

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	: 17 Cr. 413 (AKH)
	:
-against-	: ECF Case
	:
ALI KOURANI,	
Defendant.	
.....	X

MEMORANDUM OF LAW IN SUPPORT OF
MOTION TO SUPPRESS

ALEXEI SCHACHT ATTORNEY A LAW

Alexei Schacht
123 West 94th Street
New York, New York 10025
(646) 729-8180
alexei@schachtlaw.net

Attorney for Defendant Ali Kourani

PRELIMINARY STATEMENT

This motion is about the way in which FBI agents improperly manipulated the defendant and his former lawyer into having the defendant make self-incriminating statements in a series of five non-custodial interviews. These illegally obtained statements now form the heart of the case against the defendant, as revealed in the complaint that quotes extensively from these interviews.

The agents accomplished this manipulation by falsely promising that the conversations they were having would remain confidential and by agreeing that the defendant would not be prosecuted based upon the information that he provided to the agents. The agents also misled Mr. Kourani and his then lawyer in other ways; and collectively the agents' actions render the statements involuntary. As such, these statements should be suppressed.

STATEMENT OF FACTS

Between about 2012 and 2016, the Government repeatedly approached the defendant at airports and in other public places asking him for information about Hezbollah, a State Department designated terrorist organization of which it suspected him of being a member. He repeatedly rebuffed the Government agents that spoke to him. During several of these meetings he was offered money by the FBI in exchange for being an informant against Hezbollah. He refused to take any money and denied that he had any information that the FBI wanted and he told the FBI agents that they could not be trusted.

Eventually in the Spring of 2017, worried about seeing his children again¹ and his relatives' safety, the defendant got a lawyer to help him to speak with the FBI. However, the

¹ Because his wife is not a citizen she was not allowed in the country and so could not bring the children.

defendant had several conditions that he wanted met. He wanted to not be charged with any crimes and he wanted to insure his family's safety and to be able to see his children.

The FBI promised confidentiality and agreed to the defendant's lawyer's request that what would be said would not be used against him. The interviewing FBI agents did say that they were capable of providing immigration help and other security related benefits to Mr. Kourani's family.

Before the second meeting the defendant's lawyer gave the FBI a written document summarizing, albeit quite poorly, the agreed upon conditions from the first meeting and the initial telephone conversation Mr. Denbeaux had with the FBI. This document is clear though that there would be no prosecution and that Mr. Denbeaux and Mr. Kourani are basically disappointed that the defendant's family's safety was not being guaranteed.

At the second meeting, however, the FBI promised that they could: 1) help the defendant to see his children in Canada within 6 weeks; 2) and to get his sister and father to the United States within two months and 3) to get his children safely to the United States no later than the end of August, 2017.

The defendant was interviewed in the presence of his lawyer on 5 separate occasions before being arrested. The Complaint and subsequent indictment, are based almost solely upon the defendant's own statements which he was told would not be used against him. The Department of Justice also issued a Press Release describing various facts admitted by the defendant and breaching in the most stark fashion the FBI's promise of confidentiality (Exhibit A). We now seek suppression of the statements made at those five meetings and all subsequent evidence that were the fruits of those involuntarily made statements.

ARGUMENT

THE STATEMENTS BY MR. KOURANI TO THE FBI SHOULD BE SUPPRESSED
BECAUSE THEY WERE INVOLUNTARILY MADE

The FBI employed lies and deception in violation of the Due Process Clause of the Fifth Amendment so as to render the incriminating statements made by Mr. Kourani involuntary and inadmissible.

“The test of voluntariness [of a confession] is whether an examination of all the circumstances discloses that the conduct of ‘law enforcement officials was such as to overbear [the defendant’s] will to resist and bring about confessions not freely self-determined....” *Rogers v. Richmond*, 365 U.S. 534, 544 (1961). If the government’s use of trickery and deception is sufficiently egregious then it may render a confession involuntary and suppressible. Courts have followed a basic test for determining voluntariness. Because “[n]o single criterion controls whether an accused’s confession is voluntary[,] whether a confession was obtained by coercion is determined only after careful evaluation of the totality of the surrounding circumstances.” *Green v. Scully*, 850 F.2d 894, 901 (2d Cir. 1988).

