

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 04-60001-CR-COOKE (s) (s) (s) (s) (s)

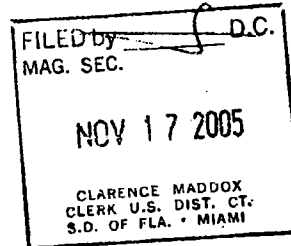
18 U.S.C. § 956(a)(1)
18 U.S.C. § 371
18 U.S.C. § 2339A
18 U.S.C. § 922(g)(5)(B)
18 U.S.C. § 1001(a)
18 U.S.C. § 1621(1)
18 U.S.C. § 1505
18 U.S.C. § 924(d)(1)
18 U.S.C. § 2
21 U.S.C. § 853

UNITED STATES OF AMERICA

v.

ADHAM AMIN HASSOUN,
a/k/a "Abu Sayyaf,"
MOHAMED HESHAM YOUSSEF,
a/k/a "Abu Turab,"
KIFAH WAEEL JAYYOUSI,
a/k/a "Abu Mohamed,"
KASSEM DAHER,
a/k/a "Abu Zurr," and
JOSE PADILLA,
a/k/a "Ibrahim,"
a/k/a "Abu Abdullah the Puerto Rican,"
a/k/a "Abu Abdullah Al Mujahir,"

Defendants.



SUPERSEDING INDICTMENT

The Grand Jury charges that:

INTRODUCTION

At times material to this Superseding Indictment:

1. There existed a radical Islamic fundamentalist movement dedicated to the establishment of a pure Islamic state (“Caliphate”) governed by strict Islamic law (“Sharia”). Followers and supporters of this movement adhered to a radical Salafist ideology that encouraged and promoted “violent jihad” to be waged by “mujahideen” using physical force and violence to oppose governments, institutions, and individuals that did not share their view of Islam.

2. As used in this Superseding Indictment, the terms “violent jihad” or “jihad” include planning, preparing for, and engaging in, acts of physical violence, including murder, maiming, kidnapping, and hostage-taking. The term “mujahideen” means warriors engaged in violent jihad.

VIOLENT JIHAD GROUPS

3. Groups espousing this radical Salafist ideology included the Islamic Group of Egypt, a/k/a “Gama’a al-Islamiyya,” a/k/a “IG,” a/k/a “AGAI;” the Egyptian Islamic Jihad, a/k/a “Islamic Jihad,” a/k/a “al-Jihad,” a/k/a “EIJ;” al-Qaeda; and violent jihad groups in other countries, including Afghanistan, Algeria, Bosnia, Chechnya, Lebanon, Libya, and Somalia. These groups engaged in acts of physical violence, including murder, maiming, kidnapping, and hostage-taking in waging violent jihad.

VIOLENT JIHAD SUPPORT CELLS

4. The physical violence committed by these jihad groups was supported and facilitated by a network of smaller groups or cells operating within the United States and in other countries, including Canada, Austria, Denmark, Italy, and the United Kingdom. These support cells engaged in, among other things, propaganda, fund-raising, recruiting personnel, and providing other physical assets necessary to wage violent jihad.

NORTH AMERICAN SUPPORT CELL

5. The defendants, along with other individuals, operated and participated in a North American support cell that sent money, physical assets, and mujahideen recruits to overseas conflicts for the purpose of fighting violent jihad. This North American support cell supported and coordinated with other support networks and mujahideen groups waging violent jihad. The defendants followed and supported Sheikh Omar Abdel Rahman, an influential and high-ranking member of certain violent jihad groups.

6. Mohamed Zaky, a/k/a "Abu Omar" (hereinafter "Zaky"), an unindicted coconspirator, was also a follower and supporter of Sheikh Omar Abdel Rahman. In the early 1990's, Zaky founded and operated within the United States, and elsewhere, at least three Islamic organizations, the Islamic Center of the Americas, Save Bosnia Now, and the American Worldwide Relief Organization. Until his death in 1995, Zaky used these organizations to promote violent jihad.

7. **KIFAH WAEL JAYYOUSI**, a/k/a "Abu Mohamed" (hereinafter "JAYYOUSI"), while a resident of San Diego, California, founded the American Islamic Group, and after Zaky died, operated the American Worldwide Relief Organization. Through the American Islamic Group, JAYYOUSI published The Islam Report, a newsletter that promoted violent jihad as a religious obligation, delivered information on violence committed by mujahideen, and solicited donations to support mujahideen operations and mujahideen families. JAYYOUSI actively recruited mujahideen fighters and raised funds for violent jihad.

8. **ADHAM AMIN HASSOUN** a/k/a "Abu Sayyaf" (hereinafter "HASSOUN"), a resident of Broward County, Florida, was the East Coast representative of the American Islamic Group and the American Worldwide Relief Organization. HASSOUN assisted in distributing

The Islam Report and fund-raising for violent jihad on behalf of the American Worldwide Relief Organization. **HASSOUN** also served as the North American distributor of Nida'ul Islam, an Islamic magazine promoting violent jihad. **HASSOUN** worked with **JAYYOUSI** and others in actively recruiting mujahideen fighters and raising funds for violent jihad.

9. **KASSEM DAHER, a/k/a "Abu Zurr"** (hereinafter "**DAHER**"), resided in LeDuc, Canada. **DAHER** was affiliated with the Canadian Islamic Association, and communicated and coordinated with mujahideen field commanders and violent jihad leaders overseas. **DAHER** worked with **JAYYOUSI, HASSOUN,** and others in actively recruiting mujahideen fighters and raising funds for violent jihad.

10. **MOHAMED HESHAM YOUSSEF, a/k/a "Abu Turab"** (hereinafter "**YOUSSEF**"), resided in Broward County, Florida, and elsewhere. **YOUSSEF** was recruited by the North American support cell to participate in violent jihad, and traveled overseas for that purpose.

11. **JOSE PADILLA, a/k/a "Ibrahim," a/k/a "Abu Abdullah the Puerto Rican," a/k/a "Abu Abdullah Al Mujahir"** (hereinafter "**PADILLA**"), resided in Broward County, Florida, and elsewhere. **PADILLA** was recruited by the North American support cell to participate in violent jihad, and traveled overseas for that purpose.

COUNT 1

(Conspiracy to Murder, Kidnap, and Maim Persons in a Foreign Country)

Paragraphs 1 through 11 of this Superseding Indictment are realleged and incorporated herein by reference.