

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

2018 JUL -2 AM 9:05

SOUTHERN U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

United States of America)

v.)

DEMETRIUS PITTS, aka ABDUR RAHEEM)
RAHFEEQ, aka SALAHADDEEN OSAMA WALEED)

Case No.

1:18 MJ 2120

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 15, 2018 to July 1, 2018 in the county of Cuyahoga in the Northern District of Ohio, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. 2339B	Attempt to provide material support or resources to a foreign terrorist organization

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.



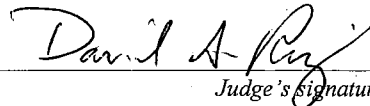
Complainant's signature

SA Andrew J. Wilson

Printed name and title

Sworn to before me and signed in my presence.

Date: July 2, 2018



Judge's signature

City and state: Cleveland, Ohio

Magistrate Judge David Ruiz

Printed name and title

1 : 18 MJ 2120

AFFIDAVIT OF ANDREW J. WILSON

I, Andrew J. Wilson, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since 1996. I am currently assigned to the Cleveland Joint Terrorism Task Force (JTTF), responsible for investigating violations of federal law to include, but not limited to providing material support to terrorists and providing material support or resources to designated foreign terrorist organizations. Throughout my FBI career, I have approximately 18 years of experience investigating and/or supervising Counterterrorism investigations. I have conducted and participated in investigations that involved the execution of numerous search and seizure warrants. I have previously been the Affiant on multiple court authorized Title III electronic surveillance applications.

2. I submit this affidavit in support of a criminal complaint charging DEMETRIUS N. PITTS, aka ABDUR RAHEEM RAHFEEQ, aka SALAHADEEN OSAMA WALEED, dob xx/xx/1969, with a violation of Title 18, United States Code, Section 2339B, that is Attempting to Provide Material Support or Resources to a Foreign Terrorist Organization.

3. The statements in this affidavit come from my personal observations, my training and experience, and the information obtained from other agents and law enforcement officers. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

4. Title 18, United States Code, Section 2339B prohibits, in pertinent part, a person

from knowingly providing “material support or resources to a foreign terrorist organization,” or attempting or conspiring to do the same. The term “material support or resources means any property, tangible or intangible, or service, including currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel..., and transportation, except medicine or religious materials.” 18 U.S.C., Section 2339(A)(b)(1) and Section 2339(g)(4). Section 2339B(h) provides that “[n]o person may be prosecuted under this section in connection with the term ‘personnel’ unless that person has knowingly provided, attempted to provide, or conspired to provide a foreign terrorist organization with one or more individuals (who may be or include himself) to work under that terrorist organization’s direction or control or to organize, manage, supervise, or otherwise direct that operation of that organization. Individuals who act entirely independently of the foreign terrorist organization to advance its goals or objectives shall not be considered to be working under the foreign terrorist organization’s direction and control.”

5. On or about October 8, 1999, the United States Secretary of State designated al Qa’ida, also known as al Qaeda, as a Foreign Terrorist Organization (“FTO”) under Section 219 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist entity under section 1(b) of Executive Order 13224. The Secretary of State also added the following aliases to the FTO listing: “the Base,” the Islamic Army, the World Islamic Front for Jihad Against Jews and Crusaders, the Islamic Army for the Liberation of the Holy Places, the Usama Bin Laden Network, the Usama Bin Laden Organization, Islamic Salvation Foundation, and The Group for the Preservation of the Holy Sites. To date, al Qaeda remains a designated FTO.

6. On December 31, 2015, a Facebook profile for ABDUR RAHEEM RAFEEQ (which was ultimately determined to be PITTS) came to the FBI's attention after RAFEEQ sent a private Facebook message to "The Craig Sewing Show," a California-based political commentary program, stating: "Fuck America and there arm[sic] forces. The USA will be destroy. Allahu Akbar."¹

7. On January 25, 2017, PITTS used his Facebook account Abdur Raheem Rafeeq (UID 100010669985661) to comment on pictures believed to be from a jihad training camp. PITTS posted, "We as Muslim need to start. Training like this everyday. We need to known how to shoot guns. Throw hand grenades hand to hand combat. How survey out in the woods. Look at the bed blue eyed devils. They teach their little dogs on how to shoot and Hunt. If you fear death. Then don't say you love Islam. The Rasool saw said. We should always be prepared to fight in the name of Allah Akbar. All cowards stay home. Walsalaam. Abdur Raheem sahl Rafeeq. Allahu Akbar Allahu Akbar Allahu Akbar."

8. In February 2017, the FBI reviewed PITTS above referenced Facebook account. A review of this account revealed PITTS was threatening violence against the United States.

9. In July 2017, PITTS expressed a desire to recruit people to kill Americans that were against Muslims and also stated he would have no remorse if he killed in the name of religion.

10. From September 2017 through April 2018, FBI Cincinnati's investigation revealed that PITTS was willing to conduct a U.S. based attack and was willing to join a FTO.

¹ For purposes of this affidavit, your affiant will not attempt to correct any grammatical or other errors in PITTS spoken or written words.

Investigation revealed that in February 2018, PITTS expressed interest in joining al Qaeda, and training overseas and returning to the U.S. to conduct an attack.

11. In April 2018, PITTS stated a desire to target members of the U.S. military that had killed Muslims overseas, presumably a reference to U.S. military members.

12. On June 15, 2018, an FBI employee acting in an undercover capacity (UCE) met PITTS in Willoughby, Ohio, and had a conversation with PITTS wherein PITTS again talked about killing.² This meeting was surreptitiously recorded. The following is a verbatim excerpt of the conversation:³

DP: I told you my favorite thing is head, hand, hand. You take the head...

UCE: The three H's right.

DP: Yeah, one two three. You take the head and the three hands and that's how you make your statement. You send it straight to 'em. The person's head and his and his two hands. And they know right off the bat, boy these people ain't playing.

