

UNITED STATES DISTRICT COURT

for the

District of Colorado

United States of America
v.

Case No. 14-mj-01045-KLM

SHANNON MAUREEN CONLEY
Defendant(s)

CRIMINAL COMPLAINT

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

Between and on or about September 7, 2013 through April 8, 2014, inclusive, in the State and District of Colorado and elsewhere, the defendant, Shannon Maureen CONLEY, together with others, did knowingly attempt to provide material support and resources, to wit: personnel (1 or more individuals who may be or include oneself) and expert advice or assistance, to a foreign terrorist organization, specifically the Islamic State of Iraq and Syria ("ISIS"), also known as the Islamic State of Iraq ("ISI") or Al-Qaeda in Iraq ("AQI"), continuously designated since December 17, 2004, knowing that the organization was a designated terrorist organization, that the organization had engaged in and was engaging in terrorist activity and terrorism, and the offense occurred in whole or in part within the United States.

All in violation of Title 18, United States Code, Section 2339B.

This criminal complaint is based on these facts:

See Affidavit attached hereto and herein incorporated by reference.

X Continued on attached sheet.

s/Christian K. R. Byrne

Complainant's signature

Christian K. R. Byrne, Task Force Officer, FBI-JTTF

Printed name and title

Sworn to before me and: [] signed in my presence.

[x] submitted, attested to, and acknowledged by reliable electronic means.

Date: 09 Apr 2014

City and state: Denver, Colorado

[Handwritten signature of Kristen L. Mix]

Judge's signature

Kristen L. Mix

United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

The undersigned, being duly sworn, deposes and says:

1. Your affiant, Christian K. R. Byrne, is a sworn peace officer in the State of Colorado, and a Special Deputy US Marshal in the United States of America. Your affiant has been a peace officer in Colorado since 1996, a Special Deputy US Marshal since 2012, and is currently assigned to the Federal Bureau of Investigation (FBI), Denver Field Office, Joint Terrorism Task Force (JTTF). Your affiant's primary responsibilities include the investigation of crimes as defined by United States Code and Colorado Revised Statutes within the state of Colorado. Your affiant states that the following facts are true and based upon the affiant's personal knowledge, as a result of the affiant's conversations with the persons named herein and reviewing their written reports.
2. In the course of his official duties, your affiant is charged with the investigation of crimes within the federal district of Colorado. In this regard, the following information was developed by your affiant, Special Agent (SA) Matthew J. Dahl and SA Kharim Khomssi in connection with the FBI investigation of Shannon Maureen Conley (hereinafter: Conley) within the District of Colorado. This document contains a summary of the facts of the investigation and not the complete details therein.
3. This affidavit is made in support of an application for a criminal complaint and arrest warrant for Shannon Maureen Conley for a violation of Title 18 United States Code Section 2339B -- Providing and Attempting to Provide Material Support or Resources to a Designated Foreign Terrorist Organization.

THE INVESTIGATION

4. On 11/5/2013, your affiant was advised that Faith Bible Chapel (FBC) pastor and security director reported to Arvada police and Colorado Bureau of Investigation suspicious activity involving Shannon Maureen Conley at FBC on numerous Sundays in October of 2013, which took place at FBC's main campus located at 6210 Ward Road, Arvada, Colorado. FBC was the site of a fatal active shooter incident in 2007. Conley was observed by staff on the FBC campus wandering around and taking notes in a notebook that appeared to FBC staff to be consistent with taking notes of various locations and the layout of the campus. Church staff confronted Conley and asked to see her notes, to which Conley refused. Conley then became confrontational with FBC staff, citing her own Islamic religious views. Conley made spontaneous statements to church staff to the effect of: "Why is the church worried about a terrorist attack?"; and, that terrorists are: "...not allowed to kill aging adults and little children." On Sunday, 11/3/2013, Conley was asked by church officials not to return to FBC.
5. On 11/7/2013, Conley was interviewed by an Arvada Police Detective and your affiant. Both were in plain clothes with weapons concealed at meetings in public locations to which Conley agreed. Conley was told she was not under arrest, free to leave at any time, did not have to speak to interviewers, or answer any questions that she did not wish to answer; Conley agreed to this. When asked why she went to FBC for the last two months, Conley initially responded that, "I hate those people." According to Conley, she initially started

