 247(a)(1) and (d)(1).

Specifically, in the instant case, in late March 2016, the FBI launched an investigation of MEDINA based on his suspected desire to attack a Jewish center/synagogue in Aventura, Florida, located within Miami-Dade County, in the Southern District of Florida. MEDINA is a United States citizen who was living in South Florida. On March 27, 2016, an FBI Confidential Human Source (“CHS”) met with MEDINA and others. This and the other meetings mentioned in this document took place in South Florida and were all recorded. During the March 27 meeting, MEDINA, while expressing anti-Semitic views, discussed with others his interest in conducting a firearms or explosives attack on a synagogue. Later, on April 1, 2016, MEDINA traveled to the Aventura Turnberry Jewish Center where he and a CHS conducted surveillance and developed an escape route to be used after the attack. MEDINA described the synagogue stating “it’s a real big one”, and when they drove up to it, MEDINA pointed it out and redirected the conversation from the location of the attack to its timing and discussed the upcoming Jewish holiday of Yom Kippur (which was in reality Passover, not Yom Kippur) as a good time to conduct the attack.

Later that day, when the CHS and MEDINA discussed the issue of a claim of responsibility for the attack, MEDINA stated, “We gotta leave a note or a banner, something that in, that it resembles the letters of Arabic...We could make it up. We can print it up, a letter, something. Just leave it, like as I was, just drop it. . . . Yeah, we can print up or something and make it look like it’s ISIS here in America. Just like that.” MEDINA stated that the news of this attack conducted in this manner would spread nationwide and inspire other Muslims to conduct attacks as well.

MEDINA explained that if he conducted an attack he would want to do it at a synagogue because Jewish people were the ones causing the world's wars and conflicts, and attacking a synagogue would give hope and light to other Muslims in America. MEDINA further explained that the "plot" allowed them to "strike back to the Jews, by going to a synagogue and just spraying everybody... 'cause we're Muslims you know what I mean? It's a war man and it's like it's time to strike back here in America." MEDINA then stated that he wanted to go inside to kill people while others shot people as they were fleeing the scene.

Thereafter, on April 13, 2016, MEDINA and the CHS again met and discussed the details of the attack, and the CHS addressed the concerns of entering the synagogue with firearms and then getting shot and instead proposed leaving an unspecified object behind and leaving the scene. MEDINA then replied, "[L]ike drop a bomb and just leave it and then it pop, just pop that bitch and we out." The CHS talked about a timer for the bomb and MEDINA liked the idea and described nearby locations from which the bomb could be detonated, stating "[a]nd then we inside the Mall and shit, and just pop it from like... see like, see that like, them red lights over there? Them three lights over there, like way out there?" This was a reference to the local shopping mall and reference to the stoplights down the road. The CHS then described how a cellular telephone could serve to detonate the bomb, and asked MEDINA whether he would like that. MEDINA laughingly responded, "I would, I think that would be interesting."

MEDINA then commented that the news coverage could galvanize Muslims to worldwide action: "I wanna see it go worldwide with now all the Muslims realizing you know, when it's our time... Next thing you know it will be in California, Washington, and the brothers are saying you know, it's our time now." MEDINA then discussed placing

the bomb in the parking lot of the synagogue, and added, “[W]e can just lay one out there and then bomb it later...I’d like to put it like, as close as possible, to the door.” MEDINA also expressed a concern for concealing his tracks and proposed “to run in and out real quick, like if you just park the car, I’m gonna just go in there real quick.” The CHS and MEDINA then discussed a proposal from the CHS to hide the bomb under a large jacket and then leave the bomb in one of the synagogue’s bathrooms. While the operational details changed at times, MEDINA nonetheless expressed his continued desire to cause harm, stating “I mean though, whatever, whatever it is, it’s just gonna go off. I wanna see damage happen to their ass. I wanna see something man.” The CHS and MEDINA then concluded their meeting by agreeing to meet on Saturday, April 16, 2016. The CHS offered to call an individual who could make the bomb and MEDINA agreed, stating “Let’s see if we can set up some kind detonate man.”

On April 16, 2016, MEDINA again met with the CHS. The two traveled to the target location in Aventura, Florida, to further develop the attack plan, which would involve dropping MEDINA off at the synagogue to place the explosive device. They first conducted surveillance of the entire perimeter of the target location on foot, identifying the location of security cameras as well as the functions of each building within the Jewish community center. MEDINA envisioned a terrorist operation that would inflict maximum casualties, commenting “Cause, uh, I’m sure this is gonna be hammered. All these people gonna die.” He provided detailed instructions to the CHS about how to drop him off and then pick him up after the bomb had been strategically placed, at one point commenting, “Over here I’m sure there’s cameras but we haven’t spotted it yet. What I want you to do is I want you to drive this way...” MEDINA offered the CHS detailed driving instructions, apparently to evade detection and indicated the location where he

wanted to be picked up after the attack, telling the CHS “you pick me up right there and we’re gone.”