UCE: Can you imagine the fear that that would strike in the hearts. I mean that would spread through the millions.

DP: Oh yeah. And I'm not-I'm not scared to do it. That's how I would send Donald Trump back. Head, hand, hand that and I be like. I wouldn't leave no type of message or nothing. It would be self-explanatory. It'd be a message. It'd be like whoever we messing with...

UCE: Right, right.

DP: is not playing with us. Yeah and then you send them another one every week.

UCE: Right.

DP: One of they one of they, um public there come another one they like wait a minute, whoever this is, he after us.

² The UCE was introduced to PITTS because PITTS had expressed a desire to meet with an al Qaeda "brother."

³ For purposes of the verbatim transcript herein, the UCE is the FBI undercover employee, and DP is Demetrius Pitts.

Later in the meeting, PITTS and the UCE began to discuss more specific targets to attack.

DP: Like you gotta wanna blow up marathons and stuff. No, no, no you dumb nuts.

UCE: Yeah.

DP: Leave them sports places alone. Allah said don't-he said kill those you in the war with.

UCE: Right.

DP: These people ain't got nothing to do with it.

UCE: Right. Plus you look at the Boston Marathon, they only killed three people. Come on.

DP: And nobody who was of the government.

UCE: Right, right, right. So that's the-that's the trick right? So you're right because if we're gonna go after our real enemies you know, the officials like you're saying, like you know the government officials, um the trick is, is when they're inside their building they got their big fortresses of government buildings.

DP: Right.

UCE: You know. Where they got their own metal detectors and all that. It's not just the White House that-that have all those...

DP: It's all of 'em.

UCE: Security guards.

DP: You wanna hit places, hit some of these army bases.

UCE: Yeah.

DP: Okay I ain't-I ain't mad at you when you hit them.

UCE: Yeah, yeah.

DP: Hit them, kill them.

UCE: Yeah, yeah.

DP: Okay now that's-now that's a point for us.

UCE: So.

DP: But when y'all go blow up stupid shit...

UCE: Right.

DP: Then y'all just took the points all the way down.

Later in the conversation PITTS told the UCE how to dispose of a body.

DP: No you chop him up and just send his ass to that hog farm. You chop him dead the fuck up. Chop, chop, chop, chop, chop, chop, chop, chop, chop, chop, chop, chop, chop, chop. You give him to the hogs. Hogs will eat him right up or you can just. Wait a minute what's the other one? You can just cut him here, cut him here and just have his bod-just throw his whole body, hogs eat the whole body. They eat it no problem. But you down south, that's the best place to be at when you down where all them gators at.

UCE: Alright.

DP: 'Cause you kill him, throw his ass back there in the bayou. He done.

UCE: Alright.

DP: They ain't finding him. Him, her, whoever, cause them gators gonna eat it up.

UCE: It seems like there's more military bases in the south too.

DP: Mhm. But if you gonna make an example of the person, you don't want the body hid. No, no, no, no, no. That's, that's no, that's, that's defeating the purpose. You kill the person and stick his head right there in front of the military post with his hands right there. That's what you do. With a burnt flag right there.

UCE: Right.

DP: And they looking like man who the fuck did...

UCE: A black flag.

DP: Yeah.

UCE: Black flag.

DP: Yeah.

UCE: With a Shahada on it.

DP: Yeah. And then they looking at it like who the fuck?

UCE: Right, right.

DP: Yeah.

UCE: That would shut down, you know, they-they would shut down every military base until they figure it out. Until they you know, they're heads stop spinning.

DP: Mhm but you don't never, you don't never put who did it. You never bring yourself to the light. You let them try to figure out. But they be like look each and every day they finding a head in front of the air base or...

UCE: Yeah.

DP: On-on they property.

UCE: Yeah.

DP: They finding 'em every day and they don't even know what to do. They don't even know what to understand. I can't wait 'til I get me the right machete cause the first day I, how I'm gonna clean it is cutting a person's head off.

UCE: [laughs]

DP: I'm chop-either chopping their hand, if I gotta chop a hand that'll be fun. Chop a hand off.

UCE: Yeah.

DP: Take 'em off-the person off chop his hands off. Oh this is uh, this is for you for what you did. You shot the gun with him so they it go in your hand. Go they go in your lap you can't him just hit him in his lap. That'll make a person going hysterical.

UCE: Yeah.

DP: See I do things to make people go hysterical.

UCE: That would do it.

DP: The one I want...

UCE: That would make the news.

DP: Oh that I want it to make the news.

UCE: Right.

DP: That's what we want.

UCE: Yeah. Yeah. Yeah.

DP: We want it to make the news.

At a later point during the meeting with PITTS and the UCE, PITTS indicated his belief that he would have to pass a test given by the al Qaeda brothers to be trusted by them, and discussed killing someone to earn that trust.

DP: Look that's-that's so none of that-that's not hard [IA] that's not hard. But I can't wait to meet the brothers so I can prove it to them. [IA] a person head off. That's all I wanna do.

UCE: Alright. So what if the test-what if the test was to take out a soldier? A U.S. army soldier?

DP: He dead then. He dead. He dead. It's like I said.

UCE: I mean that's actually I mean that-that could be the test but that could also be a score too.

DP: Yeah I wanna take out one of the ones that's been over there, not one of them that hasn't been over there...

UCE: Right, right, right, right, right, right.

DP: Na I ain't bothering him.

UCE: No, no, the ones that-they they know what they're doing.

DP: No no.

UCE: That's what they signed up for. Look at they signed up for war. Guess what? They want war, we can bring war to them.

DP: Now see...

UCE: Cause that's what they signed up for.

DP: The ones I would kill off and stuff like that would be the Marines. 'Cause that's all they-they already know what they gonna do. The Marines.

UCE: Yeah right. The Marines, they're blood thirsty. That's what they want.