This totality test of voluntariness centers on “three sets of circumstances: (1) the characteristics of the accused, (2) the conditions of the interrogation, and (3) the conduct of the law enforcement officials.” *Id.* at 901–02. After considering these factors, the court decides whether “under the totality of circumstances a suspect’s will was overborne and the confession was not therefore a free and voluntary act.” *Id.* at 902.

To prevail on a claim of trickery and deception under the voluntariness test, the defense “must produce clear and convincing evidence that the [FBI] agents affirmatively misled [the defendant] as to the true nature of [their] investigation.” *United States v. Okwumabua*, 828 F.2d 950, 953 (2d Cir. 1987) (citing *United States v. Serlin*, 707 F.2d 953, 956 (7th

Cir.1983)). It must also be shown that the misrepresentations materially induced the defendant to make incriminating statements. *United States v. Mast*, 735 F.2d 745, 750 (2d Cir. 1984).

Inculpatory statements are not involuntary simply when they result from a desire to cooperate, or from a defendant's ignorance of, or inattention to, his right to remain silent. *Id.* Further, the FBI agents' failure fully to explain the purpose of the interviews “ ‘does not amount to affirmative deceit unless defendant inquired about the nature of the investigation and the agents' failure to respond was intended to mislead.’ ” *Okwumabua*, 828 F.2d at 953 (quoting *Serlin*, 707 F.2d at 956).

Indirect or general promises of leniency usually are not enough to render a confession involuntary. “In assessing the totality of the circumstances, vague promises of leniency for cooperation are just one factor to be weighed in the overall calculus and generally will not, without more, warrant a finding of coercion.” *United States v. Gaines*, 295 F.3d 293, 299 (2d Cir. 2002) (finding a statement voluntary where government agent said the prosecutor and judge would be made aware of the defendant's cooperation).

On the other hand, falsely promising specific favorable treatment when the questioner does not intend to honor the promise may cross the line and overcome a defendant's will to remain silent. See *United States v. Ruggles*, 70 F.3d 262, 265 (2d Cir. 1995). And sometimes, even falsity is not enough: not all “[p]loys to mislead a suspect or to lull him into a false sense of security” are necessarily coercive. *Illinois v. Perkins*, 496 U.S. 292, 296 (1990).

Ultimately, although law enforcement's affirmative misrepresentations could be coercive enough to render a defendant's statement involuntary, *United States v. Anderson*, 929 F.2d 96, 100 (2d Cir. 1991) (discussing waiver of the Fifth Amendment privilege), a statement should not be suppressed where a defendant merely “was moved to cooperate, rather than coerced.” *United States v. Corbett*, 750 F.3d 245, 253 (2d Cir. 2014). Simply stated, the question is

whether a promise is false and specific enough to coerce a defendant to confess against his will. In the words of the Second Circuit, an officer's touting "unfulfillable promises or certain other misrepresentations...might render a confession involuntary," largely "because they overcome his desire to remain silent." *Gaines*, 295 F.3d 293, 299 (2d Cir. 2002).

The case of *United States v. Haak*, 215 F.Supp.3d 218 (W.D.N.Y 2016), is instructive. It involved a defendant who voluntarily spoke with government agents in a non-custodial setting but because he made statements under the mistaken belief that what he said would not be used against him to prosecute him those statements were suppressed.

As the Court in *Haak* ruled, "[t]here can be little doubt that Detective Zawierucha promised that in exchange for *Haak's* cooperation, he would not be charged. Detective Zawierucha may not have made that promise in so many words, but his message was nevertheless loud, clear, and unmistakable." *United States v. Haak*, 215 F.Supp.3d at 228. The facts here are even more egregious than in *Haak*.

Now I analyze the facts here in light of *Haak* and the standard enunciated in *Green v. Scully*.

