



# US fugitive leaves an impression



A wanted fugitive made a crucial mistake that saw him extradited to face justice in the United States.

**EXTRADITED**

# “It’s not every day that an INTERPOL Red Notice flags a fugitive from the other side of the world applying for the Victoria Police.”

It was business as usual on 28 December, 2012, as Renee Wilson and her team worked on processing fingerprint checks from INTERPOL. Karen Mason was downloading the notices in batches of 20 and noticed it was getting close to knockoff time. She stopped downloading and decided to check just two more prints before going home.

One of those checks was an INTERPOL Red Notice for Richard Ammar Chichakli. It’s not an unusual task for AFP fingerprint experts — the AFP is the Australian national contact for INTERPOL.

Chichakli’s ‘tenprints’ images, supplied with the notice, were loaded into the National Automated Fingerprint Identification System (NAFIS). Tenprints is a generic term for the form that contains a full set of fingerprints. It includes rolled fingerprint impressions of the fingers and thumbs, ‘slap’ fingerprints and palm prints.

Taking a good set of fingerprints the first time helps solve the crime. The quality of any previous set of fingerprints on NAFIS will determine if an unknown fingerprint will be identified.

The NAFIS algorithm checks for minutia – the points at which ridges end or divide — and their relationship to each other. Based upon specific search criteria (pattern type, finger nomination, sex of person of interest) an unknown print is searched on NAFIS.

NAFIS will then provide a list of possible candidates for comparison. A fingerprint examiner compares these results side by side (the unknown to the known) by examining the features at each of these minutia points, described as ridge endings, bifurcations (where a single ridge becomes two – known as a fork) and dots.

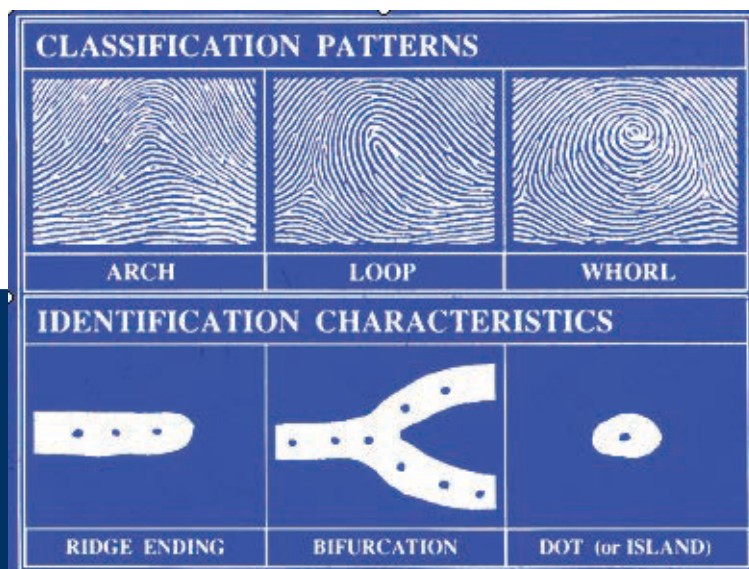
It’s not like television shows with quick results obtained between ad breaks. Each fingerprint is unique to an individual person. Unlike DNA, not even twins have the same fingerprints. Karen’s excitement was contagious, when the fingerprints of Melbourne-based cleaner Jehad Almustafa matched fugitive Richard Chichakli.

And it’s not every day that an INTERPOL Red Notice flags a fugitive from the other side of the world applying for the Victoria Police.

