

STATE OF CONNECTICUT :
 : CITY OF NEW HAVEN
COUNTY OF NEW HAVEN : December 17, 2015

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Jeffrey D. Waterman, being duly sworn, depose and state:

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”), a position I have held since 2002. In my time as a Special Agent, I have participated in numerous criminal investigations. I am currently assigned to the FBI’s Meriden, Connecticut office to investigate matters involving public corruption and civil rights, and have been so assigned since 2009.

2. Over my past thirteen years with the FBI, I have been assigned to various types of investigations, including those involving public corruption, organized crime, violent criminal enterprises that participate in drug trafficking, firearms trafficking, and violent crimes, and terrorism. I have written, obtained and coordinated the execution of search and arrest warrants pertaining to individuals involved in illegal activities, conducted electronic as well as physical surveillance of individuals involved in illegal activities, analyzed records documenting the illegal activities, provided testimony both in Grand Jury proceedings and District Court proceedings, and spoken with informants, subjects and cooperating defendants, as well as other local, state and Federal law enforcement officers. Many of my investigations have involved the analysis of electronic evidence, including e-mail accounts, Facebook accounts, and other electronic evidence obtained through appropriate legal process.

3. As part of my official duties, I am participating in an investigation of a shooting that occurred at the Baitul Aman Mosque, located at 410 Main Street in Meriden, Connecticut, in

the early morning hours of November 14, 2015. The charge being investigated is a violation of 18 U.S.C. § 247, pertaining to damage to religious property.

4. I make this affidavit in support of a criminal complaint and arrest warrant for Ted Hakey, Jr. (hereafter, "HAKEY"). The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

5. Based on the facts set forth in this affidavit, there is probable cause to believe that a violation of 18 U.S.C. § 247(a)(1) (damage to religious property) was committed by HAKEY. That statute reads: "Whoever, in any of the circumstances referred to in subsection (b) of this section—(1) intentionally defaces, damages, or destroys any religious real property, because of the religious character of that property, or attempts to do so . . . shall be punished as provided in subsection (b)." Subsection (b) reads: "The circumstances referred to in subsection (a) are that the offense is in or affects interstate or foreign commerce."

FACTS ESTABLISHING PROBABLE CAUSE

6. On November 13, 2015, multiple terrorist attacks were perpetrated against individuals in Paris, France. News reports indicate that a radical Muslim organization claimed credit for the attacks, which resulted in the deaths of more than 100 people.

The Shooting of the Connecticut Mosque

7. On November 14, 2015, at approximately 2:00 a.m., the Meriden, Connecticut Police Department received a report of shots fired in the area of the Baitul Aman Mosque at 410 Main Street in Meriden. Police canvassed the area, but were unable to locate the individual who had discharged the gunfire.

8. On the evening of November 15, 2015, two members of the mosque went there with their children to pray. The two individuals and their three children entered the prayer area on the east side of the building and noticed a problem with the wall and dust on the floor, which appeared to have come from the ceiling. Upon further investigation, they saw that the ceiling panel had a hole, as did the wall near the prayer area. They also found a bullet on the floor in the kitchen area adjoining the prayer area. They called the police, who responded to the scene.

9. Upon further investigation by the FBI, Meriden Police, Bureau of Alcohol, Tobacco, and Firearms (“ATF”), and Connecticut State Police, it appears that at least four bullets hit exterior walls of the mosque from a location east of the mosque. Three of the bullets penetrated the exterior walls, entered the building, and thereafter penetrated either interior walls or the ceiling. One of the bullets passed through the prayer area before exiting through an exterior wall. Agents recovered a bullet from the kitchen area; a second bullet was lodged in the ceiling and has not been recovered.

10. Based on an examination of the bullet that was found in the kitchen area and the trajectory of the bullets, as demonstrated by the holes, it appeared that the bullets were discharged from a high-powered rifle. Preliminary forensic analysis designed to reveal the trajectory of the bullets indicated that the shots were fired from the yard of a house located at 380 Main Street, a few hundred yards away from the mosque. This residence is a red colonial house owned by HAKEY. While conducting their analysis, officers followed the bullets’ suspected path to the side yard of 380 Main Street, where they observed shell casings that appeared to have been from a 9mm firearm.