First, the characteristics of the accused:

At the outset, the defendant had been under tremendous law enforcement pressure for years, having been detained, questioned and searched on numerous occasions. The FBI's actions cost the defendant his job and, more, put tremendous pressure on him. And more, the FBI knew that his family members' lives were in danger in Lebanon from Hezbollah. The defendant, in other words, was under tremendous psychological pressure, some of it caused by the FBI. Indeed, he was being treated by mental health professionals for, among other things, the terrible stress he was under from worrying about his family and because of the FBI's pressuring of him. The pressure he was under that was not caused by the FBI, however,

might have been solved by the FBI had the FBI wished to help insure his family's safety. That is the background to what happened next which is that he went to the FBI sensing that they could protect his family and facilitate his desire to help the Government.

Second, the conditions of the interrogation:

The defendant, knowing he had repeatedly been offered benefits, including cash, for helping the FBI got a lawyer to help him to speak to the FBI. The meetings were non-custodial and in his own lawyer's office at Seton Hall Law School. The conditions, when combined with the statements by the FBI and his lawyer, clearly conveyed to the defendant that what he would say would not be used against him. There was no confusion or ambiguity in this falsehood.

Third, the conduct of the law enforcement officials:

The defendant specifically wanted confidentiality and that was promised to him. That promise was not vague. It was specific and made to an attorney. The promise of confidentiality was even memorialized in an FBI Form 302 (Exhibit B). Mr. Kourani did not want to be arrested or prosecuted based upon what he would tell the FBI. Mark Denbeaux got the FBI to agree to these terms and Denbeaux made a writing that he gave to the FBI memorializing this "no prosecution" promise (Exhibit B to the Denbeaux Declaration).

The FBI eventually guaranteed Mr. Kourani's family's safety and said that they would do all that they could to help him. They offered to get him a job. The defendant sent his resume to the FBI. There can be no doubt that in the defendant's mind what he would say to the FBI would not get him arrested or be used against him. He thought the FBI was getting him a job. There is simply no prior case with a fact pattern that is so egregious and unique, even *Haak* is far less so. Clearly Mr. Kourani was misled about the nature of the investigation in that he thought he would not be arrested based upon what he said. The key issue about

which the FBI misled him induced the defendant to talk.

Significantly, the offers to help his children and to get him a job were possibly less guaranteed than the promises of confidentiality and non-prosecution, inasmuch as Mr. Kourani and Mr. Denbeaux argued with the FBI about the slowness of the FBI's help for his family. There were never any arguments at all about confidentiality or prosecution.

Obviously all of these facts combined to overcome the defendant's natural reticence to talk to the FBI. They had been questioning him for years and he never told them anything meaningful. He was in essence silent. When things in his life changed, he wanted to help the Government in order to help his family and to see his children and had a lawyer seek out the correct people in the Government. That lawyer got the defendant the guarantees he wanted. The defendant's will to remain silent was totally overcome by the false promises of the FBI, made not only to him but also to his lawyer. As a result, these statements were involuntary and ought to be suppressed.

ALL EVIDENCE OBTAINED AS A RESULT OF UNCONSTITUTIONAL
INTERROGATIONS SHOULD BE SUPPRESSED
AS FRUIT OF THE POISONOUS TREE

Evidence obtained through direct or indirect violation of an individual's Fourth rights must be excluded from trial as fruits of the poisonous tree. *See Brown v. Illinois*, 422 U.S. 590, 604-05 (1975) (finding statements made after an illegal arrest inadmissible as fruits of the poisonous tree); *Wong Sun v. United States*, 371 U.S. 471, 484-85 ("The exclusionary prohibition extends as well to the indirect as the direct products of such [unlawful] invasions."). Because Kourani only made admissions to the agents after being promised that what he said would not be used against him, all subsequent statements and evidence obtained therefrom should be excluded from trial.

Such evidence includes, but is not limited to, all statements made following his arrest and while in custody and all evidence obtained during the execution of a search warrant at his home. This search warrant was based on the statements made by the defendant in his non-custodial interviews and would not have occurred without the illegally obtained statements.

CONCLUSION

For the foregoing reasons, Ali Kourani respectfully moves for an Order suppressing all statements, and any other evidence obtained from him in violation of his constitutional rights, or in the alternative, for a hearing on the issues raised herein, and for any other relief this Court deems just and proper.