At the conclusion of the conversation, MEDINA again recounted the operational plan, with emphasis on the fact that it should be when the synagogue was full of people, stating “[Y]ou just let me in there real quick, and I find my opportunity to walk in while the service already started... When I see, uh, I find the clearance, it’s where you’re gonna tell me, okay now, pull up and drop me off.” MEDINA flatly told the CHS, “Oh my God, I can’t wait.”

Following the walk around the center, MEDINA and the CHS created a sketch of the synagogue buildings and grounds and made note of various security features. The CHS explained to MEDINA that this information would need to be communicated to the CHS’s associate (i.e., the person MEDINA understood to be a bomb-maker), and MEDINA approved of sharing his plan and its details. MEDINA stated, “This is it, this is our plan dog,” and also stated that the attack would be a “wake up call.” At the end of their surveillance of the target location, the CHS sought to gauge MEDINA’s commitment to the bombing operation by stating, “Ok. Alright man. You comfortable with it?” MEDINA replied, “Definitely.” MEDINA again went through the plan for the CHS to drop him off in front of the synagogue and drive away. MEDINA was careful to instruct the CHS that they had to wait for “the right moment” and affirmed that this was all “for a good cause.” Medina also stated, “That’s a good plot right there.”

MEDINA first wanted to place the bomb inside the synagogue building, and speculated whether he should leave it in a restroom, adding “I just, I just, I gotta plan it out.” The CHS cautioned that they should plant the bomb outside the building instead “while they’re inside the service” and then drive away. This was a reference to timing

the attack while the congregation was inside the building. MEDINA however stated he wanted to witness the explosion, hearing and feeling the blast from the nearby car, stating "I wanna see that shit go off...For real. I wanna hear that shit. I'll have the windows down..." Toward the end of the conversation, MEDINA again expressed his enthusiasm, "Yo, that sounds awesome bro! I'm down, I'm down, I'm up for it, big time! Big time!" MEDINA also sought to motivate the CHS, adding "Let's make it happen bro!" In addition to the audio recordings of the conversations, these events were corroborated by FBI surveillance. Moreover, the CHS later provided the FBI with the original sketch of the target location.

On April 20, 2016, the CHS and an FBI employee operating in an undercover capacity ("UCE") met with MEDINA in the UCE's vehicle. The UCE was posing as the acquaintance of the CHS who was an associate with explosives expertise. While driving to get something to eat, MEDINA told a story about a Jewish woman he had met earlier who had given him a ride. A discussion had ensued regarding her fear of Muslims once she realized MEDINA was a Muslim and her thoughts that MEDINA might kill her. Thereafter, MEDINA remarked to the UCE and the CHS that he had told her, "[Y]ou know, we're, we're just getting bombed for no reason, and it was time to get out. But it made me just think more that, you know, it just, when she said that you will kill me, I'm thinking yeah man, I want to. You know what I mean? I really do..."

Later, while in the car with the UCE, MEDINA reaffirmed his desire to commit the synagogue attack. The UCE asked about MEDINA's interest in the bombing and cautioned him that he did not have to go through with it. The UCE asked, "Why do you wanna do this?" MEDINA responded, "Because I realize that I have a lot of love for Allah. And I know that all these, all these wars that are going on, it hurts me, too. You

know? It's my call of duty. I gotta get back, when I'm doing this, I feel that I'm doing it for a good cause for Allah." Later in the conversation, the UCE again asked, "So anyway, so why you wanna do this? ... I'm not sure what you want from me." MEDINA talked around the point, but made clear that he wanted the UCE to provide the explosives, stating "Well, what I'm thinking is, you get, you may, you may have access to all of that...You know, and that's that's pretty much where you're coming in, then we're getting it from you." When the UCE again asked MEDINA about his motivation, asking, "Why do you want to do this?" MEDINA responded, "I'm thinking of doing it on the day of the Yom Kippur," and explained that if he could not get inside the synagogue, then he wanted to place the bomb outside the building, "where it can at least go off somewhere. You know what I mean? At least show that, you know, we're striking." Ultimately, MEDINA confused the holidays of Yom Kippur and Passover, and actually wanted to strike during Passover in April, not during Yom Kippur in September.

