

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

UNITED STATES of AMERICA,

*Plaintiff,*

v.

ALEXANDER E. BLAIR,

*Defendant.*

Case No. 15-40031-DDC

**FACTUAL BASIS FOR PLEA TO COUNT ONE**

Mr. Blair believes that the government possesses sufficient evidence to convict him of the crime of conspiracy charged in the Information (Doc. 18) and requests permission to change his plea to guilty. He proffers the following in support of the Court's determination that there is a factual basis for the plea:

In March of 2014, the FBI began an investigation concerning online statements posted by John T. Booker, Jr., a/k/a "Mohammed Abdullah Hassan," wherein Booker stated his intent to wage Jihad and die in the process. Beginning on October of 2014, Booker engaged with an individual who was, unbeknownst to Booker, an FBI Confidential Human Source (CHS 1). Between on or about October 8, 2014, and continuing to on or about April 10, 2015, Booker communicated to CHS 1 his desire to join the Islamic State of Iraq and the Levant (ISIL). Booker was committed to carrying out an act of violence in support of Jihad and took steps to construct a vehicle borne improvised explosive device (VBIED), a

destructive device, which he, along with CHS 1, would personally detonate on April 10, 2015, at the Fort Riley Military Installation, which is real property in whole or in part owned and possessed by, and leased to, the United States and departments and agencies thereof. Part of Booker's preparations for the attack included renting a storage unit in Topeka, where components for the VBIED would be stored. Booker was arrested on April 10, 2015, as he completed final preparations for driving the VBIED onto Fort Riley.

During the investigation the FBI determined that Booker and the Defendant, Alexander E. Blair, were associated and concluded that Blair shared some of Booker's extremist views concerning Jihad against the United States military. Mr. Blair was approached and befriended by Booker in January 2015, when Mr. Blair began attending the Islamic Center of Topeka. This was Mr. Blair's first experience as a practicing Muslim. Mr. Blair, who has a genetic condition known as Williams syndrome,<sup>1</sup> rarely made friends. He was lonely and receptive to Booker's interest in talking and being friends.

As their friendship progressed, Booker communicated his extremist views to Mr. Blair. Although the evidence does not show precisely when Mr. Blair learned various pieces of information from Booker, the evidence shows that Mr. Blair learned the following at some time between meeting Booker in January 2015 and April 10, 2015: Booker believed he was acting on behalf of ISIL; Booker was gathering materials for constructing the bomb;

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<sup>1</sup> The impact of Williams Syndrome on Mr. Blair and his involvement in this case will be fully explained at sentencing.

Booker intended to deliver the device onto Fort Riley; and Booker planned to kill as many soldiers as possible.

As agents investigated Booker, they learned that Blair loaned Booker \$100 in March 2015 for the purpose of renting the storage unit mentioned above. Due to this association, agents contacted and interviewed Blair immediately after Booker's arrest on April 10, 2015. The evidence regarding Mr. Blair's knowledge of what the money would be used for can be found in a recorded telephone call dated March 17, 2015, and statements Mr. Blair made to law enforcement on April 10, 2015.

The phone call dated March 17, 2015, includes the following exchange:

Booker: How much money do you have on you?

Blair: I got a hundred bucks.

Booker: Alright. Alright. Save that, because we're gonna start we . . . you're gonna start spending in the sake of Allah. And I'm gonna need you—a little help on this. But it's for the sake of Allah, and I can prove to you where it is going if you wanna come with me. But, listen this is the case. Okay? Tomorrow, I may need a little bit of money. And it's not gonna be more than over a hundred dollars. But I'm gonna spend some. I don't have that much. But the thing is, listen. We need to get a . . . we're . . . he wants me, he's very, um, orders are getting stricter, okay?

Blair: Okay.

Booker: You know? I'm letting you know it's not play time anymore where, "Oh, in a week . . ." No. It's like, we need to start getting the ball rolling. This is what his order was tonight: Start getting the ball rolling. We wanna do it. We . . . we need to get this going. You know? And he seemed very frantic. I don't know. I hope he's alright. But he seemed like he was trying

to tell me, "Look, we need to get this . . . this going." He sounded like he was a hundred percent sure. Um, so, we need to get this going. And my orders were to show up to certain places at tomorrow. Now, listen . . . um, I'm going to need . . . I may need a couple bucks from you, maybe not a lot. But the thing is, the reason why is I need help with the storage because he wants me to rent it. He's gonna pay me back, and I can pay you back later. He, he wants me to rent the storage as soon as possible. Tomorrow. He wants me to look at the storage tomorrow. . . .

When FBI agents went to Mr. Blair's parents' home on April 10, 2015, Mr. Blair was awakened in order to speak with them. Booker was already in custody, but the agents did not tell Mr. Blair that. Rather, they told Mr. Blair that, in order to save lives, it was imperative that Mr. Blair provide information about his knowledge of and interactions with Booker. The interview lasted approximately four hours and was recorded.

The following is an example, from the recording, of how law enforcement led Mr. Blair to believe he was saving lives by telling them information about Booker:

TFO BERGLUND: I don't know what you're getting through, but I know that when you reveal something like that, it's a big deal.

BLAIR: I'm doin' it to save lives because you know, yeah, it's

TFO BERGLUND: Okay. Take a breath.