Dated: January 9, 2018
New York, New York

ALEXEI SCHACHT ATTORNEY AT LAW

By: /s/ Alexei Schacht

Alexei Schacht
alexei@schachtlaw.net
123 West 94th Street
New York, New York 10025
Tel: (646) 729-8180

Attorney for Defendant Ali Kourani

TO: A.U.S.A. Emil Bove
A.U.S.A. Amanda Houle
U.S. Attorney's Office for the Southern District of New York
One St. Andrews Plaza
New York, NY 10007

THE UNITED STATES ATTORNEY'S OFFICE
SOUTHERN DISTRICT *of* NEW YORK

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Department of Justice

U.S. Attorney's Office

Southern District of New York

FOR IMMEDIATE RELEASE

Thursday, June 8, 2017

Bronx Man And Michigan Man Arrested For Terrorist Activities On Behalf Of Hizballah's Islamic Jihad Organization

Joon H. Kim, the Acting United States Attorney for the Southern District of New York, Dana Boente, the Acting Assistant Attorney General for National Security, William F. Sweeney Jr., the Assistant Director-in-Charge of the New York Office of the Federal Bureau of Investigation ("FBI"), and James P. O'Neill, the Commissioner of the Police Department for the City of New York ("NYPD"), announced that ALI KOURANI and SAMER EL DEBEK, a/k/a "Samer Eldebek," were arrested on Thursday, June 1, 2017, on charges related to their alleged activities on behalf of Hizballah, a designated foreign terrorist organization.

KOURANI was arrested in the Bronx for providing, attempting, and conspiring to provide material support to Hizballah; receiving and conspiring to receive military-type training from Hizballah; a related weapons offense that is alleged to have involved, among other weapons, a rocket-propelled grenade launcher and machine guns; violating and conspiring to violate the International Emergency Economic Powers Act ("IEEPA"); and naturalization fraud to facilitate an act of international terrorism. KOURANI was presented on Friday, June 2, 2017, before Magistrate Judge Barbara Moses in Manhattan federal court.

EL DEBEK was arrested in Livonia, Michigan, outside of Detroit, for providing, attempting, and conspiring to provide material support to Hizballah; receiving and conspiring to receive military-type training from Hizballah; use of weapons in connection with a crime of violence that is alleged to have involved, among other weapons, explosives, a rocket-propelled grenade launcher, and machine guns; and violating and conspiring to violate IEEPA. EL DEBEK was presented on Monday, June 5, 2017, before Magistrate Judge Henry Pitman in Manhattan federal court.

Acting Manhattan U.S. Attorney Joon H. Kim said: "Today, we announce serious terrorism charges against two men who allegedly trained with and supported the Islamic Jihad Organization, a component of the foreign terrorist organization Hizballah. Recruited as Hizballah operatives, Samer El Debek and Ali Kourani allegedly received military-style training, including in the use of weapons like rocket-propelled grenade launchers and machine guns for use in support of the group's terrorist mission. At the direction of his Hizballah handlers, El Debek allegedly conducted missions in Panama to locate the U.S. and Israeli Embassies and to assess the vulnerabilities of the Panama Canal and ships in the Canal. Kourani allegedly conducted surveillance of potential targets in America, including military and law enforcement facilities in New York City. Thanks to the outstanding work of the FBI and NYPD, the allegedly destructive designs of

these two Hizballah operatives have been thwarted, and they will now face justice in a Manhattan federal court.”

FBI Assistant Director-in-Charge William F. Sweeney Jr. said: “The charges announced today reveal once again that the New York City region remains a focus of many adversaries, demonstrated as alleged in this instance by followers of a sophisticated and determined organization with a long history of coordinating violent activities on behalf of Hizballah. Our announcement today also reveals, however, that the dozens of agencies working together with our FBI JTTFs nationwide are just as determined to disrupt the plans of those working to harm our communities. I’d like to thank the hundreds of investigators who comprise the FBI’s New York JTTF and display constant vigilance on our behalf, and I encourage the public to remain engaged and to immediately report suspicious activity to law enforcement.”