DP: So there would be no hesitation on that part. None whatsoever.

UCE: No hesitation with taking off the head of a Marine? Taking off a jarhead?

DP: No it wouldn't. It wouldn't. 'Cause just like if I may walk up to a person, can you-can you explain to me where this uh place is on the map and they be like yeah, it's a wrap.

UCE: Yeah.

DP: Distraction.

PITTS and the UCE then got into the car and as they were driving saw a Marine Corps flag at a residence.

UCE: Yeah. Look at that Marine Corps sign right next to 'em. You see that Marine Corps flag?

DP: Uhh huh. So it must be for Ma- a Marine. Now see that's when we start putting explosives in the house down in the pipes, all that. See, if you hit places out here

ah, with different type- you see how this laying there? A person can come back through here at night-

UCE: Yeah.

DP: Put bomb, bomb, bomb, bomb, bomb- anywhere you want around here, and level stuff around here. But only thing about it, do not kill those who are not at war with you.

UCE: Right, right. But I think you are on to something like- like you said the Marines. You know? They're- they're proven killers.

DP: Yeah. That's all they trained to-

UCE: [simultaneous conversation] You know?

DP: [simultaneous conversation] go do.

UCE: That's what they want.

DP: [simultaneous conversation] Mmm hmm.

UCE: [simultaneous conversation] You know so uh I mean they're at their- like you said Parris Island they are at the Marine bases.

DP: Mmm hmm.

UCE: But-

DP: [simultaneous conversation] Who would- yeah

UCE: But, they have- they gotta go home. They gotta go to the bar-

DP: [simultaneous conversation] Uh huh there you go.

UCE: They got to come off the base.

DP: There you go. And who would think- who would ever think that a person...

UCE: [simultaneous conversation] [inaudible]

DP: [simultaneous conversation] would hit a Marine base?

UCE: Right.

DP: I mean just- just like how the Japanese hit Pearl Harbor.

UCE: Right.

DP: You go in there and you have people attack a military base.

13. On June 22, 2018, the UCE met with PITTS in Walton Hills, Ohio, and had a conversation with him regarding launching an attack in Cleveland for al Qaeda during the July 4th holiday. This meeting was surreptitiously recorded. The following is an excerpt of the conversation between the UCE and PITTS:

UCE: And so that's part of, part of the question. Part of the in and out is understanding what al Qaeda is about and then wanting to know are you willing to, I mean any brother that's gonna be in al Qaeda has to be willing to do all the things that we've already talked about.

DP: Mhm.

UCE: That's why I mean, I mean, I mean I'm excited I went back but of course the brothers, they wanna build trust by steps. And they're willing to send a brother out to meet you but we gotta make, we gotta get to that level too. The other thing too is I mean there is, there is risk with all this and that's why we gotta, we gotta start somewhere. I mean I think we are there but I gotta go back and convince.

DP: When can I meet him?

UCE: I mean I think that can happen pretty soon. But-but this is, but I think this is what this is a big thing that was asked of me cause I told him I told him about hey the value in the knife fighting. The possibility of like what we talked about last time. Finding places where we could get in and set up a bomb. I mean if they provide the bomb maker and we find the path in. Then man, dude we can do, I mean you wanna talk about if doing something like that, that from, from, from within, that will shake them more than 9/11. 9/11 mashallah was amazing.

DP: But it was constructed by the Kufaars (non-Muslims).

UCE: Right I mean well it was amazing in that you see the, the fear that it struck in their hearts.

DP: They like they came right to our stomach.

UCE: Right. But well where we're different is that if we go from the inside. That shakes them from a, in a way that they can't even, that they've never even thought that they haven't really had to deal with. Except there-there are the examples of like, the like the soldier Nidal Hassan who did it from within. (Fort Hood Attacker)

DP: Mhm.

UCE: But but you look at that and you look at that one example and just think if that was magnified.

DP: Mhm. Na I, I did tell myself that that their, their holiday is coming up, the 4th of July, Independence Day.

UCE: 4th of July, 4th of July, 4th of July that's like the day yeah, yeah.

DP: Independence Day.

UCE: Independence Day.

DP: Trying to figure this out. Can't go up by Washington, DC, that's that boy listen...

UCE: Yeahhh.

DP: That's so secure boy, listen. Man that is a very secure place...

UCE: Yeah.

DP: to get up in there.

UCE: Yeah.

DP: Brother really have to be on his goo-boy look.

UCE: Yeah I don't know, hold on, I mean look, we don't have to go far. I mean when I talk about uh, you know shaking them from within. We don't have to go far. I mean we drove past that house. Remember when we saw that house with the Marine Corps flag?

DP: Na that, that, that, that ain't, that ain't sending no message. That ain't...

UCE: Well and part and part of what I mean this is like alright so saying if you're in or you're out. Well in or out for what?

DP: Huh?

UCE: Like if you're in or you're out. If you say you're in.

DP: I'm into, I'm into, into a when I say I'm in, okay I already said my life is for Allah.

UCE: Right.

DP: So everything else, I know what comes with it.

UCE: Yeah. Alright, alright, alright, well then it's a matter of like well, well then how do we do it?

DP: I'm trying to figure this out. I'm trying to figure out something that would shake them up on the 4th of July.

UCE: Alright.

DP: See I-I that's why I like chess.

UCE: Ahhh.

DP: That's why I like chess. Um but I...

UCE: 4th of July.

DP: Got a good one for 'em.

UCE: You know that's when uh they have like the 4th of July, the parades.

DP: The firecrackers.

UCE: The firecrackers.

DP: Oh yeahhh.

UCE: Firecrackers.

DP: Let's see, let now, hold up listen.

UCE: Alright.

DP: You gotta pay attention.

UCE: Alright, alright.

DP: Let's see. Alright.

UCE: 4th of July.

DP: What would what would hit them in the core? Blow up in the, have a bomb to blow up at the 4th of July parade.

