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Tuesday, December 12, 2017

Akayed Ullah Charged In Manhattan Federal Court With Terrorism And Explosives Charges In Connection With The Detonation Of A Bomb In New York City

Jeff Sessions, the Attorney General of the United States, Joon H. Kim, the Acting U.S. Attorney for the Southern District of New York, Dana J. Boente, the Acting Assistant Attorney General for National Security, William F. Sweeney Jr., Assistant Director-in-Charge of the Federal Bureau of Investigation, New York Field Office ("FBI"), and James P. O'Neill Commissioner of the Police Department for the City of New York ("NYPD"), announced that AKAYED ULLAH has been charged in U.S. District Court for the Southern District of New York in connection with ULLAH's detonation and attempted denotation of a bomb in a subway terminal near the New York Port Authority Bus Terminal in New York City on December 11, 2017. Three people were injured as a result of the detonation. ULLAH will be presented before the Honorable Katharine H. Parker later today.

Attorney General Jeff Sessions said: "The Department of Justice is relentless in taking on the terrorist threat. In my time back at the Department, nothing has impressed me more. Since 9/11, the Department has convicted more than 500 criminals of terrorism-related offenses, and the FBI has open terrorism investigations in every state. To make law enforcement's job easier, however, Congress must finally fix our broken immigration system so that we admit to this country those who are likely to succeed, not violent criminals, gang members, terrorists, or their sympathizers. The fact that somebody won a lottery or is someone's relative tells us nothing about their ability to assimilate. Nevertheless, the Department of Justice will prosecute this case and every other case to the fullest extent of the law, and we will bring those who



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threaten America to justice.”

Acting U.S. Attorney Joon H. Kim said: “Yesterday, in the heart of rush hour, as thousands came into New York City through the Port Authority Bus Terminal, Akayed Ullah allegedly came with a hate-filled heart and an evil purpose: to murder as many innocent people as he could and blow himself up in the process, all in support of the vicious terrorist cause of ISIS. Although yesterday he allegedly stood in the tunnels under Port Authority plotting to kill, today he stands charged with federal crimes of terrorism. Those alleged terrorists who target New York City do so because they feel threatened by the strength of our spirit, the height of our ambition, and the breadth of our freedom. They come seeking to sow hate, fear, and terror. But in New York City, they find instead strength, resilience, and hope. Like many before him, Akayed Ullah will also find another great American virtue: justice. That justice will be tough, it will be fair, and it will be swift.”

FBI Assistant Director William F. Sweeney Jr. said: “Akayed Ullah let loose his plan to conduct a mass casualty attack, setting off a pipe bomb, strapped to his body, inside a New York City subway terminal, as we allege **today**. Like many others before him, we believe Ullah was inspired by a group that exploits technology in an effort to spread a violent ideology, effectively convincing sympathizers to commit terrorist acts worldwide. The nature of this particular strain of the terrorism threat can often mean evaluating behavior that doesn’t mean anything until you combine it with other pieces of intelligence. We rely heavily upon the community’s assistance to accomplish that task.”

NYPD Commissioner James P. O’Neill said: “The act of terror committed in New York City yesterday accomplished nothing. It has not changed our way of life. It was a cowardly act, fueled by a false sense of purpose—motivated by propaganda in the shadows of the internet. What is clear is the resolve of New Yorkers to live in a free society, devoid of fear. I want to commend the work of the NYPD-FBI Joint Terrorism Task Force and the prosecutors in the Southern District for bringing today’s charges. Finally, our security requires every single member of the public’s help. It requires their vigilance. And it requires their care. If you see something that doesn’t look right, contact law enforcement.”

As alleged in the Complaint:^[1]

Islamic State of Iraq and Al-Sham

ISIS is a foreign terrorist organization based in the Middle East and Africa whose publicly stated purpose is the establishment of an Islamic state or caliphate based in the Middle East and Africa that encompasses all Muslims worldwide. ISIS has pursued the objective of an Islamic state through, among other things, killing and deliberate targeting of civilians, mass executions, persecution of individuals and communities on the basis of their religion, nationality, or ethnicity, kidnapping of civilians, forced displacement of Shia communities and minority groups, killing and maiming of children, rape, and other forms of sexual violence. ISIS has recruited thousands of foreign fighters from across the globe to assist with its efforts to expand its so-called caliphate in Iraq, Syria, and other locations in Africa and the Middle East, and has leveraged technology to spread its violent extremist ideology and for incitement to commit terrorist acts.



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The December 11, 2017, Attack

On December 11, 2017, at approximately 7:20 a.m., an improvised explosive device (“IED”) detonated inside a subway terminal (the “Subway Terminal”) in or around the New York Port Authority Bus Terminal located at West 42nd Street and Eighth Avenue in New York, New York (the “December 11 Attack”). Shortly after the blast, members of the Port Authority of New York and New Jersey Police Department (“PAPD”) located an individual later identified as AKAYED ULLAH lying on the ground in the vicinity of the explosion. Surveillance footage captured ULLAH walking through the Subway Terminal immediately prior to the explosion, and then falling to the ground after the explosion.