11. Investigators queried HAKEY’s firearms registration records and learned that he had the following registered firearms: two Colt .223 rifles, a Federal Arms Company .308 rifle,

a Remington Arms .308 rifle, and a Remington Arms .338 rifle, all of which are high-powered rifles that could have caused the damage at the mosque if they were fired from HAKEY's house or yard. HAKEY's wife also had registered a Precision Industries .308 rifle, which is also a high-powered rifle, and a Beretta 9mm handgun.

12. On November 16, 2015, United States Magistrate Judge Sarah A. L. Merriam authorized a search warrant for HAKEY's residence, 380 Main Street. During the search, approximately 24 firearms were seized. Several of these firearms were found in a locked safe inside the residence. HAKEY's wife provided law enforcement with the combination to the safe and HAKEY confirmed that that was the combination. Investigators used the combination to open the safe.

13. Over one thousand rounds of ammunition and a bulletproof vest were also seized, along with several electronic devices. During execution of the search warrant, investigators observed paraphernalia associated with the Hell's Angels Motorcycle Club, a motorcycle club that is considered an outlaw motorcycle gang by the U.S. Department of Justice.

First Interview with HAKEY

14. On or about November 19, 2015, HAKEY retained counsel and participated in a voluntary interview with the FBI, with his counsel present. In substance and in part, HAKEY stated the following:

- He is a former member of the U.S. Marine Corps and has an avid interest in guns. He has attended sniper competitions in the past. He has shot his firearms in his yard in the past.
- On Friday, November 13, 2015, at approximately 8:00 p.m., he left his home in Meriden and traveled to a bar in Wallingford, Connecticut. He stayed at the bar, where he consumed approximately ten alcoholic drinks, until it closed. He left the bar and drove home to Meriden.

- After arriving home, he consumed a portion of another alcoholic drink and then obtained a Beretta 9mm hand gun and M14 rifle from his gun safe.
- He proceeded to his side yard. He looked at the Mosque to ensure that it was dark inside and that there were no cars parked outside.
- He discharged approximately 10 rounds from a 9mm handgun while in the yard, aiming at a wood pile in his yard.
- He then proceeded to discharge approximately 10 rounds of ammunition from the M14 rifle, aiming at the dirt and low trees that are in the area between his house and the mosque. After waiting a couple of minutes, he discharged approximately five more rounds from the M14 rifle. Afterwards, he went to sleep.
- He said he did not intend to hit the mosque and did not believe he had hit it until he saw cops there the next day. He also claimed that he had not learned about the terrorist attacks in Paris until after discharging the rounds from his yard. He further claimed not to harbor any animus against Islam or Muslims.

15. HAKEY also provided consent to search his mobile phone and other electronic devices seized during the execution of the search warrant and stated that he wanted to undergo a polygraph examination. A later examination of the cellular phone revealed the following messages, which are unedited. For reference, on July 16, 2015, an extremist opened fire on two military installations in Chattanooga, Tennessee, killing four U.S. marines and one Navy sailor.

- A deleted text message dated July 17, 2015, that appears to have been sent from HAKEY to an unknown recipient stating: “I want to take the Jewzi!¹ And unload on Muslims ! I’m in a target rich environment”.
- Two text messages dated October 5, 2015 with an unknown recipient stating:

Hakey: “They just talk about shit our nigger, fag, Muslim president does!”

Recipient: “Not nice teddy”
- A series of text messages dated November 14, 2015, with an individual stating:

¹ Hakey admitted to using the term “Jewzi” to refer to an Uzi rifle.

Hakey: "Somebody let lose a bunch of rounds or maybe fireworks last night at that Muslim place next to My house. Cops were there Looking around."

Individual: "No way!"

Individual: "That's fucking hilarious"

Hakey: "If the Muslims attack over here again it's over for them !!!! Americans will snap and play Cowboys and Muslims ! It will get ugly I think that's why they have not done anything"

Individual: "There choosing there (sic.) battles"

Hakey: "Yup"

16. The phone also contained an image of a bearded man with a rifle scope's crosshairs superimposed on the face and the text "Fuck Islam" written on the bottom of the photo.

17. In addition to providing consent to search his cellular phone, HAKEY consented to a second search of his yard, where agents found 18 shell casings that appeared to match the M14 rifle he admitted to shooting. The casings were found near the wood line at the edge of HAKEY's property, on the side closest to the Mosque.