UCE: Okay.

DP: You taking out, taking out all sides. You gotta sit up from, from the uh, you gotta wait 'til the parade start where, where it gets into motion.

UCE: Okay.

DP: And then once it get to the heart of the city.

UCE: Yeah.

DP: You blow it up from there and you have blow it up in three sections.

UCE: Alright.

DP: Only thing about it. They got cameras in places you got, oh man that's thing about all these damn cameras. They got cameras everywhere.

UCE: Yeah.

DP: [inaudible] Oh wait a minute. Them little cars. [inaudible]

UCE: Okay.

DP: Them little remote control cars.

UCE: Remote control cars, alright.

DP: You know what I'm talking about?

UCE: Yeah, yeah, yeah alright.

DP: If you programmed that car as they coming down right. You program that little car.

UCE: Yeah.

DP: Let's see ain't nobody gonna pay attention 'cause it's got the little flags on it and everything. Everybody gonna be like aw, aw....BOOM!

UCE: Alright. Oh with like American flag.

DP: Yeah.

UCE: So American flags on the remote control car.

DP: Right, right, right, yeah.

Later in the conversation PITTS suggested detonating the bomb on July 4th, once night fell:

DP: What time is they fireworks?

UCE: It's at night. I think they start um, 'cause it doesn't get dark, the sun goes down like magrib (Islamic sunset prayer) is still at about nine so it's like the fireworks usually start about ten.

DP: That might be a good time to hit 'em. Oh look night they can't see nobody. You ever realize that? Nobody can just see. Everybody can just mix in the crowd. Everybody. That's probably one of the best times. Cause remember the uh, them little remote cars...

UCE: Alright so we got.

DP: [inaudible] that sounds even better.

As the conversation progressed, PITTS and the UCE "Googled" a map of downtown Cleveland, where PITTS determined an explosive device would have the most "impact." After learning the fireworks would be launched from or near Voinovich Parks, PITTS exclaimed, "Oh there you go. Oh yeah." PITTS was further pleased that also located near Voinovich Park is the United States Coast Guard Station, the United States Army Corps of Engineers, and the Celebreeze Federal Building.

14. The June 22, 2018, meeting between PITTS and the UCE concluded with PITTS indicating to the UCE that he would travel to downtown Cleveland soon to conduct surveillance of Voinovich Park and the U.S. Coast Guard station for the purpose of taking photographs and videotape footage. PITTS indicated that the footage would then be transferred, via an intermediary, to the al Qaeda “brothers.” PITTS also expressed a desire, while downtown Cleveland, to take a U.S. Coast Guard tour and gain as much information as he could about the layout of the facility.

15. Later in the day on June 22, 2018, the UCE sent a text message to PITTS on one of PITTS’ cell phones, wherein the UCE indicated that on Monday, June 25, 2018, the “brothers” would provide PITTS with a package with which he would be pleased (a bus pass and cellular telephone) ⁴.

16. On June 24, 2018, during a text message exchange between the UCE and PITTS, PITTS told the UCE that he wanted to be known by the name Salahadeen Osama Waleed.

17. On June 25, 2018, PITTS met with a CHS of the FBI, who represented himself to be a trusted “brother,” at a pre-designated location in Maple Heights, Ohio. The CHS gave PITTS a RTA bus pass as well as a cell phone (this was a phone provided by a CHS of the FBI that PITTS understood was from al Qaeda, hereinafter the al Qaeda phone). The al Qaeda phone was given to PITTS with the understanding that PITTS would use the phone to contact the UCE. The bus pass was provided to PITTS, as PITTS had requested of the UCE, so that PITTS could use the pass to travel to downtown Cleveland to conduct surveillance for the July 4th attack.

⁴ During the meeting on June 22, 2018, PITTS told the UCE he needed a bus pass and another phone that he could record and video on.

18. On June 26, 2018, PITTS contacted the UCE via text messages from another phone belonging to PITTS and the al Qaeda phone. In these text messages, PITTS relayed to the UCE that he had completed the reconnaissance of the designated downtown Cleveland spots and that he desired to “destroy the government.”⁵ PITTS also indicated in these text messages that he intended to travel to Philadelphia, Pennsylvania, to conduct reconnaissance, as Philadelphia is his hometown and he knows it best. PITTS indicated that it was his “job” to “go look at the base of the ground,” and that it was up to other “brothers” to complete the other parts of the job. PITTS also indicated that he would not be at the meeting with the UCE on Friday, June 29, 2018, as had been previously planned.

19. Later on June 26, 2018, PITTS and the UCE spoke on the telephone. During the conversation, the following exchange was had:

UCE: Ok. Well alright. I’m glad we’re having this talk because for I’ll tell you two reasons. One reason is when I asked you if you were in or you’re out, you said you’re in and I have to go back to the brothers and tell ‘em like hey he means it. And so if you show up with that video tomorrow that’ll seal the deal. They’ll know for real. They can see it with their own eyes.

DP: I got a video for you (inaudible) I’m gonna go out (inaudible) You know (inaudible) ain’t gotta (inaudible) nobody around.

Later in the conversation, the UCE questioned PITTS as to whether the al Qaeda brothers should continue building the bomb for the Cleveland location and the July 4th holiday, given that PITTS intended to go to Philadelphia to conduct reconnaissance in furtherance of a terrorist attack:

UCE: Ok. Alright now let me, let me ask you should I-I know we’re talking about Philly. We got 4th of July you know Cleveland can be a small target. Philly can be the big target. Now tell me what do you think I should tell ‘cause I got a special brother who’s working on the know the bicycle, the horse and carriage (remote control car containing explosives) with the earth (bomb) on it. That’s a special- That’s a special

⁵ FBI surveillance on this date observed PITTS north on East 9th Street in downtown Cleveland toward Lake Erie, while simultaneously using a phone to take photos and/or video.

brother working on a special project.⁶ Should I tell him to, to, pause like with the construction? Or should he keep building so we have the tool (bomb)?