AGENT CASLEN: You know what Allah has said about saving one life, right?

BLAIR: Exactly. And this is, yeah.

AGENT CASLEN: It's like saving the entire world, so you just saved lives by doing what you did, imagine how many lives that Allah thinks that you have saved. A lot.

While representing that they needed Mr. Blair's assistance to save lives and assuring Mr. Blair that he was not the focus of their investigation, agents asked Mr. Blair about lending money to Booker. Blair admitted that he lent Booker \$100 for a storage unit:

BLAIR: Yes, I did give him a hundred dollars for a storage unit.

TFO BERGLUND: Okay.

BLAIR: I ain't gonna lie. I, uh, it, it's self-incriminating, I know, but...

TFO BERGLUND: But you're just bein' honest.

BLAIR: Yes. Did I know what it was for? Yes, I did.

TFO BERGLUND: Okay.

BLAIR: Did I like it, no, I didn't. But, he asked me for help, I helped him.

Mr. Blair knew that Booker wanted to commit an act of jihad. And, while he did not know all of the details when he lent Booker the money, he understood that the storage unit was part of Booker's plan for some act of jihad. He speculated it was a bombing:

AGENT CASLEN: Okay, did he tell you what the shed was for before they got, or you gave him the money to go get it?

BLAIR: Yes.

AGENT CASLEN: Okay.

BLAIR: He was like Brother, I'm kinda in a hard spot I have somethin' to do and I need your help. Okay? I go

what is it? Like my Sheikh has told me to get a storage unit.

TFO BERGLUND: Um hum.

BLAIR: Okay, so I'm thinkin' small (unintelligible) you know, somethin'. And I'm like well, and every time before I did anything, I asked him, is this gonna involve civilians?

TFO BERGLUND: Back, I'm sorry, I'm gonna go back, rewind you. You said he told you that he had somethin' to do, and what was the next thing you said, he said something and you said I assumed that meant a bomb, is that what you said?

BLAIR: Yeah.

TFO BERGLUND: So, like why:

BLAIR: Had to be somethin' 'cause he wanted, he had, this is what his handlers told him to do, get somethin' close to his place that he's stayin'.

TFO BERGLUND: Gotcha.

After a brief detour, the conversation returned to Mr. Blair's statement that he assumed the storage unit would involve a bomb:

TFO BERGLUND: Forgive me. Why did, why did bomb come to mind?

BLAIR: Because he wanted to do his Jihad.

TFO BERGLUND: Okay.

BLAIR: You know. I ain't kiddin', he, that's all he wanted to do.

AGENT CASLEN: What is this, this Jihad?

BLAIR: Suicide bombing.

There was another exchange about Mr. Blair's knowledge about the purpose of the storage unit. Mr. Blair said that the storage unit was "[f]or a vehicle that they could make the device." The statement suggests Mr. Blair had this specific information at the time that he loaned the \$100 to Booker.

Mr. Blair made it clear that he refused to personally participate in the bombing. He said, "He wanted me to go with him. I told him no." Later, he said, "I didn't want to join the Jihad." But Mr. Blair acknowledges that he loaned \$100 to Booker knowing that it would help Booker follow through with instructions from his "handler," knowing that Booker wanted to commit an act of jihad with the help of his "handler," and believing that the storage unit was part of plans for a suicide bombing. Mr. Blair also knew that Booker intended to direct his jihad at the United States military.

During the interview, Mr. Blair admitted to agents that he urged Booker to cease talking openly about his intentions to conduct an attack for fear of attracting public attention and being reported to law enforcement:

TFO BERGLUND: Uh, when he would say stuff like this in public um, what were you thinking to yourself?

BLAIR: I wanted to knock him out.

TFO BERGLUND: Okay.

BLAIR: No that, not, not just cause that, but I just I get tired of him talking about it.

TFO BERGLUND: But.

BLAIR: You know.

TFO BERGLUND: You know as you guys got further along and you started talking specifics, what, what, what was going through your mind if somebody overheard you guys?

BLAIR: Uh, eventually the police would show up or something you know and then it would be in a pickle and it's just like man I don't do you want that shit, just shut the.

Mr. Blair also told agents that he believed he had in fact been recently put under law enforcement surveillance. Mr. Blair said that he believed he "I been gettin' followed by someone for the past, because I been seeing the same vehicle, same plate" and that he assumed it was law enforcement.

Finally, Mr. Blair told agents that he believed Booker would carry out the attack but chose not to alert authorities and report Booker's actions. He said that Booker "wanted to" carry out the attack. The following additional discussion occurred:

SA CASLEN: Did you believe him? That this was gonna happen? Did you think he was capable of doing it?

BLAIR: Yes. At, at first no, at first no, I'm like okay he's just full of shit.

TFO BERGLUND: Right.

BLAIR: But then once he started talking on a second phone and

he started asking me for things, it's just like um, okay you know. Then he was asking me for a gun, then he's revealing me his past about being captured by the F B I, then it was just like okay.

Mr. Blair stated that he did not report it to authorities because "I thought I was being followed so I figured you guys would know something of it."

Respectfully submitted,

Joseph, Hollander & Craft, LLC  
*Attorneys for Defendant Blair*

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 5, 2016, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system which will send notice of electronic filing to all parties of record.

s/ Christopher Joseph