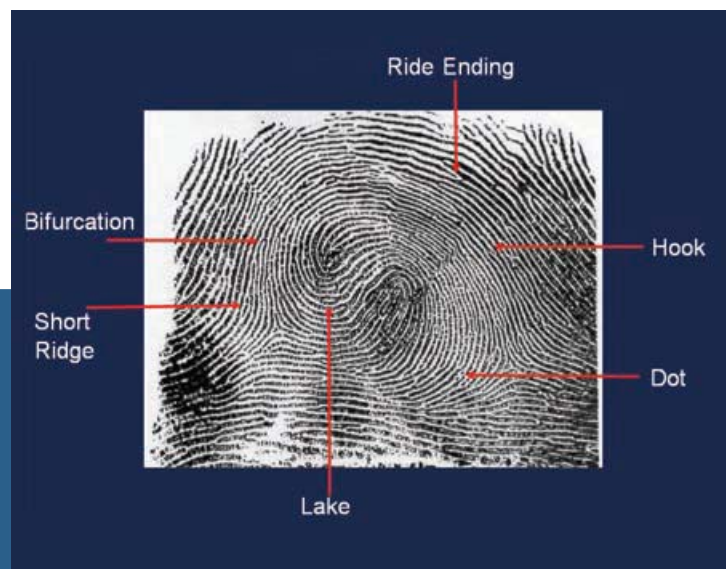
“It was really exciting,” Renee Wilson says. “Usually with INTERPOL notices it could be something routine. This was the real deal. This was a serious criminal that didn’t want to be found.

“I had to go, but I briefed the incoming evening fingerprint team member, Geoff Farncomb, and contacted the AFP’s Chief Forensic Scientist, Simon Walsh. I went home buzzing. Getting a match for a fugitive from an INTERPOL Red Notice doesn’t happen that often.”

Basic fingerprint patterns with features used for comparison.



Characteristics of the fingerprint.



Chichakli is a Syrian-born United States citizen who served in the US military and studied as an accountant. It was this latter career that brought him into contact with infamous global arms dealer, Viktor Bout (the so called 'merchant of death' now serving 25 years' gaol in the US). The movie *Lord of War* starring Nicholas Cage was based loosely on Bout's life.

Chichakli ran afoul of authorities when he attempted to procure aircraft worth more than \$5 million for Bout. The INTERPOL notice stated that Chichakli was wanted in the US for money laundering in regards to breaching the International Emergency Economic Powers Act (IEEPA) and UN Security Council sanctions.

The relationship with Bout saw him listed as a 'specially designated national' in the US. In April 2005, FBI and Treasury Department officials raided his home but Chichakli had already vanished. It was rumoured that he had fled to Syria and then Moscow.

A joint visa application for a man known as Jihad Almustafa to enter Australia was lodged on 7 July, 2009. While providing fingerprints is mandatory for applications, at that point US authorities had not issued Chichakli's prints internationally.

Chichakli entered Australia on a Syrian passport on 26 June, 2010, and settled in the outer Melbourne suburb of Reservoir. In due course, Chichakli obtained a legitimate driver's licence, Medicare card and tax file number and began a new life.

## Arresting story

Chichakli may have gone unnoticed indefinitely – but for his application to Victoria Police as a protective security officer. He had been clever enough to evade US law enforcement and forge a new identity that deceived Australian authorities. Perhaps he thought that having had his fingerprints authenticated for his visa that a disconnect between the US and Australian authorities would safeguard him from detection.

But Chichakli's application for Victoria Police was a big mistake. On 6 August, 2012, he was fingerprinted as part of the process. His prints were checked against NAFIS with "no hit" recorded. Chichakli survives again. Less than a month later, INTERPOL Washington issued the Red Notice and his luck was running out.

"It's the beauty of having a correctly taken set of fingerprints," Mr Farncomb says. As incoming fingerprint team member, he checked the Chichakli prints, which had been re-examined by Fiona Burger of the fingerprint team. If a person is identified then another qualified operator needs to confirm the prints independently, before the identification is reported. He duly raised a report for INTERPOL Canberra, which is hosted with the AFP Operations Coordination Centre (AOCC).

"That was his downfall," says Geoff Farncomb. "This is what happens. I think he must have become a bit complacent. When I was working in Darwin, people thought it was a remote area of Australia. A lot of criminals find their way up there thinking they are away from the rest of Australia but they don't realise technology catches up with them."

Australia has been a member country of INTERPOL since 1948 and the Commonwealth has hosted the National Central Bureau for INTERPOL since 1975. For the last several years, the AFP's INTERPOL team was situated within the AOCC Watchfloor in Canberra. In anticipation of the AFP's recent organisational restructure it was identified that a dedicated INTERPOL Bureau should be established in its own right. This occurred on 16 April this year.

A subject fingerprint, left, is checked against a 'candidate' selected in the National Automated Fingerprint Identification System.