DP: Keep building.

UCE: Keep building alright.

DP: Building (inaudible) gonna need more than one (inaudible) That's not the (inaudible) we gonna hit the um the (inaudible) Bicentennial uh city. Philadelphia's...now that'll really open their eyes (inaudible).

UCE: Right.

20. During the morning hours of June 27, 2018, the CHS met with PITTS at a predetermined location in Maple Heights, Ohio. The purpose of the meeting was for PITTS to turn over the al Qaeda phone containing reconnaissance photos and/or videos to the CHS, so the CHS could in turn provide the photos and/or videos to the al Qaeda brothers. During this meeting, the CHS told PITTS, "the brothers appreciate what you have been doing," and provided PITTS with a newspaper that secreted a black flag, with white Arabic script (commonly associated with terrorist organizations), which PITTS previously requested. The CHS instructed PITTS not to open the newspaper there. After the CHS provided the newspaper with the flag, PITTS gave the CHS the al Qaeda phone which was placed inside of a latex glove and wrapped in an RTA map. The CHS placed the al Qaeda phone into a bag. The CHS asked PITTS for the passcode to the phone. PITTS replied, "0704." The CHS confirmed, "0704." PITTS then stated "Allahu Akbar." The CHS replied, "Allahu Akbar." PITTS then got up and left the location.

⁶ On June 22, 2018, PITTS and the UCE decided upon a code to be used when speaking on the telephone. Amongst others, it was decided by PITTS and the UCE that "earth" meant bomb, that "horse and buggy" meant a remote control car carrying explosives, and that "santouki" meant knife.

21. Shortly thereafter, on June 27, 2018, PITTS sent a text message to the UCE thanking the UCE. PITTS also asked the UCE, "...what did the brothers say about the photo?" The UCE responded, "I haven't talked to the bro yet. He has to get to a safe place before he looks at it."

22. Later in the day on June 27, 2018, the UCE met with PITTS in Maple Heights, Ohio and drove him to downtown Cleveland to talk about the reconnaissance PITTS had done the previous day. The meeting between PITTS and the UCE lasted approximately two and half hours. During this meeting, PITTS and the UCE discussed the impending July 4th bombing:

DP: They getting' they preparations started and I'm gonna come back down here on my own. Lemme see – bang – bang – bang – bang – I'm comin' back down on the third.

UCE: Okay.

DP: So before the fourth of July.

UCE: Okay. Alright. Alright. Alright, so –

DP: And I'm gonna over – and I'm gonna do a check around a full full full walk around. I'm gonna make that my whole day. Now you tell the Brothers and them now I am gonna need a little finance for that day.

UCE: Alright.

DP: Cuz I'm gonna spend that whole day down here walking to where how to uh – the route goin' go, everything.

UCE: Alright, well. Let me know what you think, what you think that's gonna take.

DP: Well why – why I said that then I can peek security. It's always good for me to peek the security.

UCE: Right.

DP: Take a look at it and how things goin' go wit' things that walk up and down and video everything. So this'll be the phone – that'll be the phone me and you transfer back and forth for the video.

UCE: Alright.

DP: Cuz – cuz we're not sendin' nothin' to nobody. We're jus' takin' pictures, takin'

video. And then once we finish it, we take and delete it and then when after we figure that I don't need the phone no more, I'm gonna destroy the phone cuz I know how I'm gonna destroy it.

UCE: Okay.

DP: That way I know.

UCE: Alright.

DP: That from my own.

UCE: Cuz when we're that close, it's already a sealed deal.

DP: Right.

UCE: Alright?

DP: Yeah. Yeah. And I'm gonna be downtown when the – when the thing go off. I'm gonna be somewhere cuz I wanna see it go off.

UCE: You wanna see it – you wanna see that fireball go flying – you wanna see the body parts flying into the sky?

DP: I'm gonna be down there when they go off, but I'm gonna make sure that I don't be one o' the kind who tease – that I – yeah I'm gonna hafta be a good guest.

UCE: Alright. Well you know what? Like where we were standing when you can overlook the whole lake, off by that – on top of that parking garage, you can get a pretty good view from way up there.

DP: Yeah, so we got a van full of the right utilities in it –

UCE: Yeah?

DP: - it's gonna take everything off right there. It's gonna take it off.

UCE: Oh, so you talking like uh – like uh full car bomb in the whole van.

DP: Yeah, like a full van. Like yeah. Why – why play wit' 'em?

UCE: Alright. Alright. I mean this is a – we're going from a remote control car bomb to a full size full van.

DP: Cuz okay um – okay we going to remote control cars – how long – how long it's gonna take to get the remote control cars? That takes time, preparation, take a person practicin' wit' the cars –

UCE: Right.

DP: Driving them – and things like that.

UCE: Right.

DP: You can't just –

UCE: With a van – all you gotta do – you don't hafta – all you gotta do is know how to park –

DP: Jus' drive up and get the hell gone. I mean get gone.

UCE: Alright. So who – like what's – like what else has to – I'm trying to think of assignments for jobs – cuz it's gonna take a team, you know? I mean -

DP: Yeah, it's gonna take a team and they gotta be on it – matter of fact, they got to be startin' on that at least by Friday.

UCE: Alright.

DP: Cuz after they see that –

UCE: Now I was talking 'bout bringing my guy in on Friday – I mean cuz now I'm gonna have to go back and this is adjusting the plan. Now the beautiful think is I think that these tactical plans that we came up with are beautiful, are perfect. I mean we just made the case.

DP: This is jus' one thing. They can't keep seein' us walk down there cuz –

UCE: Yeah.

DP: - that video see.

UCE: I know but what I'm talking about. Like, this is gonna take an adjustment and you know my plan was for the – well what we all kinda – they gonna bring in the bomb guy for us, show them the video –

DP: We'll come down at night.

