



Colonel David M. Rohrer
Chief of Police
Fairfax County Police Department
4100 Chain Bridge Road
Fairfax, Virginia 22030

April 24, 2008

Dear Chief Rohrer:

I am writing to request that you rectify a serious wrong that was done to my organization, and key personnel within it, by the Fairfax County Police Department and the Criminal Justice Academy in particular.

For several years, the Higgins Counterterrorism Research Center was a provider of a series of training courses related to Terrorism, Intelligence, Weapons of Mass Destruction, Source Development, etc. We always enjoyed very high ratings from the Department and external personnel who attended our training sessions.

We trained many hundreds of your personnel without a hitch until a complaint was filed by Sergeant Weiss Rasool, a Muslim. Sergeant Rasool maliciously accused my organization of being inaccurate, unfair, and mean-spirited in how we portrayed Islam. In conversations with Rasool he admitted to not having studied the Koran or other Islamic doctrine and texts. That did not deter him from accusing us of unfairly portraying Islam.

We were deeply disturbed and offended that the leadership of your Department sided with Rasool and essentially blackballed our non-Profit organization from teaching within your Academy. Several scheduled classes were cancelled and we were never invited back.

Despite the fact that the actions of your Department caused significant financial loss to our organization as well as severe damage to the reputations of our personnel and the organization as a whole we refrained from escalating our grievances thinking that Department officials would realize the error of their actions. Unfortunately, this never happened.

Now we see that Sergeant Rasool was the subject of a several-year long investigation – in fact, he was under investigation at the time he lodged his complaints against us -- and was recently convicted of a very serious security breach involving misusing FBI databases to assist another person under FBI investigation for Federal terrorism charges (reporting attached).

I am requesting that the Fairfax County Police Department change its attitude toward my organization. We were dismissed without recourse, suffered financial and professional reputation losses, and the resulting pressures caused serious damage to our ability to function properly. All on the basis of spurious charges made by someone who later proved to be unreliable -- at best.

This is to request that you also move to rectify this injustice immediately by reinstating our courses and taking other steps to make us whole.

I look forward to your reply.

Respectfully,

Dr. Peter Leitner
President

United States v. Weiss Rasool (Unauthorized computer access; Fairfax County police officer):

- Criminal Information (Added 4/24/08) In January 2008, Weiss Rasool -- a Sergeant with the Fairfax County (VA) Police Department -- was charged with unauthorized computer access, for intentionally accessing the FBI's National Crime Information Center (NCIC) computer system and obtaining vehicle information without authorization. As detailed in court filings, according to Rasool, a fellow member of his mosque "approached him with concerns about...cars" that had been following him. On June 10, 2005, Rasool "accessed information on the three license plate numbers...and learned that all three vehicle license plates were registered to a leasing company." Federal prosecutors write, "As an experienced police officer, the defendant knew that the leasing company the three cars were registered to was used by law enforcement." Then, in a call that was monitored by law enforcement under a warrant approved by the Foreign Intelligence Surveillance Court, Rasool called his associate who had asked for assistance; Rasool "advised him that all three vehicles did not come back to an individual person but rather a company." Prosecutors note, "the evidence is that the defendant was advising the target that he was being following by government vehicles." When initially confronted by the FBI, Rasool "denied knowing the target and denied making the phone call. On March 6, 2007, the defendant admitted to his conduct on June 10th only after hearing the recording of the message he left for the target."

- Plea Agreement (Added 4/24/08) Rasool pled guilty to a single count of unauthorized computer access.

- DOJ Press Release on Guilty Plea (Added 4/24/08)

- Statement of Facts (Added 4/24/08) According to this document, Rasool immigrated to the U.S. from Afghanistan in 1983 and became a naturalized U.S. citizen in 1986. He joined the Fairfax Police Department in July 2000.

- Position of the U.S. with Respect to Sentencing Factors (Added 4/24/08) The government wrote, "the defendant's actions damaged the integrity of the NCIC system and jeopardized at least one federal investigation. The defendant's actions could have placed federal agents in danger. The FBI has had to undo the harm caused by the defendant. Moreover, the defendant's misuse of the NCIC

system undermined the Violent Crime and Terrorist Offender File, a system put in place to assist in the investigation of possible terrorists." In April 2008, Rasool was sentenced to two years probation.

- [Letters in Support of Rasool](#) (Added 4/24/08) A number of individuals, including fellow law enforcement officers, wrote letters in support of Rasool.