Ballistic Analysis

18. The Connecticut Department of Scientific Services analyzed the eighteen shell casings recovered from HAKEY's yard and the single bullet recovered from inside the Mosque. The eighteen shell casings were determined to have been shot from a Springfield Armory, model M1A,² .308 caliber rifle with Serial Number 145474, which was seized from HAKEY's home

² According to open source records, the Springfield Armory M14 rifle was used by the military. The M1A rifle is Springfield Armory's semi-automatic civilian version modeled on the M14 rifle. HAKEY referred to the weapon used in the shooting as an M14 rifle, but its technical model number is M1A.

during execution of the search warrant and which HAKEY referenced as the weapon he used on November 14, 2015. The analysis also stated that the recovered bullet could likewise have been fired from the same rifle, but a lack of detail on the bullet precluded a more conclusive determination.

Second Interview with HAKEY

19. HAKEY voluntarily underwent a polygraph examination, with counsel present, on November 23. Prior to starting the pre-polygraph interview, he told agents that he remembered he had learned about the Paris attacks prior to arriving at the bar. He stated that he had exchanged Facebook messages with a friend regarding the attacks while he was driving to the bar. During the pre-polygraph interview, HAKEY again professed a lack of intent to shoot the Mosque, claiming that if he had harbored animus and intended to shoot the Mosque with his high-powered rifle, he would have then thrown that rifle in the river afterwards. After the polygraph examination, Hakey conveyed that had he intended to shoot the Mosque, he would have used a rifle with a night vision scope, which was allegedly next to the M-14 in the gun safe.

Facebook Search Warrant Return

20. On November 20, 2015, United States Magistrate Judge Sarah A. L. Merriam authorized a search warrant for HAKEY's Facebook account. Facebook provided records for the account on December 8, 2015. The following image is of HAKEY's profile photograph:



21. The following image was posted by HAKEY on January 2, 2014:



22. The following are screen shots of posts made in HAKEY's Facebook account, in chronological order³:

Time 2014-01-02 02:23:26 UTC
Type Comments
Summary Ted Hakey Jr commented on his own video. `I hate Muslims`
Object Id 10202905705713238

³ For the messages where HAKEY appears to be commenting on other Facebook users' posts, Facebook did not provide investigators with the other users' posts.

Time 2014-03-20 08:19:14 UTC
Type Comments
Summary Ted Hakey Jr commented on a status. `They will not care !!! These fucks will strap explosives onto their children. What might work is to desecrate the muslim religion. Burn their local mosque to the ground, defile the land with pig blood. Put up billboards of muhammad getting ass raped by satan.`
Object Id 10203500225971546

Time 2014-04-12 08:21:19 UTC
Type Comments
Summary Ted Hakey Jr commented on his own photo. `Coexist with Muslims , impossible !!!`
Object Id 10203642651216415

Time 2014-09-04 01:08:30 UTC
Type Comments
Summary Ted Hakey Jr commented on a link. `Yes more should have been done but they get security briefings every day , well Bush, did Obama is a lazy nigga, he get get up early enough , 8:00 am. To be bothered to get the briefings !! Everyday there are things on there what do you do shut down the country? After the next attack Muslims in this country will be in deep trouble!! Nobody can bring the violence like Americans!! We are back to back world war champions !! They better police themselves cause one more attack and it will be game on !!`
Object Id 807821895924179

Time 2014-09-23 14:53:46 UTC
Type Comments
Summary Ted Hakey Jr commented on his own status. `Sal will it help ? Or cause more Muslims to join the radicals? The only solution is to wipe Islam off the face of the earth !`
Object Id 10204964587343992

Time 2014-09-27 02:31:14 UTC
Type Comments
Summary Ted Hakey Jr commented on a link. `They are gonna cross the point of no return, and all the Muslim hang outs will burn.`
Object Id 785116764859895

Time 2014-10-04 00:52:55 UTC
Type Comments
Summary Ted Hakey Jr commented on a link. `If that happens we should throw all the Muslims in this country into fema camps`
Object Id 10152828431919497

Author Ted Hakey Jr (1520562919)
Sent 2014-10-14 01:01:51 UTC
Deleted false
Body That would be best for mankind !!
I really have begun to hate all Muslims !!!
Esp our president !!!