UCE: - sell them the plan.

DP: We'll come down at night.

UCE: Come down at night. Alright.

DP: At night.

UCE: Now what about bringin' in that the bomb brother.

DP: That's the one we takin' down there and we would show him.

UCE: Alright. Alright. So the three of us would go for a walk.

DP: No we gonna ride it and then we'll walk at night.

UCE: Okay. Alright. Alright.

DP: Yeah.

UCE: Yeah, cuz he's going to have to do like the calculations –

DP: That's what I'm sayin'.

UCE: In order to get the bomb just right. You know?

DP: So, now we – that's goin' take two days. We gotta uh – do what we gotta do that two days straight. That's somethin' that's gotta be done cuz the first is Sunday. The last day of the month is Saturday.

UCE: Right.

DP: They getting' preparations started right now for –

UCE: Right.

DP: - for that parade.

UCE: Right.

DP: And see one thing about it. The media tells you how – how they gonna do the parade.

UCE: I bet that they're gonna – those – those marines are gonna go marching right outta that front gate. They're gonna probably have all the bands playing the music –

DP: Yeah.

UCE: - and so all the people can cheer.

DP: That's when you wanna take them bastards out.

UCE: They're all – you know they're gonna be in their big formation too, marching.

DP: Mmm hmm.

UCE: All packed in together.

DP: Uh huh.

UCE: That gate's gonna swing wide open.

DP: Right. And then the next one is Philly. Philly will be the next one - the Bicentennial State.

UCE: That's gonna be uh -

DP: They call that the Bicentennial State.

UCE: Right.

DP: Philadelphia. That one ain't gonna be hard. Cuz guess what, ain't nobody never tried to do nothin' like that.

UCE: Yeah.

PITTS also expressed his disdain for the military to the UCE during this meeting:

DP: - I wouldn't give a damn about the military.

UCE: Yeah.

DP: Let them -

UCE: They got it coming.

DP: Yeah, let them suffer how our east muslim children suffering.

UCE: Right.

DP: All over there.

UCE: Amin.

DP: Yeah and I and I was like okay, what's good for the geese is better for the gander.

UCE: Right. May Allah destroy the enemies of Islam, may Allah destroy those who are already dropping the bombs [UI], on - on our Muslim Brothers and sisters and the Muslim kids in Syria and [UI] and Iraq.

DP: If you in the military, you an enemy. I don't care if you ain't even been across there yet. You in the military, you an enemy. You're an enemy. That's how I look at it.

UCE: Yeah.

DP: Ain't no ifs, ands. Ain't no trying to sugar coat it, nothing. You're an enemy. Lock stock and barrel.

PITTS further told the UCE that he would come back to downtown Cleveland on July 2nd or 3rd to conduct additional reconnaissance:

DP: That's why I said I'm going down there the 2nd and the 3rd by myself.

UCE: Alright. Because we gotta have this lined up.

DP: That's why I'm not going down by the naval base this time. I'm walking the parade route, where they going.

UCE: Alright.

DP: I might find another pick, but that point is guaranteed. That's the one we want.

UCE: Alright. But we do – we gotta prioritize a pick so we're working towards –

DP: Right there in front that construction spot.

UCE: Alright – construction spot.

DP: They got – they got gas machines over there. They gotta use the torches.

UCE: Okay. Alright.

DP: Oh man that's it.

PITTS also clarified what he wanted his role to be in the terrorist cell and his desire for anonymity:

DP: My part is just to go scope, get the information we need, and bring it back.

UCE: Alright.

DP: See you gotta have Brothers who don't nobody never see. Like I don't wanna meet all the Brothers. No.

UCE: Alright. Alright.

DP: No. No. No. No. No. You know what?

UCE: Now what about the detonator guy?

DP: Now I don't e'en wanna meet him.

UCE: Alright.

DP: He needs to per—no no. He has nothing to do wit' me like you said. Like you said.

UCE: I usually – I fold that in half. Yeah. There you go. And it stays a bit better like that. That's good.

DP: The only thing I'm gonna be responsible for is going to look at the spot, to scope out the scenery.

UCE: Alright.

During this meeting, PITTS also expressed to the UCE that he wishes to be known by another name:

DP: Like the planner. I forgot the Arabic word for the planner.

UCE: Uh –

DP: Uh – daggone it. You know I forgot the Arabic word.

UCE: Yeah, well –

DP: I'll figure it out.

UCE: I think I know what it is. Salah ad-Deen. Salah ad-Deen is our planner.

DP: (inaudible).

UCE: (inaudible).

DP: (inaudible). Salah ad-Deen means planner. The exact name I have. Salah ad-Deen, the planner. And when they need me to do somethin' they know the only thing they hafta do – you contact me all you do is send me – you be like um – go fishin'. Go fishin' in this city.

UCE: Right.

DP: Go fishin'. And that's all I gotta do. And you be like this is here, this is that. This is go there.

UCE: And we – and you're - then you just get launched. You launch yourself there

DP: Yeah, I just launch myself there.

UCE: You do all – you do all that pre-attack planning.

DP: Yeah. I do everything. I come up with the whole plan. Then when they get back, cuz they know everythin' goin' be correct.

UCE: That is a special skill, man. I mean, not everybody can do that. Not everybody

thinks that way. Not everybody sees everything that you see.

DP: I try – I try to make sure I see all casualties as they come up and before they come up. The best way is the only way. If I don't, then I don't wanna see my Brothers and them get hurt.

UCE: Right.

DP: What I want them to get hurt fo'? Cuz them getting' hurt is like me getting' hurt.

UCE: That's the ummah (community of Muslim believers) brother. That's the loving your Brothers. That's loving the ummah.

DP: Brothers getting' shot is like me getting' shot.

UCE: Right.

DP: So why I want one of my own.

UCE: There's a hadith (a religious proclamation) that says that too.