visiting the FBC because she wanted to meet people of other faiths and learn about them. She started going to Sunday services and classes, but did not discuss her views and dressed in her hijab.¹ Conley stated that does not like Israel or FBC's active and vocal support for Israel. After a while, Conley noticed she was being followed and felt they treated her like a terrorist. Conley stated that she reasoned that, "If they think I'm a terrorist, I'll give them something to think I am." She started keeping a notebook and acted like she was diagramming the church to alarm them. After that, Conley got into an argument with the pastor and was asked to leave. Conley stated that Jihad to her is war against "kafir" (derogatory Arabic term for non-Muslims) to protect Muslim lands, although she acknowledged that Jihad can also mean internal religious struggle. When asked her opinion about harming innocent people while waging Jihad, Conley stated that it depended on the circumstance. To Conley, it is okay to harm innocents if they are part of a target. She felt that if wives, children, and chaplains visiting a military base are killed during an attack, it is acceptable because they should not have been at a legitimate target. She repeatedly referred to US military bases as "targets."

6. On 12/6/2013, Conley was again interviewed by FBI Special Agent (SA) Karim Khomssi and your affiant. Conley stated she joined the US Army Explorers² (USAE) to be trained in US military tactics and in firearms. She said she intended to use that training to go overseas to wage Jihad. She also intended to train Islamic Jihadi fighters in US military tactics. She previously wanted to serve in the US military but no longer wanted to because she felt the

¹ A hijab is a head covering worn in public by Muslim women.

² US Army Explorers is a national non-profit youth career exploration program for persons ages 13-20. The program exposes participants to career opportunities in the military and provides knowledge and experience in military occupational skills.

military would not accept her due to her religious beliefs and her wearing of a hijab and niqab.³ She said she wanted military training, so the Explorers were the best option because she will never be deployed and they will let her wear a hijab. Conley stated she wanted to wage Jihad and would like to go overseas to fight. She further stated that if she is not allowed to fight because she is a woman, she will use her medical training to aid Jihadi fighters. Conley is licensed as a Certified Nurse's Aide in the State of Colorado. If she cannot fight or be a nurse for Jihad, Conley stated she will assist Jihadi fighters in whatever manner is needed. According to Conley, it is acceptable to attack westerners when engaged in "defensive Jihad." Conley stated that legitimate targets of attack include military facilities and personnel, government facilities and personnel, and public officials. When asked if this includes law enforcement, Conley replied that it does. According to Conley, law enforcement is included because police enforce man-made laws that are not grounded in God's law. Conley stated targets to be avoided include women, children, and the elderly. Investigation shows that Conley joined the USAE on September 7, 2013.

7. On 12/19/2013, SA Khomssi and your affiant again interviewed Conley. Conley stated that Jihad must be waged to protect Muslim nations. Conley said she needed to go overseas to be trained in Jihad, but did not need to be overseas to wage Jihad. Conley was asked if she would be willing to support Muslim lands by getting involved in humanitarian efforts, such as the Red Crescent. She had never heard of the Red Crescent and questioned whether it is a "real" Muslim organization. Conley responded that humanitarian work is not an option because it does nothing to solve the problem. Conley showed interviewers a book called "Al-

³ A niqab is a veil or cloth that covers the face as part of a hijab.

Qaida's Doctrine for Insurgency: Abd Al-Aziz Al-Muqrin's A Practical Course for Guerilla War" by Norman Cigar. Conley saw herself as being a part of tactics taught in the book. The book had several passages underlined by Conley, including motorcade attacks and waging guerilla warfare. Conley stated that attacking a motorcade in the US was not viable because security in the US is too good. Conley thought she could plan such an attack, but not carry it out. Conley liked the idea of guerilla warfare because she could do it alone. Conley stated she needed three elements in order to wage Jihad: intent, means, and opportunity. She had the intent, but lacked the means and opportunity. Conley stated that if everything falls into place, she may be ready to wage Jihad in a year. Conley was reminded, and acknowledged, that she had made statements to overt law enforcement about waging Jihad against the US. Conley was further advised, and acknowledged, that what she wanted to do is illegal. When asked if she still wanted to carry out the plans, knowing they are illegal, Conley said that she does.