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The AFP INTERPOL team scrambled to actioning the report. INTERPOL team leader Sergeant Darren Williamson says INTERPOL notices are often misinterpreted as international arrest warrants — but that’s not the case. Arresting a person of interest can only be progressed with a formal extradition request through the Attorney-General’s Department.

“Before we notified anyone I wanted to validate the fingerprint match and make sure we also had visual confirmation it was the same person,” Sergeant Williamson says. It was indeed the same person.

“Everyone kicked into gear very quickly and it progressed very quickly. At the same time, from our perspective we wanted to know how he ended up here. Obviously, you have got someone who is subject to UN sanctions for terrorism financing under a false identity in Australia. We wanted to know what he was doing.”

Federal Agent Viktor Lewis, Melbourne Crime Operations, came back from leave on 7 January. That morning he was assigned as AFP case officer in the matter. Chichakli had just three more days of freedom.

A provisional arrest warrant was sworn under the Australian Extradition Act. It arrived from the Attorney-General’s Department on the morning of 10 January. The Melbourne team also had been busy drafting an affidavit for a search warrant to search Chichakli’s address based on the suspected immigration and identity offences.

Later that morning, Chichakli was asked to attend at Victoria Police Centre (VPC) in relation to his application for Victoria Police. It was decided that this would minimise the potential of harm to police members and lower the operational tempo of the arrest. Chichakli arrived at the appointed time and he was arrested in the VPC carpark.

“He was very calm and completely unflustered,” Senior Constable Lewis said. “He was the calmest, coolest criminal I have ever dealt with, to the point of arrogance. He was always courteous and never abusive during the whole time he was detained. He was quite an interesting character.”

Evidence obtained from the search of Chichakli’s home was compelling. AFP Detective Greg McLeod led the joint AFP/Victoria Police team to execute the warrant. US authorities were initially just interested in getting Chichakli back to the States as they considered they had enough evidence against him.



Richard Chichakli was an associate of the so called 'merchant of death' Viktor Bout (left).  
*Photo Facebook.*



An INTERPOL Red Notice for Richard Chichakli was identified with a Melbourne-based cleaner, Jihad Almustafa.

But Detective Sergeant McLeod says the material from the eight-hour search “was a treasure trove”.

“There were lots of documents from his proposed sale of fighter aircraft to Libya and Iran — which is a clear breach of UN sanctions. Further, there were lots of photographs of material, suspected of being crates of weapons, being offloaded from aircraft in an African country.”

Electronic media was seized including a laptop and USB drives. Over the next two days the evidence kept mounting. Financial documents, massive amounts of incriminating emails, photos, fraudulent documents and passports bearing Chichakli’s photo and different names — all would ultimately be presented in the case against him in New York.

Chichakli was remanded in custody and refused bail. His wife watched as the court declared him an unacceptable flight risk. She had been arrested and charged with immigration offences but released on bail. The case against her was eventually found proven without proceeding to conviction. The court felt she was more a victim of circumstances.

Chichakli, however, remained in custody until his extradition on 23 May, 2013. On 5 December, 2014, he was convicted in a New York court of one count of conspiring to violate IEEPA, one count of money laundering conspiracy, one count of wire fraud conspiracy, and six counts of wire fraud.

In addition to a prison term of five years, Chichakli was sentenced to two years of supervised release and was ordered to forfeit \$1.7 million and pay \$70,000 in restitution.

Chichakli represented himself and Detective Sergeant McLeod was called to give evidence in New York, which he found to be an interesting and very rewarding professional experience.

Chichakli was assisted throughout the trial by an experienced criminal lawyer, who was appointed by the court to act as his legal advisor to minimise any potential for appeal on the basis that he could not defend himself properly.

Chichakli’s odd aura of mystery and calm intelligence again was reflected by District Judge William H. Pauley. He said Chichakli’s time in custody had failed to clarify exactly who he is. “Mr Chichakli continues to remain shrouded in mystery.”

Detective Sergeant McLeod says the case demonstrates that good police work will pay off. “Often from little acorns mighty oaks grow and it was a very interesting case and a lesson for investigators. When you execute a search warrant you need to be particularly thorough and don’t discard any form of medium that contains electronic data, because it’s gold — absolute gold.

“The evidence obtained from the search made it that much more difficult for Chichakli to defend himself.”

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