Time 2014-10-23 20:21:48 UTC
Type Comments
Summary Ted Hakey Jr commented on a link. `Kill all Muslims`
Object Id 340944702754926

Time 2014-12-10 16:47:14 UTC
Type Comments
Summary Ted Hakey Jr commented on a link. `Not sure I agree. I HATE Muslims! But I'm a big fan of the constitution. I do not believe in picking and choosing the parts that suit me. V`
Object Id 653802458075642

23. The following exchange occurred between HAKEY and another individual on or about January 10, 2015. The attacks on the Charlie Hebdo magazine in Paris, France, occurred on January 7, 2015.

Author Ted Hakey Jr (1520562919)
Sent 2015-01-10 19:33:42 UTC
IP 32.211.10.85
Deleted false
Body My Law enforcement friend said the Muslim radical s are plotting attacks. One or two gunmen. With ak -47s gonna hit schools and malls.

Author Ted Hakey Jr (1520562919)
Sent 2015-01-10 19:35:35 UTC
Deleted false
Body When the armed white boys snap. It's not going to be pretty

Author Ted Hakey Jr (1520562919)
Sent 2015-01-10 19:36:11 UTC
Deleted false
Body I have a mosque right next door !!

Author Ted Hakey Jr (1520562919)
Sent 2015-01-10 19:36:36 UTC
Deleted false
Body They are never there ,but all the sudden it has been packed

24. The person with whom HAKEY was conversing then said: "Radicals ruin it for everyone." HAKEY responded with the following comments:

Author Ted Hakey Jr (1520562919)
Sent 2015-01-10 19:37:17 UTC
Deleted false
Body I observe them with my binos. Way too many military aged males.

Author
Ted Hakey Jr (1520562919)
Sent 2015-01-10 19:37:29 UTC
Deleted false
Body Some days it's ALL MEN !!

Author Ted Hakey Jr (1520562919)
Sent 2015-01-10 19:37:50 UTC
Deleted false
Body All Muslims must die !!!i hate them all

Author Ted Hakey Jr (1520562919)
Sent 2015-01-10 19:39:17 UTC
Deleted false
Body They are going to hit a tipping point and are going to have to go underground

Author Ted Hakey Jr (1520562919)
Sent 2015-01-10 19:39:50 UTC
Deleted false
Body The next big attack on our country and its over for them !!

25. As the conversation continued, the person with whom HAKEY was conversing said: "Sadly there are lots of Musli[m]s that are not radical, but they are guilty by association." HAKEY responded as follows:

Author Ted Hakey Jr (1520562919)
Sent 2015-01-10 19:40:39 UTC
Deleted false
Body They all support the radicals !!
It's not In the Koran to live and let live

26. Below are additional postings by HAKEY in the Facebook account, in chronological order:

Time 2015-01-30 05:16:11 UTC
Type Comments
Summary Ted Hakey Jr commented on a link. `I'm usually all for freedom of religion and don't oppress anyone but Muslims are really getting on my nerves. They better police their own, cause if the rest of the world snaps it's gonna get real ugly.`
Object Id 422830391207470

Time 2015-07-07 12:32:04 UTC
Type Comments
Summary Ted Hakey Jr commented on a status. `I can't say I care if we do. Why should we give up American lives for ungrateful people. Let the people over there handle their own problems. If they start to attack us over here then we get nasty. They are Muslims, Very easy to find. They don't blend in well. Meet every Isil attack here with much more brutal one. They set off a pressure cooker Bomb. Then pick 5 different mosques and kill everyone inside. Make them police Their own. We must hunt down and kill radical Islam on our soil Problem is the ring leader is our president!`
Object Id 10205670161290869

27. The following series of posts took place after media reports of the shooting of a U.S. Marines recruiting center and a U.S. Navy Reserve center in Chattanooga, Tennessee, on July 16, 2015.

Time 2015-07-16 20:19:13 UTC
Story Ted Hakey Jr updated his status.
Message If you are Muslim Fuck you ! I hate you !