Based on MEDINA's comments, the UCE also asked MEDINA "What message are you sending?" The UCE wanted to know more about MEDINA's purpose in attacking the synagogue, including what claim of responsibility would be made. MEDINA answered that "I'm gonna call that it's ISIS in America." MEDINA plainly told the UCE that "I do want to get the bomb," and though he had considered using an AK-47 assault rifle to "just go in there and rampage everybody," he concluded, "Well I'd like to use the bomb." MEDINA added, "And I'm hoping that that one bomb can just cause a big damage you know? And let them realize that their Yom Kippur's going down." MEDINA sought to reassure the UCE that the operation would be a success: "Believe me, I can make it so easily." MEDINA explained to the UCE that the CHS

would drive him (MEDINA) to the target, drop him off, and then he would place the bomb next to the synagogue door.

After MEDINA described the attack plan, the UCE asked "You're sure this is something you want to do man?" MEDINA responded, "I feel like it's my calling," and responded that it was Allah's will. The UCE cautioned MEDINA that "once you do this, there's no going back." MEDINA reiterated his plan to personally deposit the bomb, and after it detonated, to enjoy watching the news coverage of the attack: "That we, they, whatever they're sayin', that they're being bombed and all of that..., and knowing that it was from us. And just getting' a joy that I'm doing this you know, I did it. It worked out. And whatever happens, it's for the glory of Allah." MEDINA further explained his hope to credit "ISIS" for the attack, stating "I do wanna like leave a notice that ISIS is like you know, here. If there's somehow we can just like leave a printer or something, or something that's saying that, so at least they, they can show it on Television look, they're leaving this that ISIS is here. You know?"

After another lengthy explanation of the attack plan, in which MEDINA would exit the car and place the bomb near the synagogue door, the UCE addressed the seriousness of what MEDINA was planning and stated "Now you know there's gonna be women and kids and everything else in that place." MEDINA then expressed his willingness to kill innocent people stating "No, I understand that, but when you put a bomb in a place like this, are you okay, you've made peace with Allah that you're fine with killing women and children and everything else."

Thereafter, on April 21, 2016, MEDINA provided the UCE with a laptop-style computer bag in which the device would be concealed and offered his cellular telephone for use in the device to trigger the detonation. MEDINA also provided the UCE with a

leaflet he had created for copying that contained a photo of the "ISIS" flag and the words "ISIS in America." Ultimately, MEDINA and the UCE decided that the attack would take place on Friday, April 29, 2016.

On April 29, 2016, the UCE met with MEDINA in a parking lot in Hallandale Beach, Florida. MEDINA took possession of what was described as, and what he believed to be, an explosive device. Unbeknownst to MEDINA, the device was inert and posed no danger to the public. At this time, MEDINA was briefed on the operation of the device and given instructions regarding its use. Thereafter, MEDINA and the UCE drove toward the target location in Aventura, Florida. After MEDINA exited the vehicle with what he believed to be an explosive device in hand, with the intention of placing and detonating it near the Jewish center/synagogue, he was taken into custody as he approached the target location.


Law enforcement later learned that prior to his meeting with the UCE, MEDINA made three videos on the CHS' cellular telephone. In one, he stated: "I am a Muslim and I don't like what is going on in this world. I'm going to handle business here in America. Aventura, watch your back. ISIS is in the house." In another, he stated: "Today is gonna be a day where Muslims attack America. I'm going to set a bomb in Aventura." In the third, he said his goodbyes to his family.

After his arrest, MEDINA, in a post-Miranda statement, admitted to attempting to place an explosive device at the Jewish center/synagogue. He stated that his motivation was to strike back for all the wars and his goal was to send a message. He stated that he obtained an explosive device and he planned to put it near a car in the parking lot. When asked whether he knew that if the attack succeeded, that people may have died, he responded "whatever happens."

MEDINA's target, the Jewish center/synagogue, includes congregants and visitors from all over the United States and foreign countries and is located on a busy thoroughfare in Aventura, Florida, close to a large shopping mall and other businesses, such that an explosives attack of the type contemplated by MEDINA, if successful, would have affected interstate and foreign commerce. Moreover, the parties agree that MEDINA did not have permission to possess a weapon of mass destruction and that MEDINA's attempt to use a weapon of mass destruction is a felony that involved, or was intended to promote, a federal crime of terrorism.

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JAMES GONZALO MEDINA
DEFENDANT