



Sacramento CA 95814  
Tel (916) 554-2700  
TTY (916) 554-2855

**McGregor W. Scott**  
United States Attorney  
Eastern District of California

*Sacramento*  
501 I. Street, Ste 10-100

**NEWS RELEASE**

*Fresno*  
2500 Tulare St., Suite 4401  
Fresno, CA 93721  
Tel (559) 497-4000  
TTY (559) 497-4500

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Contact: Rosemary Shaul,(916) 554-2802

<http://www.usdoj.gov/usao/cae>

**HAMID HAYAT SENTENCED TO 24 YEARS IN  
CONNECTION WITH TERRORISM CHARGES**

SACRAMENTO—Assistant Attorney General Kenneth L. Wainstein, United States Attorney McGregor W. Scott, FBI Assistant Director Joseph Billy, Jr. and FBI Special Agent in Charge Drew Parenti announced today that HAMID HAYAT, age 24, of Lodi, California, was sentenced to imprisonment by Chief Judge Garland E. Burrell, Jr., for a term of 24 years in connection with a series of terrorism charges related to HAYAT's 2003/2004 attendance at a jihadi training camp in Pakistan and 2005 return to the United States with the intent to wage violent jihad. As part of the sentence, HAYAT was also placed on supervised release following his confinement for an additional period of ten years.

This case is the product of an extensive/joint investigation by the Federal Bureau of Investigation as well as the Sacramento Joint Terrorism Task Force (which is comprised of federal, state, and local law enforcement).

Court States

In sentencing HAMID HAYAT, Judge Burrell stated, "HAMID HAYAT attended a terrorist training camp, returned to the U.S. ready and willing to wage violent jihad when directed to do so regardless of the havoc such acts could wreak on persons and property within the U.S. and then lied about his conduct to the FBI on three separate occasions."

Hamid Hayat Conviction and Sentence Seen as Paradigm for Disruption of Terrorist Activity At An Early Stage

"The sentence handed down to Hamid Hayat demonstrates the very real consequences for those who train overseas for jihad against the United States," said Kenneth L. Wainstein, Assistant Attorney General for National Security.

"Today Hamid Hayat stands convicted and sentenced as a terrorist - one who traveled from Lodi to Pakistan, trained at a jihadi camp, and returned to our country with the intent of one

day striking a blow against it. The threat to our nation demonstrated by the acts of the 9/11 terrorists was brought home with the revelations of Hamid Hayat's actions two years ago. It has been a long path to today's sentencing. The many men and women who investigated and prosecuted Hamid Hayat are to be commended for their perseverance and great skill," stated United States Attorney Scott.

"Today's sentencing illustrates the hard work and diligence of the law enforcement and intelligence community, joining together and sharing information, to successfully disrupt terrorist planning," said Joseph Billy, Jr., FBI Assistant Director for Counterterrorism.

### Hamid Hayat Trial

According to Assistant United States Attorneys S. Robert Tice-Raskin and Laura L. Ferris, and Department of Justice Trial Attorney Sharon Lever<sup>1</sup>, who prosecuted the case, after a trial from February 14 to April 25, 2006, a federal jury found HAMID HAYAT guilty of one count of providing material support or resources to terrorists, and three counts of making false statements to the FBI in matters related to international/domestic terrorism. Specifically, the jury found that HAYAT provided himself as "material support" between March, 2003 and June, 2005 by attending a jihadi training camp, and subsequently attempted to conceal his training from the FBI, knowing and intending that his training would ultimately be used to prepare for and carry out acts of terrorism in the United States. HAMID HAYAT was also convicted of making false statements to the FBI on June 3 and June 4, 2005 when he falsely stated that he had never attended a jihadi camp, that he had never received weapons or other types of jihadi training, and that he had never received training to fight against the United States.

Evidence at trial established that, during a period of months between October, 2003, and November, 2004, defendant HAYAT attended a jihadi training camp in Pakistan and ultimately returned to the United States with the intent to wage violent jihad upon receipt of orders.

According to evidence adduced at trial, between March, 2003 and August, 2003, defendant HAYAT, during the course of numerous recorded conversations with a cooperating witness, pledged his belief in [violent] jihad, indicated that jihad was the duty of every Muslim, indicated that he had knowledge of jihadi camps including Jaish-e-Muhammed camps in the Balakot/Mansehar area, pledged to go to a jihadi training camp, and indicated that he, in fact, was going to jihadi training after Ramadan in 2003 (which was to occur at the end of November, 2003).