User Ted Hakey Jr (1520562919)
Text Fuck Islam And most of all fuck Allah !
Time 2015-07-16 20:23:38 UTC

Time 2015-07-16 20:37:35 UTC
Type Comments
Summary Ted Hakey Jr commented on a photo. `If we all kill just 1 Muslim each tonight it will make a dent !`
Object Id 10205179725312556

User Ted Hakey Jr (1520562919)
Text Yes 4 Marines were killed in Chattanooga Tennessee by a goat fucker
Time 2015-07-16 20:40:12 UTC

Time 2015-07-16 21:02:50 UTC
Type Comments
Summary Ted Hakey Jr commented on a link. `Is Muslim season open yet ? I'm in a target rich environment!`
Object Id 999324216767773

Time 2015-07-16 21:04:39 UTC
Type Comments
Summary Ted Hakey Jr commented on a status. `I think Muslim season is gonna open soon !`
Object Id 912530315479584

Time 2015-07-17 00:16:47 UTC
Type Comments
Summary Ted Hakey Jr commented on a photo. `The war against Islam has started !`
Object Id 10155889545245046

Time 2015-07-17 03:02:38 UTC
Story Ted Hakey Jr updated his status.
Message Can we get all the Muslims in this country into FEMA camps for some classes and behavioral modifications?

Time 2015-07-17 14:04:59 UTC
Type Comments
Summary Ted Hakey Jr commented on a video. `Well I'm glad all the phone tapping the NSA did paid off. NOT! Let's start the war on Islam now !`
Object Id 10153246100445238

Time 2015-07-18 16:32:32 UTC

Type Comments

Summary Ted Hakey Jr commented on a status. `We are at war with Islam. They are bringing the fight to the mainland. Arm your self and be watchful. Stay clear of ALL gun free zones, they are not stupid and gun free zones are low hanging fruit. Shoot to kill, after you kill them and the threat is clear, holster your weapon so you are not shot by the police when they finally show up.`

Object Id 10203307087797656

28. Below is a posting from HAKEY's Facebook page on or about September 13, 2015:

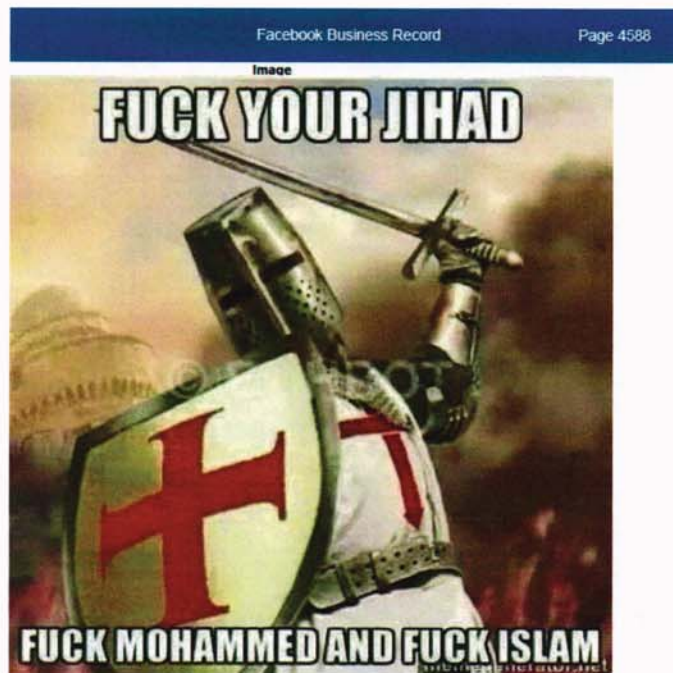
Time 2015-09-13 19:02:40 UTC

Type Comments

Summary Ted Hakey Jr commented on a status. `I say good ! Let a metric fuck ton of them in !!! Cause they are gonna tip the scales, piss off and unite Americans. It will become open season on military aged Muslims. One more event even close to 9/11 and we will "paint all of Islam with the same brush". So I say bring them !!`

Object Id 10205002560929277

29. The following image was posted to HAKEY's Facebook page on or about September 18, 2015:



30. Below are additional comments from HAKEY's Facebook page from fall 2015:

Time 2015-09-22 18:34:45 UTC
Type Comments
Summary Ted Hakey Jr commented on a video. `Try that around me ! I will deliver you to the 72 virgins. I fucking HATE Muslims ! Yup I said it !!fuck Allah`
Object Id 880435315379717

Time 2015-10-17 16:17:38 UTC
Type Comments
Summary Ted Hakey Jr commented on a status. `Once a tipping point is reached the Muslims are fucked. Once we start playing Cowboys and Muslims it's over !!`
Object Id 10205165285397287

Time 2015-10-29 01:15:02 UTC
Type Comments
Summary Ted Hakey Jr commented on a photo. `There will be no ROE when the war on Islam starts here !`
Object Id 1097329966952968

31. I know, based on a search of open source records, that the abbreviation “ROE” is used in the military as an abbreviation for “rules of engagement.” I believe HAKEY used this abbreviation to refer to “rules of engagement.”