NYPD Commissioner James P. O’Neill said: “As part of his work for Hezbollah, Kourani and others allegedly conducted covert surveillance of potential targets, including U.S. military bases and Israeli military personnel here in New York City. Pre-operational surveillance is one of the hallmarks of Hezbollah in planning for future attacks. As alleged, Kourani, on at least two occasions, received sophisticated military training overseas, including the use of a rocket propelled grenade. In addition, El Debek is charged in an unrelated complaint, for allegedly possessing extensive bomb making training received from Hezbollah. Today’s charges of two for their work on behalf of Hezbollah is a tribute to the collaborative work of the agents and detectives of the Joint Terrorism Task Force.”

As alleged in the criminal Complaints against KOURANI and EL DEBEK,^[1] both of which were unsealed today in Manhattan federal court:

Background on Hizballah and the Islamic Jihad Organization

Hizballah is a Lebanon-based Shia Islamic organization with political, social, and terrorist components. Hizballah was founded in the 1980s with support from Iran after the 1982 Israeli invasion of Lebanon, and its mission includes establishing a fundamentalist Islamic state in Lebanon. Since Hizballah’s formation, the organization has been responsible for numerous terrorist attacks that have killed hundreds, including United States citizens and military personnel. In 1997, the U.S. Department of State designated Hizballah a Foreign Terrorist Organization, pursuant to Section 219 of the Immigration and Nationality Act, and it remains so designated today. In 2001, pursuant to Executive Order 13224, the U.S. Department of State designated Hizballah a Specially Designated Global Terrorist entity. In 2010, State Department officials described Hizballah as the most technically capable terrorist group in the world, and a continued security threat to the United States.

The Islamic Jihad Organization (“IJO”), which is also known as the External Security Organization and “910,” is a component of Hizballah responsible for the planning and coordination of intelligence, counterintelligence, and terrorist activities on behalf of Hizballah outside of Lebanon. In July 2012, an IJO operative detonated explosives on a bus transporting Israeli tourists in the vicinity of an airport in Burgas, Bulgaria, which killed six people and injured 32 others. Law enforcement authorities have disrupted several other IJO attack-planning operations around the world, including the arrest of an IJO operative surveilling Israeli targets in Cyprus in 2012, the seizure of bomb-making precursor chemicals in Thailand in 2012, including chemicals manufactured by a medical devices company based in Guangzhou, China (“Guangzhou Company-1”), and a similar seizure of chemicals manufactured by Guangzhou Company-1 in Cyprus in May 2015 in connection with the arrest of another IJO operative.

KOURANI’s Alleged Support of Hizballah

KOURANI, who was born in Lebanon, attended Hizballah-sponsored weapons training in Lebanon in 2000 when he was approximately 16 years old. After lawfully entering the United States in 2003, KOURANI

obtained a Bachelor of Science in biomedical engineering in 2009, and a Masters of Business Administration in 2013.

KOURANI and certain of his relatives were present during the summer 2006 conflict between Israel and Hizballah in Lebanon, when a residence belonging to his family was destroyed. KOURANI was subsequently recruited to join the IJO by 2008. In August 2008, KOURANI submitted an application for naturalization in the United States in which he falsely claimed, among other things, that he was not affiliated with a terrorist organization. In April 2009, KOURANI became a naturalized citizen and was issued a United States passport. Despite claiming in his passport application that he had no travel plans, KOURANI traveled to Guangzhou, China – the location of Guangzhou Company-1 – on May 3, 2009. He later claimed to the FBI that the purpose of the trip was to meet with medical device manufacturers and other businessmen.

KOURANI was assigned an IJO handler, or mentor, responsible for providing him with taskings, debriefings, and arranging training. KOURANI sometimes communicated with his handler using coded email communications, including messages sent by the handler that informed KOURANI of the need to return to Lebanon. In order to establish contact with his handler when KOURANI returned to Lebanon, KOURANI called a telephone number associated with a pager (the “IJO Pager”) and provided a code that he understood was specific to him. After KOURANI called the IJO Pager, the handler would contact KOURANI to set up an in-person meeting by calling a phone belonging to one of KOURANI’s relatives. The IJO also provided KOURANI with additional training in tradecraft, weapons, and tactics. In 2011, for example, KOURANI attended an IJO military training camp located in the vicinity of Birkat Jabrur, Lebanon, where he was provided with military-tactics and weapons training, including training in the use of a rocket propelled grenade launcher, an AK-47 assault rifle, an MP5 submachine gun, a PKS machine gun (a Russian-made belt-fed weapon), and a Glock pistol.

