

EXHIBIT 2

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California Man Charged with Conspiring to Provide Material Support to Terrorism and Being 'Straw Purchaser' of Assault Rifles Ultimately Used in San Bernardino, California, Attack

Enrique Marquez Jr., 24, of Riverside, California, a longtime friend of Syed Rizwan Farook, the male shooter in the San Bernardino, California, terrorist attack, was charged today with conspiring to provide material support to terrorists based upon his role in terrorist plotting with Farook in 2011 and 2012, the unlawful purchase of the two assault rifles used in the deadly shooting two weeks ago and defrauding immigration authorities by entering into a sham marriage with a member of Farook's family.

Marquez was arrested today by the FBI and is expected to make his initial court appearance later today in federal court in Riverside. Marquez was charged in a three-count criminal complaint filed in the U.S. District Court for the Central District of California with conspiring to provide material support – including personnel, firearms and explosives – to terrorists in 2011 and 2012; with making a false statement in connection with acquisition of firearms; and immigration fraud.

"Enrique Marquez Jr. is charged with conspiring to provide material support to terrorists for his role in plotting attacks on American soil in 2011 and 2012, attacks which were, fortunately, not carried out. He is also charged with a firearms violation for making a straw purchase of weapons for Syed Rizwan Farook – weapons that were eventually used to carry out the recent terrorist attack in San Bernardino," said Assistant Attorney General Carlin. "We will continue to investigate, and seek to hold accountable anybody found to be involved in, that heinous act. I would like to extend my gratitude to all the members of law enforcement involved in this ongoing investigation."

"Mr. Marquez conspired with Mr. Farook to commit vicious attacks, as set forth in today's charges," said U.S. Attorney Eileen M. Decker of the Central District of California. "Even though these plans were not carried out, Mr. Marquez's criminal conduct deeply affected San Bernardino County, Southern California, and the entire United States when the guns purchased by Marquez were used to kill 14 innocent people and wound many others. While there currently is no evidence that Mr. Marquez participated in the Dec. 2, 2015 attack or had advance knowledge of it, his prior purchase of the firearms and ongoing failure to warn authorities about Farook's intent to commit mass murder had fatal consequences. Today's charges are the result of exceptional work by many prosecutors and law enforcement agencies, and I thank them for their tremendous effort so far in this case."

"Many dedicated law enforcement personnel have worked around the clock and side by side with their Joint Terrorism Task Force partners to gather evidence and build a solid terrorism case against Mr. Marquez over the past two weeks," said Assistant Director in Charge David Bowdich of the FBI's Los Angeles Field Office. "As we will continue to investigate the facts surrounding the terrible shooting in San Bernardino, we will leave no stone unturned in an effort to deliver answers and justice to the murdered victims and the families they left behind."

The affidavit in support of the complaint provides details into parts of the exhaustive and ongoing investigation into the attack on Dec. 2, 2015, that killed 14 people at the Inland Regional Center (IRC). The complaint does not allege that Marquez was involved in the terrorist attack at the IRC. The complaint does allege that Marquez purchased the AR-15-style rifles that were ultimately used in the shooting, that Marquez previously purchased explosive material that was

ultimately used to construct a pipe bomb that was found at the IRC and that in 2011 and 2012, Marquez and Farook planned terrorist attacks in the Inland Empire, California, that ultimately were not carried out.

According to the affidavit, in approximately 2005, Marquez moved to Riverside, where he met Farook, who was his next-door neighbor. After their initial meeting, Farook introduced Marquez to Islam, and, in 2007, Marquez converted to Islam. Farook later introduced Marquez to radical Islamic ideology, which included expressing disdain towards Muslims in the U.S. military who killed other Muslims, as well as discussing the extremist views of the now-deceased imam and Islamic lecturer Anwar al-Aulaqi. Over the next few years, Farook provided Marquez with radical Islamic materials, and by 2011, Marquez spent most of his time at Farook's residence listening to lectures and watching videos involving radical Islamic content. Those materials included *Inspire Magazine*, the official publication of Al-Qaeda in the Arabian Peninsula (AQAP), and videos produced by Al-Shabaab. In August 2011, Farook informed Marquez of his interest in joining AQAP in Yemen.

In late 2011, according to the affidavit, Marquez and Farook started planning to use firearms and explosives to carry out terrorist acts – attacks that Marquez told investigators were designed to maximize the number of casualties that could be inflicted. The affidavit recounts a recent interview with Marquez in which he admitted making plans with Farook to attack the library or cafeteria at Riverside Community College (RCC), where both men had been students. The plan allegedly was to throw pipe bombs into the cafeteria area from an elevated position on the second floor, and then to shoot people as they fled.