8. On 1/15/2014, Conley was again interviewed by SA Khomssi and your affiant. Conley advised she would attend USAE training in the Dallas/Fort Worth, TX area between 2/7-9/2014. Conley planned to go to Morocco with friends from the Denver area in late May, 2014. Conley said she planned to tell her family about her Jihad plans once she was out of the US as there was nothing they would be able to do about it then. From Morocco, Conley planned to go to Iraq. Conley went on to say that the purpose of going to Iraq was to make contact with a friend of a friend of one of her travel companions. The contact in Iraq was to help her find a Jihadist training camp. Conley did not know who the person was in Iraq, where in Iraq he lived, or what exactly he would do for her. Conley was asked again if she

considered doing humanitarian work with a group like the Red Crescent, instead of waging Jihad. Conley stated she has no interest in doing humanitarian work. Conley felt that Jihad is the only answer to correct the wrongs against the Muslim world. Conley said she preferred to wage Jihad overseas so she could be with Jihadist fighters.

9. On 2/4/2014, Conley was again interviewed by SA Khomssi and your affiant. Conley intended to go through with the USAE training on the upcoming weekend. It sounded like fun to her and it would provide training she wanted to further her Jihadist goals. Conley was asked whether, and she confirmed that, she was being truthful in this conversation and in prior conversations regarding her intentions. On 2/11/2014, Conley was again interviewed by SA Khomssi and your affiant. Conley stated that she had attended USAE training and that she enjoyed it and benefitted from it.
10. On 3/18/2014, SA Khomssi and your affiant again interviewed Conley. When asked if she wanted to visit Syria, she was evasive in her answer, but did admit that she knew an "ISIS" fighter in Syria, as well as "a sister" married to an ISIS fighter in Syria. She did not divulge more information about ISIS or the fighter. Conley advised that if she had enough money to do anything she wanted, she would travel for Jihad or fund whatever was needed for the cause.
11. On 3/27/2014, Conley met with SA Khomssi and SA Gamal Abdel-Hafiz. This meeting was an overt attempt to dissuade Conley from violent criminal activity and give her the opportunity to turn away from her intention to participate in supporting terrorist activities. At the end of the conversation, Conley said she had not changed her mind but would research what was discussed. SA Khomssi admonished Conley twice in the conversation that travel

with intent to wage Jihad may be illegal and result in her arrest. Conley told SA Khomssi said she would rather be in prison than do nothing.

12. On 4/4/2014, SA Khomssi and your affiant again interviewed Conley. Conley stated that the “ISIS” fighter that knew in Syria was her suitor. Conley said she is aware that her suitor is a fighter for ISIS and that ISIS is, “The Islamic State of Iraq and Al Sham.” Conley was aware ISIS is synonymous with the Islamic State of Iraq and the Levant (ISIL) and was and may still be associated with Al-Qaeda. Conley said that she researched ISIS and stated, “In the research I made [um] there were two opinions. One said that they began as part of Al-Qaeda and then they split off. But another one says that they are still.” Conley stated she did not care if ISIS was associated with Al-Qaeda or not. Conley said ISIS was “going to try to make Syria and Iraq the beginnings of a calipha (ph).” Conley further admitted she is aware that Al-Qaeda and ISIS are US government Designated Foreign Terrorist Organizations. Conley defended her actions by having stated that she would be, “Defending Muslims on the Muslim homeland against people who are trying to kill them.” Conley said she planned to travel next week to meet her suitor in Syria and that they intended to reside near the Turkish border. Conley stated the airline ticket was purchased for her. Conley said that if she was prohibited from leaving the country she, “...would find another way.” Conley has not sent any material or money to her suitor, but had been asked by him to transfer money for him. Conley did not transfer the money because she thought it may get her in trouble. Conley told investigators she planned to be the suitor’s housewife and the camp nurse. When Conley told the suitor she wants to provide his camp with medical services and training, he told her that was good because they needed more nurses. Conley quoted her suitor as having said, “We