DP: For real?

UCE: Yeah. I mean the hadith, there's a hadith that talks about I mean loving the ummah like that. If one is hurtin' then we're all hurtin'.

DP: I just wanna leave my, my name. Marked on this earth so they never forget it.

At the end of the meeting, PITTS gave the UCE a phone (PITTS PHONE 2)⁷, which PITTS also used to record the reconnaissance photos/and or videos, so that the UCE could in turn provide it to al Qaeda brothers to be used for targeting. PITTS and the UCE came upon the U.S. Coast Guard Cleveland Station, Cleveland Harbor (East 9th Street, Cleveland, Ohio) and saw a white, work van that was believed to be involved in an ongoing construction project at the Coast Guard Station. PITTS told the UCE that "the brothers" should use a white van and fill it with explosives and park it in the specific spot he showed the UCE. PITTS recorded a video of that

⁷ PITTS PHONE 2 is a telephone that was owned by PITTS prior to meeting the UCE, and was not provided to PITTS by the government.

location. PITTS also stated that he wanted to be strictly a planner of attacks for the brothers and talked about going to Philadelphia, Pennsylvania and doing reconnaissance for an attack there.

23. On the same date, PITTS also told the UCE he had made a bayah video, swearing loyalty to the brothers, on the telephone (previously identified as the al Qaeda phone) PITTS had provided earlier in the day to the CHS. The UCE repeatedly reiterated to PITTS that the brothers were al Qaeda and PITTS acknowledged that he understood this on multiple occasions. PITTS also stated that, "my favorite role is doing the planning...and can get to different places and know different cities...it's easier for me to go be a planner cause I use my regular name on my ID."

24. During the evening hours of June 27, 2018, PITTS initiated text messaging communications with the UCE:

DP: We have to find another way. They are not letting no. Cars or trucks go near. The place because on Sunday. They have a parade and Monday. They are having dogs sniff out everywhere down town. There's no way to get done ahki (brother)."

UCE: subhaan Allah (glory to Allah)

DP: I just seen that they are. Having dogs sniff out things. They start some parade this Sunday. They are all ready on high alert. I seen it on the web. Cancel the party for now. To bad for family to go. Very very bad weather.

UCE: subhaan Allah (glory to Allah)

DP: If I can't be here. Then I'm going to Philadelphia.

UCE: ok. When? u gonna work on the big party in Philly?

DP: We will have to talk. In person because I will need help.

UCE: ok.

DP: Ahki (brother) I want to do this by myself. I have no reason to live. Since I know Philly very well. All I need from the brother. Is some chicken eggs that go (emojis inserted that appear to be explosions). I will put my life on the line. This will be done in September labor day. Just help me get there. So ahki you must show me. How to drive

again. Now can you do that. You don't need to be in this. Ahki you have a family. So keep your hands clean ahki.

DP: so bye (emojis inserted that appear to be a hand waving). Allahu Akbar Allahu Akbar Allahu Akbar.

UCE: Allahu Akbar

UCE: All praise is due to Allah

25. On June 28, 2018, the al Qaeda phone was searched pursuant to a duly authorized warrant. A forensic examination of this phone, revealed two bayah (pledge of allegiance) videos recorded by PITTS. During these recording, PITTS wore a bandana which covered part of his face. During the first recording, PITTS stated the following:

Only can we proceed to do what we need for the pleasure of Allah is we fight as one. We must kill all *kafiruns* (disbelievers) destroy, annihilate them. Look at our Muslim brothers and sisters being slaughtered each and every day by the *kafiruns* (disbelievers) armies and they boast about it. Everywhere we go at we get treated wrong. It's time that we change this. They kill one of us we kill ten thousand of them. They kill two of us, we kill they whole city. Forget all this pity pack love stuff. Are you scared to die? Do y'all fear? If y'all are cowards then what was the use of you saying *ashadu an la ilaha illa'llah wa Ashadu Muhammadan Rasululu'llah* (I bear witness that there is no God but Allah and that Muhammad is the messenger of Allah). We serve *Allah, Allah Ta'ala* (Allah above all else). We fight our enemies. We destroy them and destroy those who try to oppose, that are Muslims who want to help the *kafirs* (infidels). You make an example out of them. You kill them and the best way example is three H's. Three H's. Head, hand, hand. Decapitate, send it. Make your message be heard. Stop using ourselves as bombs. We do not strap bombs onto our body.

During the second bayah recording, PITTS stated the following:

Assalaamu alaykum wa rahmat Allah (peace and Allah's mercy upon you). Things that I showed you on the videos my Muslim brothers and sisters around the world was very good because going down there and seeing how the operation is going down there. Some may look easy but it's not. I'm a planner. I like to sit out and watch. Pay attention. And I'm a tell you all this, don't rush me to do nothing. Cause rush make haste and haste cause lives and misfortunes of other brothers. So before I would see a brother get hurt, get captured, I'm going to look at the whole situation and point. No matter what nobody say. Nobody is going to command *Saladin* (new alias chosen by PITTS).⁸

⁸ These translations from Arabic into English were provided by a certified FBI linguist.

Also recovered on the al Qaeda phone were reconnaissance photographs of various locations in downtown Cleveland taken by PITTS, including the United States Coast Guard Station, the Rock and Roll Hall of Fame, the Anthony J. Celebreeze Federal Building, and the Cleveland Harbor. Additionally, located on the al Qaeda phone were four videos of locations in downtown Cleveland taken by PITTS. The videos capture PITTS walking down East 9th Street in Cleveland pointing out potential targets such as the Federal Building, Coast Guard Station, and St. John's Cathedral. The videos were narrated by PITTS and include comments about the kuffar (disbelievers), avoiding detection, "the wicked Catholics, Jews all of them," and taking St. John's Cathedral "off the map."