Based on requests from IJO personnel, which were conveyed during periodic in-person meetings when KOURANI returned to Lebanon, KOURANI also conducted operations that included searching for weapons suppliers in the United States who could provide firearms to support IJO operations, identifying individuals affiliated with the Israeli Defense Force, gathering information regarding operations and security at airports in the United States and elsewhere, and surveilling U.S. military and law enforcement facilities in Manhattan and Brooklyn. KOURANI transmitted some of the products of his surveillance and intelligence-gathering efforts back to IJO personnel in Lebanon using digital storage media.

EL DEBEK’s Alleged Support of Hizballah

EL DEBEK, a naturalized U.S. citizen, was first recruited by Hizballah in late 2007 or early 2008, began to receive a salary from Hizballah shortly thereafter, and was paid by Hizballah through approximately 2015. In July 2006, shortly before he was recruited by Hizballah, EL DEBEK expressed by email his support for Hassan Nasrallah, the leader of Hizballah.

EL DEBEK received military training from Hizballah in Lebanon on several occasions, from approximately 2008 through approximately 2014. EL DEBEK received training in basic military tactics, the handling of various weapons, surveillance and counter-surveillance techniques, and the creation and handling of explosives and explosive devices. Based on information EL DEBEK provided to the FBI, FBI bomb technicians have assessed that EL DEBEK received extensive training as a bomb-maker, and has a high degree of technical sophistication in the area. EL DEBEK received by email in 2010 a list of raw materials that could be sent from Syria or Dubai, including items often used in explosives and improvised explosive devices.

EL DEBEK also conducted missions for Hizballah in Thailand and Panama. In May 2009, EL DEBEK traveled from Lebanon, through Malaysia, to Thailand, where his mission was to clean up explosive precursors in a house in Bangkok that others had left because they were under surveillance. EL DEBEK

used his U.S. passport to enter and leave Thailand, consistent with his instructions from Hizballah to use his U.S. passport in that manner, so he could travel from Malaysia to Thailand without obtaining a visa.

EL DEBEK first traveled to Panama for Hizballah in 2011, where his operational tasks included locating the U.S. and Israeli Embassies, casing security procedures at the Panama Canal and the Israeli Embassy, and locating hardware stores where explosive precursors could be purchased. Shortly before traveling to Panama, EL DEBEK updated his status on Facebook with a post that read, in part, "Do not make peace or share food with those who killed your people."

In early 2012, EL DEBEK again traveled to Panama for Hizballah, passing through New York and New Jersey, and was asked to identify areas of weakness and construction at the Panama Canal, as well as provide information about how close someone could get to a ship passing through the Canal. Upon his return from Panama, EL DEBEK's IJO handlers asked him for photographs of the U.S. Embassy there and details about its security procedures.

EL DEBEK has told the FBI that he was detained by Hizballah from December 2015 to April 2016 and falsely accused of spying for the United States. Between November 2014 and February 2017, EL DEBEK, who received religious training from Hizballah, has conducted more than 250 Facebook searches using search terms such as "martyrs of the holy defense," "martyrs of Islamic resistance," "Hizballah martyrs," and "martyrs of the Islamic resistance in Lebanon."

* * *

KOURANI, 32, of the Bronx, is charged with providing material support and resources to a designated foreign terrorist organization, which carries a maximum sentence of 20 years in prison; conspiracy to provide material support and resources to a designated foreign terrorist organization, which carries a maximum sentence of 20 years in prison; receiving military-type training from a designated foreign terrorist organization, which carries a sentence of 10 years in prison or a fine; conspiracy to receive military-type training from a designated foreign terrorist organization, which carries a maximum sentence of five years in prison; conspiracy to possess, carry, and use firearms and destructive devices during and in relation to crimes of violence, which carries a maximum sentence of life in prison; making and receiving a contribution of funds, goods, and services to and from Hizballah, in violation of IEEPA, which carries a maximum sentence of 20 years in prison; conspiracy to make and receive a contribution of funds, goods, and services to and from Hizballah, in violation of IEEPA, which carries a maximum sentence of 20 years in prison; and naturalization fraud in connection with an act of international terrorism, which carries a maximum sentence of 25 years in prison.