need some nurses over here.” Conley stated that she was aware that her plans were potentially illegal and she could possibly get arrested, and therefore she has no intention to return to the US. Conley mentioned an incident where an individual was arrested for attempting to go fight in Syria. She told SA Khomssi and your affiant there was nothing they could do to change her mind and that she was still going, although she admitted, “I know things can go terribly wrong.” When asked if she would engage in actual combat on the battlefield, Conley said, “If it was absolutely necessary, then yes. I wouldn’t like it...but I would do it.” Conley also said, “He’s the man, he should be doing the fighting.”

13. Your affiant is aware the United States State Department designated Al-Qaeda in Iraq (AQI) as a designated foreign terrorist organization under Section 219 of the Immigration and Nationality Act on 12/17/2004 and that it remains designated as of the date of this complaint. According to the National Counterterrorism Center (NCTC) and the State Department’s designation, AQI is also known as the “Islamic State of Iraq” (ISI). According to NCTC, AQI declared in 2013 that it operates in Syria under the name the “Islamic State of Iraq and the Levant” (ISIL). Your affiant is further aware that ISIS is another name for the “Islamic State of Iraq and Syria,” “Islamic State of Iraq and the Levant,” or “Islamic State of Iraq and Al-Sham.”

14. A records check confirmed that Conley is scheduled to fly out of Denver International Airport on 4/8/2014. She is listed as booked on United Airlines Flight #8879 departing Denver for Frankfurt, Germany at 5:25 p.m. Records then show Conley is scheduled to depart Frankfurt, Germany for Istanbul, Turkey on Lufthansa Flight #1300 at 1:00 p.m. on 4/9/2014. Lastly, records indicate a final flight booked for Conley on 4/10/2014 on Turkish

Airlines Flight #2476 from Istanbul, Turkey to Adana, Turkey. Your affiant learned that Adana, Turkey is approximately a three hour drive from the Syrian / Turkish border.

15. During the course of this investigation, FBI personnel also contacted Conley's parents.

Conley lives with her parents at [REDACTED]. On 2/19/2014, Ana Conley (hereinafter: Ana) was interviewed at her place of employment by SA Matthew Dahl and your affiant. Ana is the mother of Conley. Ana is married to the father of Conley, John Conley (hereinafter: John). Conley lives at the home of her parents. Ana advised there were several firearms within their home and Conley is familiar with their use. Conley and a friend, Amber, had taken one of the rifles and had recently practiced shooting at a local shooting range. On 2/25/2014, John was interviewed by SA Dahl and your affiant (Ana was present but did not participate). John was aware that Conley had converted to Islam, but was not aware she had any interest in extremist Islam or violent Jihad. Conley had described Jihad to her father as struggles to help the oppressed or the poor. John and Ana were advised their daughter had expressed, to overt FBI agents, her intention to travel overseas and commit violent Jihad. John and Ana were asked to attempt to engage Conley in candid conversation and to get her to expose her true views on Islam. John and Ana were further requested to meet with, and ask Conley to speak with, elders at her mosque to discuss more moderate views.

16. On 3/10/2014, John called SA Dahl and reported that he and his wife spoke with their daughter, Conley, regarding her religious views on the previous evening. John stated that Conley's views on Islam were far more extreme than he had previously thought. Conley explained to her father she felt conflicted with what she thought Islam required of

her. Conley believed she, as a Muslim, needed to marry young and be confrontational in her support of Islam. She conceded her knowledge of Islam was based solely on her own research that she conducted on the Internet. According to John, Conley had her own laptop computer and she accessed the wireless internet within their home on it. John advised Conley made efforts to prohibit him and Ana from seeing what she had on the screen of the computer.