ULLAH was subsequently taken into custody by law enforcement. During the course of ULLAH’s arrest, law enforcement officers located on his person and in the surrounding area what appeared to be the components of an exploded pipe bomb (the “Pipe Bomb”). Specifically, law enforcement located, among other items, (i) a nine-volt battery inside ULLAH’s pants pocket; (ii) wires connected to the battery and running underneath ULLAH’s jacket; (iii) two plastic zip ties underneath ULLAH’s jacket; (iv) several fragments of a metal pipe, including pieces of a metal end cap, on the ground; (v) the remnants of what appeared to be a Christmas tree lightbulb attached to wires; and (vi) pieces of what appear to be plastic zip ties, among other items.

After ULLAH was taken into custody, he was transferred to Bellevue Hospital, where he made statements to law enforcement officers after waiving his Miranda rights. During that interview, ULLAH stated, among other things, the following:

- ULLAH constructed the Pipe Bomb and carried out the December 11 Attack. ULLAH was inspired by ISIS to carry out the December 11 Attack, and stated, among other things, “I did it for the Islamic State.”
- ULLAH constructed the Pipe Bomb at his residence in Brooklyn (“the Residence”);
- The Pipe Bomb was composed of a metal pipe, which ULLAH filled with explosive material that he created. ULLAH used Christmas tree lights, wires, and a nine-volt battery as a trigger to detonate the Pipe Bomb. ULLAH filled the Pipe Bomb with metal screws, which he believed would cause maximum damage. ULLAH used zip ties to secure the Pipe Bomb to his body.
- ULLAH carried out the December 11 Attack in part because of the United States Government’s policies in, among other places, the Middle East. One of ULLAH’s goals in carrying out the December 11 Attack was to terrorize as many people as possible. He chose to carry out the attack on a work day because he believed that there would be more people.
- ULLAH’s radicalization began in at least approximately 2014. ULLAH viewed pro-ISIS materials online, including a video instructing, in substance, that if supporters of ISIS were unable to travel overseas to join ISIS, they should carry out attacks in their homelands. He began researching how to build IEDs on the Internet approximately one year ago.
- On the morning of December 11, 2017, shortly before carrying out the attack,

ULLAH posted a statement on his Facebook account referring to the President of the United States, stating, in substance, “Trump you failed to protect your nation.” ULLAH also posted a statement that he believed would be understood by members and supporters of ISIS to convey that ULLAH carried out the attack in the name of ISIS.

Items Recovered from ULLAH's Residence

On December 11, 2017, law enforcement agents conducted a search of the Residence pursuant to a judicially authorized search warrant. Law enforcement agents recovered, among other items, (i) multiple pieces of metal pipes; (ii) pieces of wire and fragments of what appear to be Christmas tree lights; (iii) multiple screws consistent with the screws recovered at the scene of the December 11 Attack; and (iv) a passport in ULLAH's name with multiple handwritten notations, including: “O AMERICA, DIE IN YOUR RAGE.”

Three individuals were injured as a result of the December 11 Attack.

* * *

ULLAH, 27, of Brooklyn, New York, is charged in the Complaint with one count of provision of material support and resources to a designated foreign terrorist organization, in violation of 18 U.S.C. § 2339B, which carries a maximum sentence of 20 years in prison; one count of using and attempting to use a weapon of mass destruction, in violation of 18 U.S.C. § 2332a, which carries a maximum sentence of life in prison; one count of bombing and attempting to bomb a place of public use, in violation of 18 U.S.C. § 2332f, which carries a maximum sentence of life in prison; one count of destruction of property by means of fire or explosives, which carries a mandatory minimum sentence of five years in prison and a potential maximum sentence of 20 years in prison; and use of a destructive device in furtherance of a crime of violence, namely, the use and attempted use of a weapon of mass destruction, in violation of 18 U.S.C. § 924(c), which carries a mandatory minimum consecutive sentence of 30 years in prison and potential maximum of life, all in connection with ULLAH's alleged detonation of an explosive device in New York City.

Mr. Sessions, Mr. Kim, and Mr. Boente praised the outstanding investigative efforts of the FBI, the NYPD, the Department of Homeland Security, Homeland Security Investigations (“HSI”), and the PAPD. ULLAH's arrest is the result of the close cooperative efforts of the U.S. Attorney's Office for the Southern District of New York, the FBI's Joint Terrorism Task Force – which consists of law enforcement officers of the FBI, NYPD, HSI, PAPD, and other agencies – and the U.S. Department of Justice's National Security Division.

The prosecution is being handled by the Terrorism and International Narcotics Unit. Assistant U.S. Attorneys Shawn G. Crowley, Rebekah Donaleski, and George D. Turner are in charge of the prosecution, with assistance from Trial Attorney Jerome Teresinski of the Counterterrorism Section of the Justice Department's National Security Division.

The charges contained in the Complaint are merely accusations, and the defendant is presumed innocent unless and until proven guilty.

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

Attachment(s):
Download U.S. v. Akayed Ullah Complaint

Component(s):
USAO - New York, Southern

Topic(s):
Counterterrorism

Press Release Number:
17-393

Updated December 12, 2017

Southern District of New York

One St. Andrews Plaza - New York, NY 10007

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