Marquez and Farook also planned to attack eastbound lanes of State Route 91 (SR-91) during afternoon rush hour, the affidavit states. Marquez told investigators that they chose a particular section of the freeway because there were no exits, which would increase the number of targets in the eastbound lanes. The plan was for Farook to throw pipe bombs on to the freeway, which they believed would disable vehicles and stop traffic. Farook allegedly planned to then move among stopped vehicles, shooting into them, while Marquez shot into vehicles from a position on a nearby hillside. Marquez allegedly said that he would watch for law enforcement and emergency vehicles, and his priority was to shoot law enforcement before shooting life-saving personnel.

According to the affidavit, Marquez and Farook took steps to carry out their plans by purchasing firearms, ammunition and other tactical gear, as well as going to local firing ranges. In late 2011 and 2012, Marquez allegedly purchased two firearms and portrayed himself as the actual purchaser of the rifles, when he was in fact buying the weapons for Farook as part of the plan to attack RCC and SR-91. According to the affidavit, Marquez told investigators that he agreed to purchase the weapons because "his appearance was Caucasian, while Farook looked Middle-Eastern." Investigators have determined that on Nov. 14, 2011, Marquez purchased a Smith and Wesson M&P-15 Sport rifle for Farook. On Feb. 22, 2012, Marquez purchased a DPMS model A-15 rifle, according to records in the affidavit, which states that each rifle cost approximately \$750.

Around the same time as he purchased the firearms for Farook, Marquez purchased explosives – specifically smokeless powder – "in furtherance of his and Farook's plans to create bombs and commit mass killings," according to the affidavit.

In the first half of 2012, Marquez and Farook allegedly continued to prepare for terrorist attacks by going to firing ranges to practice shooting guns and further discussing extremist ideologies. After 2012, Marquez allegedly distanced himself from Farook and ceased plotting with Farook for a variety of reasons, including the arrest of Ralph Deleon and others on material support for terrorism charges in November 2012.

The complaint affidavit alleges the following timeline of events based on the investigation to date. On the morning of Dec. 2, 2015, shortly after 9:00 a.m., Farook went to an event at the IRC and placed an item on a table. Following the shooting at the IRC, investigators discovered a remote-controlled improvised explosive device (IED) on a table – a pipe bomb constructed out of three galvanized steel pipes and smokeless powder that was armed and ready to detonate. A subsequent search of Farook's residence led to the discovery of smokeless powder that Marquez allegedly admitted purchasing in 2011 while planning terrorist acts with Farook. In addition, a remote control was found in the sports utility vehicle after Farook and his wife Tafsheen Malik were killed. In his interview with investigators, Marquez allegedly stated that the smokeless powder was purchased to be used in the construction of an "explosive device." Marquez described his familiarity with the use of remote-control devices to detonate IEDs, and said he and Farook reviewed instructions on how to make IEDs that were in *Inspire Magazine*, according to the affidavit.

According to the affidavit, subsequent investigation determined that on the morning of the shooting, a Facebook account associated with Malik searched for materials related to the Islamic State of Iraq and the Levant (ISIL). Shortly after the shooting, a post on a Facebook page associated with Malik said, "We pledge allegiance to Khalifa bu bkr al bhaghdadi al quraishi" which the affidavit alleges is a reference to the leader of ISIL.

After Farook and Malik were killed in the shooting that ended the pursuit, authorities recovered four firearms and thousands of rounds of ammunition. Among the firearms recovered were the two rifles that Marquez allegedly purchased for Farook several years earlier. Forensic testing has confirmed that the two rifles were used in the attack on the IRC.

Four days after the attack on the IRC, Marquez met with law enforcement officials investigating the incident. Marquez admitted a series of statements that are detailed in the affidavit.

In addition to the charges related to the straw purchase of the rifles and the plans to commit terrorist attacks, Marquez is charged with defrauding U.S. Citizenship and Immigration Services in relation to a sham marriage with a member of Farook's extended family so that she could obtain legal status in the United States. In return for his participation in the fraud, she paid Marquez \$200 per month.

The charge of conspiring to provide material support to terrorists carries a maximum sentence of 15 years in prison. The charge of making a false statement in connection with the acquisition of firearms carries a statutory maximum sentence of 10 years in prison. The charge of immigration fraud carries a statutory maximum sentence of 10 years in prison. If convicted, any potential sentence will be determined by the court after review of factors unique to this case, including the defendant's prior criminal history, if any, the defendant's role in the offense and the characteristics of the violation.

A criminal complaint is not a finding of guilt. An individual charged by complaint is presumed innocent unless and until proven guilty.

This investigation is being conducted by several partner agencies that are part of the Los Angeles FBI's Inland Empire Joint Terrorism Task Force. Several agencies are providing considerable assistance to the investigation, including the San Bernardino County District Attorney's Office and detectives with the Chino Police Department; the Redlands Police Department; and the Corona Police Department. In addition, investigators have collaborated with sister task forces in the region and throughout the country, as well as with the intelligence community; foreign law enforcement partners; and various FBI Legal Attachés located overseas. The case is being prosecuted by the U.S. Attorney's Office of the Central District of California and the National Security Division's Counterterrorism Section.

Marquez Complaint

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