On May 30, 2005, while en route back to the United States from Pakistan, defendant HAYAT's plane was diverted to Narita, Japan. When questioned by the FBI on that day, HAMID HAYAT concealed the fact that he had received jihadi training and that he was returning to the United States for the purpose of waging violent jihad. HAYAT was thereafter permitted to return to the United States.

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<sup>1</sup>Former Department of Justice Trial Attorney David Deitch was a member of the trial team.

On June 3 and 4, 2005, when questioned by the FBI in Lodi and Sacramento, California, defendant HAYAT again attempted to conceal the fact that he had received jihadi training, and that he had returned to the United States for the purpose of waging violent jihad.

On June 4, 2005, after advisement and waiver of his rights, defendant HAMID HAYAT admitted during three separate interviews, including two videotaped interviews, that he attended a jihadi training camp in Pakistan in 2000 for a few days. Defendant also admitted that he attended a camp in 2003/2004 located in the vicinity of Balakot, Pakistan, and actively trained at this camp for approximately three to six months. Defendant further admitted that he was trained for violent jihad, that he came to the United States for violent jihad, and that he was prepared to wage violent jihad upon the receipt of orders.

As part of the evidence at trial, a government expert regarding Pakistani extremist groups opined that jihadi training camps, in fact, existed and operated in various parts of Pakistan from 2000 to 2005, and specifically opined that a series of camps were located in the Balakot area of Pakistan. In addition, a Department of Defense imagery expert opined that he was "confident" that certain images of buildings and a location in the vicinity of Balakot were, in fact, a militant training camp.

The government further introduced a series of incriminating writings seized from HAMID HAYAT on the day of his arrest on June 5, 2005 and the HAYAT home during execution of a federal search warrant on June 7<sup>th</sup>.

Agents seized an Arabic supplication from HAMID HAYAT's wallet which stated, "Oh Allah we place you at their throats and we seek refuge in you from their evils." According to a government expert in Islamic law, the supplication was of the type that would be carried by a warrior who perceived himself as being engaged in war for God against an enemy.

Agents also seized a "jihadi scrapbook" bearing the name of HAMID HAYAT. The scrapbook included a series of newspaper articles (including articles from well-known extremist groups in Pakistan) that extolled the military efforts of the Taliban, expressed support for Osama Bin Laden and other known terrorists, and espoused virulent anti-American sentiments.

Agents also recovered a June, 2000 magazine from Jaish-e-Muhammed, a well known extremist group in Pakistan. The magazine included various articles supportive of violent jihad, such as an editorial by Masood Azhar arguing that Pakistani men should focus on violent jihad rather than sports, profiles of jihadi martyrs who lost their lives in the disputed Kashmir region, and an article about the mujahideen movement in the Philippines which suggested that it was the religious and moral responsibility of Islam to help out mujahideen wherever they are fighting.

Agents also recovered two Urdu books by Jaish-e-Muhammed leader Masood Azhar entitled the Virtues of Jihad (2000) and Windows from the Prison (2003). In these books Azhar, among other things, extolled the concept of violent jihad, suggested that violent jihad was the duty of every Muslim and a central element of Islam, and suggested that violent jihad should be waged around the world including countries like the United States.

## Umer Hayat Conviction and Sentencing

UMER HAYAT, age 49, of Lodi, father to HAMID HAYAT was tried by a separate federal jury in early 2006 (at the same time as his son) for two counts of making false statements to the FBI, namely, lying to the FBI in 2005 when he falsely denied that he had first-hand knowledge of terrorist training camps in Pakistan and that his son had attended a jihadist training camp in Pakistan. That proceeding ended in a mistrial when the jury was unable to reach a unanimous verdict. UMER HAYAT subsequently pleaded guilty on May 31, 2006 to making a false statement to the FBI and United States Customs and Border Protection (“CBP”), admitting that he had lied to the FBI and CBP in April, 2003 when he falsely told officials that he and his family were only carrying \$10,000 on their persons when traveling outbound of the United States to Pakistan, when, in fact, they were carrying in excess of \$28,000. On August 25, 2006, UMER HAYAT was sentenced to a term of “time-served” and a term of three years supervised release, after having served approximately 330 days of pretrial detention in jail and almost four months of home confinement.

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