EL DEBEK, 37, of Dearborn, Michigan, is charged with providing material support and resources to a designated foreign terrorist organization, which carries a maximum sentence of 20 years in prison; conspiracy to provide material support and resources to a designated foreign terrorist organization, which carries a maximum sentence of 20 years in prison; receiving military-type training from a designated foreign terrorist organization, which carries a sentence of 10 years in prison or a fine; conspiracy to receive military-type training from a designated foreign terrorist organization, which carries a maximum sentence of five years in prison; possessing, carrying, and using firearms and destructive devices during and in relation to crimes of violence, which carries a maximum sentence of life in prison; making and receiving a contribution of funds, goods, and services to and from Hizballah, in violation of IEEPA, which carries a maximum sentence of 20 years in prison; and conspiracy to make and receive a contribution of funds, goods, and services to and from Hizballah, in violation of IEEPA, which carries a maximum sentence of 20 years in prison.

The maximum potential sentences in this case are prescribed by Congress and are provided here for informational purposes only, as any sentencing of the defendants will be determined by a judge.

Mr. Kim praised the outstanding efforts of the FBI's New York Joint Terrorism Task Force, which principally consists of agents from the FBI and detectives from the NYPD. Mr. Kim also thanked the FBI's Detroit Office and the Counterterrorism Section of the Department of Justice's National Security Division.

These prosecutions are handled by the Office's Terrorism and International Narcotics Unit. Assistant U.S. Attorneys Emil J. Bove III and Amanda L. Houle are in charge of the prosecution of KOURANI, and Assistant U.S. Attorneys Andrew D. Beaty and Stephen J. Ritchin are in charge of the prosecution of EL DEBEK. Trial Attorneys Lolita Lukose and Alexandra Hughes of the National Security Division's Counterterrorism Section are assisting the prosecutions.

The charges contained in the Complaints are merely accusations, and the defendants are presumed innocent unless and until proven guilty.

[1] As the introductory phrase signifies, the entirety of the text of the Complaints and the description of the Complaints set forth below constitute only allegations, and every fact described should be treated as an allegation.

Attachment(s):

[Download U.S. v. El Debek Complaint](#)

[Download U.S. v. Ali Kourani Complaint](#)

Topic(s):

Counterterrorism

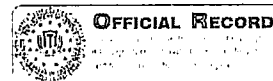
Component(s):

[USAO - New York, Southern](#)

Press Release Number:

17-166

[REDACTED]



[REDACTED]

FEDERAL BUREAU OF INVESTIGATION

Date of entry 03/27/2017

On March 22, 2017, Special Agent (SAs) Keri Shannon and Joseph Costello contacted MARK DENBEAUX, via telephone (201)214-6785, per his request, in advance of a scheduled a meeting on March 23, 2017 with DENBEAUX and his client ALI KOURANI.

DENBEAUX advised he had an opportunity to sit down with his client and had a greater understanding of what he was involved with and why he wanted to speak with the FBI. DENBEAUX asked whether KOURANI was a target. SAs advised they were not permitted to discuss the nature and details of ongoing investigations however, KOURANI had previously met with FBI SAs on a number of occasions and KOURANI was fully aware of the nature of FBI's interest in him. DENBEAUX indicated he understood and stated his client may not even care whether he is a target. DENBEAUX relayed his client's concerns about other people knowing that he was meeting with FBI, to which SAs indicated their meeting with KOURANI would remain confidential.

SAs confirmed the meeting time of 12:00p.m. on March 23, 2017 at Seton Hall Law School.

[REDACTED]

Investigation on 03/22 at New York, New York, United States (Phone)
File # [REDACTED] Date drafted 03/27/2017
by SHANNON KERI A