32. On November 13, 2015, the night of the attacks in Paris, HAKEY conversed with an individual about the attacks through Facebook’s instant messaging service. The individual said, at approximately 8:20 p.m.⁴: “Read the news. @ least 40 people have been killed in 7 staged attacks in Paris.” At 8:24 p.m., HAKEY posted the following comment to his Facebook page.

Time 2015-11-14 01:24:08 UTC
Story Ted Hakey Jr updated his status.
Message What is gonna be the breaking point to go "weapons free" against Islam.

33. The shooting of the Baitul Aman Mosque is believed to have occurred less than six hours later. Based on a search of open search records, that the term “weapons free” is a term

⁴ The time stamps in the Facebook records are in Coordinated Universal Time, or “UTC.” This time zone is five hours ahead of Eastern Standard Time during the period when daylight savings time ends. In 2015, daylight savings time ended on November 1, 2015.

that can denote a command to fire at will. I believe HAKEY used the term “weapons free” to refer to a command to fire at will.

Connection to Interstate and Foreign Commerce

34. The offense here was in or affects interstate commerce. ATF conducted a records search regarding the place of manufacture of the firearm that HAKEY fired at the Mosque, which was a Springfield Armory, model M1A, .308 caliber rifle with Serial Number 145474. The records showed that the rifle was manufactured in Illinois and thus traveled in interstate commerce prior to being used by HAKEY to shoot the Mosque in Connecticut. ATF also conducted a records search regarding the place of manufacture of one of the 18 spent rifle shell casings recovered from HAKEY’s yard, which are spent shell casings from the rounds that HAKEY fired on November 14, 2015 (four of which ultimately hit the Mosque). The casing that was analyzed was a 7.62 spent shell casing containing the headstamp “7 62” and “82.” The records showed that the ammunition was manufactured either by Hsing Hua Co. or the 205th Arsenal, both of which are in Taiwan. Thus, the ammunition traveled in foreign commerce prior to being used by HAKEY to shoot the Mosque in Connecticut.

35. Additionally, the Mosque is funded by donations that are collected and forwarded to the Silver Springs headquarters, which then pays for the operational expenses of the Mosque, including the salary for the regional imam, who travels from Rochester, New York, to preach at the Mosque. The headquarters also pays the Mosque’s operational bills, such as the utility bills, from Maryland. The headquarters association hosts a website, www.ahmadiyya.us, which has an electronic bookstore. Portions of the proceeds from the bookstore are used to pay the Meriden Mosque’s operational expenses. Additionally, there are approximately five families who worship at the Mosque who live in Springfield, Massachusetts, and travel to Meriden because it

is the closest Ahmadiyya Muslim Mosque to their home. One of the individuals from Springfield, Massachusetts, is an administrative board member for the Mosque and travels to board meetings at the Mosque approximately once a month.

36. The mosque was forced to cancel several religious services between November 15-20, 2015, because of the shooting. At least one of the bullets crossed the main prayer area, which was covered with crime scene tape for several days while agents conducted the investigation. During that period of time, a number of members who live in Massachusetts did not drive to Connecticut to worship as a direct result of the shooting.

CONCLUSION

37. Based on the foregoing, I request that the Court issue a criminal complaint and arrest warrant for HAKEY for committing a violation of 18 U.S.C. § 247. Attached is a certificate from the Attorney General of the United States, pursuant to 18 U.S.C. § 247(e), certifying that this prosecution is in the public interest and is necessary to secure substantial justice.

REQUEST FOR SEALING

38. I further request that the Court order that all papers in support of this application, including the affidavit and arrest warrant, be sealed until further order of the Court. If HAKEY is informed of the existence of an arrest warrant, the agents executing the arrest warrant may suffer risks to their safety. Additionally, the premature disclosure of these papers may give HAKEY an opportunity to flee, change patterns of behavior, or otherwise seriously jeopardize the investigation.

Jeffrey D. Waterman
Special Agent, FBI

Subscribed and sworn to before me this 17th day of December, 2015, in New Haven, Connecticut.

(HONORABLE SARAH A.L. MERRIAM
UNITED STATES MAGISTRATE JUDGE