- [U.S.' Response to Defendant's Sentencing Memorandum](#) (Added 4/24/08) Providing even more detail on the case, this filing reveals that Rasool "ran the target's vehicle on November 24, 2005, two days after the target pled guilty in the Eastern District of Virginia. The defendant received a Terrorism Screening Center alert for the target. Later that evening, the defendant ran his own information. On November 27, 2007, the defendant ran the vehicle information on the target's former attorney and associate. Immediately after, the defendant ran his own information again. The defendant conducted NCIC inquiries on himself approximately seventeen times over eighteen months. He stated to FBI agents that he did this because he wanted to see if he was on terrorism watch list. He stated that he became concerned when he learned of some of his associates on the watch list. The Fairfax County Police Department never authorized the defendant to use the NCIC computer system for this purpose." What's more, "the FBI agents that participated in the two post-plea debriefings with the defendant do not believe that he has been truthful." And, "on April 14, 2008, the defendant appeared for a polygraph examination conducted by an FBI examiner but was not fully compliant with the test procedures despite warnings from the examiner to cease in his behavior. Because of the countermeasures deliberately used by the defendant during the test, the FBI examiner was unable to conduct a true polygraph examination."

Probation For Sergeant Who Misused Databases

By Tom Jackman Washington Post Staff Writer Wednesday, April 23, 2008; B01

A [Fairfax County](#) police sergeant was sentenced yesterday in federal court in Alexandria to two years' probation for his admission that he checked police databases for someone who was the target of a federal terrorism case.

Sgt. Weiss Rasool, 31, initially faced up to six months in jail, but federal prosecutors urged U.S. Magistrate Judge Barry R. Poretz to consider as much as a year of jail time after Rasool took a lie-detector test last week and "was not fully compliant" with the test procedures. Prosecutors also said in a motion filed with the court that [FBI agents](#) "do not believe that he has been truthful."

Before sentencing, Rasool stood and wept as he admitted breaking the law.

"If I could turn back time, I would maybe do things different," he said. "It was an error in judgment. I never intended for things to turn out this way. I don't know what to say to you or anyone. . . . I admit I made errors of judgment. But I never intended to put anybody's life at risk."

The police sergeant said after the sentencing that he hopes to remain with the Fairfax department. A misdemeanor conviction does not automatically disqualify him from continuing with the force. Rasool remains on administrative

leave with pay pending the outcome of an internal investigation, Fairfax police said.

In June 2005, when federal agents had a Fairfax man under surveillance, the man apparently asked Rasool to check the license plates of three vehicles he thought were following him. Rasool's lawyer described the man as a member of Rasool's mosque.

According to court records, Rasool checked the databases and left the following voice-mail message for the man:

"Umm, as I told you, I can only tell you if it comes back to a person or not a person, and all three vehicles did not come back to an individual person. So, I just wanted to give you that much."

The three vehicles were undercover FBI vehicles, according to a letter from the FBI filed in court yesterday, and Rasool's message "likely alerted the subject of the FBI investigation which had a disruptive effect on the pending counterterrorism case." Prosecutors said the vehicles were listed with a leasing company, which an experienced officer might have known was an indicator of law enforcement vehicles.

The target was arrested in November 2005, then convicted and deported, according to court filings in Rasool's case. Assistant U.S. Attorney Jeanine Linehan said that the target and his family were already dressed and destroying evidence at 6 a.m. when agents arrived to make the arrest, indicating that they had been tipped off. The target's name and the charges against him have not been disclosed.

In October 2007, the FBI confronted Rasool about his computer inquiries on the man's behalf. According to a brief written by Linehan, Rasool denied knowing the man. When

presented with the recording of his message for the man, Rasool admitted checking the databases, Linehan wrote.

Linehan also noted that Rasool made computer inquiries about himself, through the National Crime Information Center system, about 17 times in 18 months, purportedly to see whether his name appeared on the terrorism watch list. His lawyer, James W. Hundley, said Rasool checked the database because of increased scrutiny of Muslims in the United States after the attacks of Sept. 11, 2001.

In January, Rasool pleaded guilty to a misdemeanor count of unauthorized computer access. He acknowledged checking his name and those of family members on the Violent Crime and Terrorist Offender File, maintained within the NCIC system, but said he did so to be sure the names were not there by mistake.

Hundley said that Rasool did not remember making the computer inquiries for the investigative target, and that Rasool did not tip off the target to his impending arrest.

Rasool's lawyer filed character-reference letters from Rasool's friends, family and co-workers, including Lt. Susan Lamar, the assistant commander of the McLean station, where Rasool worked. Lamar wrote that, compared with similar computer violations by Fairfax officers, Rasool's "seems to be the least significant."

Poretz told Rasool that some of his conduct "appears to strain credulity, to this court." But he declined to consider a sentencing range of six to 12 months in jail and gave Rasool credit for "acceptance of responsibility," a key factor in federal sentencing guidelines.

The magistrate judge then offered a stern analysis, saying: "What we have here is a defendant doing stupid things. What

we have here is a credibility issue as to the defendant." But he found no evidence that Rasool intended to disrupt the federal investigation.

He placed the sergeant on two years of supervised probation and fined him \$1,000.