17. On 3/14/2014, your affiant talked to John by telephone. According to John, Conley recently met a new suitor online. He is a 32 year old Tunisian male named [REDACTED]. Conley told John that [REDACTED] claimed to be in Syria fighting on behalf of "ISIS." John met [REDACTED] when he found Conley on her computer talking to [REDACTED] via Skype. At that time, Conley and [REDACTED] asked for John's blessing for Conley and [REDACTED] to marry and for John to send Conley to Syria to marry [REDACTED] as soon as possible. John declined both requests, which appeared to surprise both Conley and [REDACTED]. Conley and [REDACTED] were trying to figure out how to get Conley to Syria so they could marry and settle in Syria.

18. On 4/1/2014, John was interviewed by SA Dahl and your affiant. Conley told John and Ana of her plan to go overseas to marry. Conley told John that [REDACTED] is her current suitor. Conley stated that [REDACTED] claimed to be a stateless person; meaning he is Tunisian, but broke Tunisian law by going to Syria to fight. According to [REDACTED] if he returned to Tunisia, he would face charges for joining a group fighting in Syria. Conley told John she wants to go marry a soldier. Conley stated that if she cannot fight, she will still be supporting his cause. John called your affiant later that day to report that he found a one-way ticket for Conley to travel from Denver to Adana, Turkey on 4/8/2014 on his desk. On 4/2/2014, John

called SA Dahl and reported he and Ana had again confronted Conley and stated conclusively they did not provide their blessing, nor their support for her travel and marriage. Conley was aware that Islam required the blessing of her family for her marriage, but told John she had thought about it and disagreed with Islam on the issue and was going to travel and marry anyway without their blessing. John and Ana could not dissuade Conley from her plans to travel to Turkey on 4/8/2014 to marry [REDACTED]. John told agents that he witnessed this exchange on Conley's laptop computer at their residence located at [REDACTED] in Arvada, Colorado.

19. On 4/8/2014, Conley went to DIA, checked baggage and proceeded to check in for her flight departing Denver for Frankfurt, Germany. Agents arrested Conley on probable cause as she walked down the jet way to board the flight.
20. After the Conley's arrest, agents read Conley her Miranda rights. She indicated she understood her rights and waived them, giving a statement to agents. Conley told agents that she planned to fly to Turkey and wait there until associates of her suitor contacted her. These associates would then take Conley into Syria to meet up with her suitor.
21. On 4/8/2014, agents executed search warrants for Conley's residence located at [REDACTED] in Arvada, Colorado and for the luggage she checked at DIA. At the residence, agents found materials about jihad and Al-Qaeda. Agents recovered a number of CD/DVDs labeled "Anwar al-Awlaki." In Conley's luggage, agents found a folder with materials about first aid in the field. From Conley's person, agents recovered a contact list which included numbers for [REDACTED]

CONCLUSION

22. Based on the information set forth in this application, your affiant submits that there is probable cause to issue a criminal complaint and arrest warrant for Shannon Maureen Conley for a violation of Title 18 United States Code Section 2339B – Provision and Attempted Provision of Material Support or Resources to a Designated Foreign Terrorist Organization.

Respectfully submitted,

s/Christian K. R. Byrne
Christian K. R. Byrne
Task Force Officer
FBI-JTTF

Sworn to before me this 9th day of April, 2014.


United States Magistrate Judge

Criminal Complaint and Applications for Search Warrant were reviewed and are submitted by Gregory Holloway, Assistant United States Attorney.

DEFENDANT: SHANNON MAUREEN CONLEY

YOB: 1996

ADDRESS (CITY/STATE): Arvada, Colorado

OFFENSE(S): 18 U.S.C. § 2339B, Provision and Attempted Provision of Material Support or Resources to a Designated Foreign Terrorist Organization

LOCATION OF OFFENSE (COUNTY/STATE): Jefferson County, Colorado

PENALTY: NMT 15 years imprisonment, \$250,000 fine, or both; NMT 5 years supervised release; \$100 special assessment

AGENT: Christian K. R. Byrne
Task Force Officer, FBI-JTTF

AUTHORIZED BY: Gregory Holloway
Assistant U.S. Attorney

ESTIMATED TIME OF TRIAL:

five days or less over five days other

THE GOVERNMENT

will seek detention in this case will **not** seek detention in this case

The statutory presumption of detention **is** applicable to this defendant.

OCDETF CASE: Yes No