26. On June 28, 2018, the UCE placed two calls to PITTS. The UCE first informed PITTS "the brothers" wanted him to search for a vehicle, and provide images and pricing information for the operation. PITTS accepted the task and stated, "I'm already on it." PITTS reiterated his role in supporting "the brothers" by providing logistical assistance, surveillance, and target identification.

27. During a second call on June 28, 2018, the UCE and PITTS continued their discussion regarding the purchase of a vehicle for the purpose of placing the "earth" (bomb) in it. PITTS stated that purchasing a vehicle from dealerships, tire shops, or auto repair businesses would be difficult due to the requirements of providing a driver's license and title registration. Instead, PITTS first suggested he locate a vehicle at a "chop shop" to facilitate an illicit vehicle transition for cash (thus eliminating any record of the sale and evading detection by law enforcement). Thereafter, the UCE recalled a previous conversation wherein the UCE and PITTS had discussed using a straw purchaser to reduce suspicion and improve the likelihood of operational success. PITTS acknowledged and stated he located a used Honda Accord sedan for

a purchase price of \$1400.00 USD. He subsequently stated he could likely locate a used van for approximately \$3500-\$4000 USD. The UCE and PITTS then discussed the purchase of a Sport Utility Vehicle (SUV), as opposed to a van, because these vehicles would arouse less suspicion from law enforcement. At the end of the call, PITTS indicated he would search for several vehicle and provide images and pricing information to the UCE on June 29, 2018.

28. On June 29, 2018, PITTS PHONE 2 was searched, pursuant to a duly executed search warrant. An initial forensic review revealed an approximately seven and a half minute video that was filmed on June 27, 2018, of downtown Cleveland that captures the Cleveland Harbor, the Rock and Roll Hall of Fame and U.S. Coast Guard Station. The video is narrated by PITTS.

29. On June 30, 2018, UCE called PITTS and told PITTS that the attack PITTS planned in Cleveland for July 4th was a "go" and that the al Qaeda brothers were happy with PITTS' plan for Cleveland. The UCE, speaking in previously established code words, confirmed with PITTS that there would indeed be a large explosion in front of the U.S. Coast Guard Station in Cleveland on July 4th. The UCE explicitly stated that the attack will be on behalf of al Qaeda and PITTS acknowledged. PITTS expressed to the UCE that PITTS needed to meet in person with the UCE in order to get PITTS a new telephone for PITTS' travel to Philadelphia to continue his planning for al Qaeda. PITTS stated he had a target in mind in Philadelphia, but would not discuss this over the phone, but rather would discuss this in person. PITTS also discussed possibly traveling to San Francisco to conduct additional targeting and reconnaissance on behalf of al Qaeda.

30. On July 1, 2018, at approximately 9:25 a.m. PITTS and the UCE met at a location in Garfield Heights, Ohio. The purpose of this meeting was for PITTS to explain to the

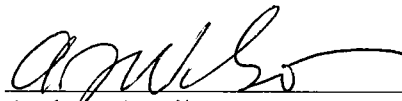
UCE his plan for Philadelphia. During this meeting PITTS showed the UCE a map of Philadelphia and pointed out multiple landmarks that were worthy targets for bombing. PITTS told the UCE that he planned on traveling to Philadelphia for the purpose of conducting reconnaissance for a future attack in Philadelphia. PITTS told the UCE that worthy targets for an attack in Philadelphia included the Federal Building, City Hall, the U.S. House of Representatives, to name a few. PITTS also stated that a truck bomb packed with explosives, such as the one used in Oklahoma City would be the best way to cause maximum damage. The UCE pointed out to PITTS that there would be people inside when the bombs were detonated and that there would be human carnage. PITTS replied, "I don't give a shit." PITTS also stated that the "goody spot" for a terrorist attack was the Federal Building in Philadelphia and that he wanted to "hit 'em in the gut." PITTS was again reminded by the UCE that people would die and that body parts would be flying around. PITTS responded, "I don't care," and that he had "no regrets," would still be able to "go to sleep," and "I don't give a fuck." PITTS was repeatedly reminded that these targeted attacks in both Cleveland and Philadelphia that PITTS was assisting in facilitating were at the behest of al Qaeda. PITTS acknowledged this. Later in the meeting, PITTS noted that he had "sixty-one days to get things in order in Philly." PITTS was also shown the remote control car by the UCE during this meeting. PITTS told the UCE that he liked the car. The top of the car was removed for PITTS by the UCE to show PITTS that the car contained C-4 explosives and BB's. The UCE asked PITTS if he thought the car would work in an attack. PITTS responded, "hell yeah." PITTS told the UCE that he believed the BB's should be replaced with pieces of cut up metal, because "if BB's hit you, you can still live, but if shrapnel hits you— it will tear you up." PITTS suggested to the UCE that the remote control car be used as a distraction and rolled underneath a police car or federal agent car and

detonated, and that the larger bomb then be detonated. PITTS also suggested to the UCE that these remote control cars packed with explosives be given to the children of military personnel to play with at the parade, so that the children would unwittingly detonate the bombs. PITTS also suggested to the UCE that the children of military personnel be given the cars as "gifts," so that the children could take the cars home and unwittingly blow up their own houses. The meeting ended with the arrest of PITTS.

CONCLUSION

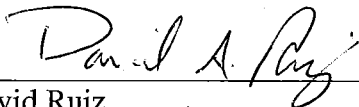
Based on the foregoing, there is probable cause to believe that between June 15, 2018, and July 1, 2018, the defendant, DEMETRIUS N. PITTS, aka ABDUR RAHEEM RAHFEEQ, aka SALAHADDEEN OSAMA WALEED, did knowingly attempt to provide material support or resources to a foreign terrorist organization.

Respectfully submitted,



Andrew J. Wilson
Federal Bureau of Investigation

Sworn to and subscribed before me
on this 2nd day of July 2018



David Ruiz
UNITED STATES MAGISTRATE JUDGE