

SO MUCH FOR THE FBI'S \$100,000 INFORMANT

MoJo, which did a superb report on the FBI's use of informants last year, reports that one of the guys they profiled in that package, Shahed Hussain, got sniffed out by a Pittsburgh area man, Khalifah Al-Akili, whom he was trying to ensnare in a sting.

Shahed Hussain, a long-time FBI terrorism informant *Mother Jones* profiled last year, has surfaced again—but this time, Google appears to have foiled his effort to identify a new target. Khalifah al-Akili, a 34-year-old Pittsburgh man who says he was approached by Hussain and another informant in January. Al Akili told the Albany Times-Union that after Hussain “repeatedly made attempts to get close” to him, he googled them. He found Trevor Aaronson's August 2011 *Mother Jones* expose about the FBI's massive network of undercover terrorism informants and confronted Hussain on the phone.

MoJo notes Akili is being held on gun charges, but it doesn't really lay out what appears to have happened to him—which is that FBI was trying to build a terrorism charge against him, but then triggered the gun charge arrest after Akili publicized Hussain's efforts to reach out to him.

Akili—formerly James Marvin Thomas Jr—was busted in 2001 on drug charges and sentenced to 2.5 to 5 years in prison. He says an informant tried to ensnare in him in 2005. The FBI Special Agent who testified in his bond hearing, Joseph Bieshelt, claimed that Akili expressed sympathy for the Taliban in 2005, which may be the same effort.

Mr. Akili is known to have expressed sympathy for the Afghan resistance

movement in a 2005 conversation with a man he knew in prison, Agent Bieshelt said.

And both before and after his arrest and imprisonment, he had a history of fighting cops and ignoring warrants on minor infractions. He reportedly tried to run when the FBI came to arrest him on Thursday.

In December, according to Bieshelt, Akili was recorded saying, "that he was developing somebody to possibly strap a bomb on himself,"

Then, in January, Hussain and another informant, Shareef, tried to entrap Akili.

Al-Akili said he was approached by Hussain, who went by the name "Mohammed," and another man, who used the name "Shareef," in January when they turned up in his neighborhood and repeatedly made attempts to get close to Al-Akili. But Al-Akili said he quickly figured out Hussain's identity as an FBI informant. He said the men were "too obvious" and requested receipts even for small items they purchased like coffee and donuts.

Al-Akili said Shareef also asked Al-Akili repeatedly if he could help him purchase a gun. Al-Akili said he told the man he could not help him.

Al-Akili said his suspicions the men were informants were confirmed when he saw a photograph of Hussain on the Internet. In addition, he said, a cell phone number Hussain had given him was the same number used by Hussain during a 2009 counterterrorism investigation against four Newburgh men in the small Orange County city. Al-Akili said he found the number and its connection to that case through a simple Internet search using Google.

Last week (so maybe around March 10), he called Hussain and asked if he was an FBI informant.

Al-Akili said the last time he spoke to Hussain was a week ago when Al-Akili said he called Hussain's cell phone and asked him if he was an FBI informant. He said Hussain quickly ended the call. The other man, "Shareef," vacated his apartment and vanished within a day, Al-Akili said.

He revealed all that to the Albany Times Union, which interviewed Al Akili on Sunday, March 11 (he also reportedly put it on his Facebook page, which I haven't found yet). A US Marshall, Jonathan Neely, filed an affidavit for his arrest on March 14. And the FBI arrested him on Thursday—based primarily on a YouTube video from July 2010 showing him holding a gun at a gun range. On Friday, he was denied bail. On Saturday, the Times Union published their story revealing that Al Akili had identified and confronted Hussain.

Here's what I find particularly interesting about all this.

First, as I noted, a Marshall, **not** the FBI Agent who appeared at his bond hearing, submitted the affidavit in this case. The evidence laid out in the affidavit focuses exclusively on a video—shot and sent to Akili on July 4, 2010—of Akili shooting a rifle at a target, as well as two conflicting interviews—on March 12 and 13, 2012, so after Akili publicized Hussain's role as an informant—with the guy who sent that video.

In other words, Akili publicized that informants were trying to ensnare him, and only then, in just two day's time, did the FBI put together this gun charge.

The press accounts on Thursday's bond hearing don't describe Bieshelt explaining the circumstances of Akili being recorded last December, nor the circumstances by which the FBI

received that recording. The least suspicious scenario would have an independent tipster recording Akili, then informing the FBI, which led to the FBI sending Hussain in. But it's equally possible that both the "recording" and the video came from FBI accessing archives of past calls and emails after the fact (that is, after Hussain tried, but failed, to entrap Akili).

And even that video raises questions about what led the FBI to send informants after Akili. The affidavit makes it clear that FBI didn't get a copy of the video until February 13, 2012, so after Hussain had already targeted Akili. Is it possible that Hussain went after Akili because of something Homeland Security found (remember, they troll public statements on Facebook and Twitter), and only afterwards got that "recording" implicating Akili further—if it does—in sympathy for the Taliban.

In other words, this case raises interesting questions about when the FBI accessed archives of post communications of Akili, and how that relates to the effort to entrap Akili with an informant.

One thing is clear though: Akili's outing of their crappy informants really spooked the FBI and got them to respond quickly.

Update: This story says that Akili's Facebook message say the informants first came after him in October.