

**Case 16: Pipelines and the Terrorist Hunter**

John Mueller

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Although he lacked weapons, money, training, competence, and mental capacity, Michael Curtis Reynolds, a non-Muslim American who was outraged at his country's invasion of Iraq, thought he should do something to punish the country for this act. Enterprisingly, if bone-headedly, he sought to connect to al-Qaeda on an internet chatroom to see if the organization might be interested in funding a project to blow up pipelines in Canada, a venture he imagined would do major economic damage to the United States.

Although no one from al-Qaeda picked up on his ardent and very public request, he did get through to someone who was willing to pose as an al-Qaeda operative: a former cheerleader and former judge in Montana who, after 9/11, had devoted herself to hunting out terrorists on the web. After an exchange over 50 messages, Reynolds ventured out on his last day as a free man to meet his interlocutor in person to pick up the \$40,000 support money she had promised him to supplement the \$24.85 he had in his pocket.

After a trial often made chaotic by Reynolds' erratic behavior, the would-be terrorist was sentenced to 30 years in prison and the terrorist-hunter continued her quest.

Pipelines, actually, don't make very good terrorist targets because they are designed to be readily repairable.<sup>1</sup> But that was the least of Reynolds' delusional problems.

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<sup>1</sup> John Mueller and Mark Stewart, *Terror, Security, and Money: Balancing the Risks, Costs, and Benefits of Homeland Security* (New York: Oxford University Press, 2011), ch. 6.

## Case 16: Pipelines and the Terrorism Hunter

Shannon Buckner

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### 1. Overview

In 2005, Michael Curtis Reynolds was accused of planning to bomb oil pipelines in response to the U.S. invasion in Iraq. He was captured through the efforts of a female former judge in Montana, a self-styled “terrorism hunter” who he met on the internet when she posed as an al-Qaeda operative. At the time of his arrest for attempting to blow up the oil pipelines, he only had \$24.85 in his possession.<sup>1</sup> Reynolds was faced with up to 80 years in prison and fines amounting to \$1,500,000, and on November 6, 2007, he was sentenced to 30 years in prison as well as a fine of \$500. Much of his behavior, particularly at his trial, suggests that he is mentally unbalanced.

### 2. Nature of the adversary

Reynolds, 6 feet, 3 inches tall with dark hair, had a very conventional upbringing in a wealthy suburb of Westchester, New York, and was not a Muslim. His parents both worked for Reader’s Digest and gave him a very stable childhood, which serves in stark contrast to his adult life which was characterized by transient behavior and struggles with relationships.

Graduating from high school in 1976, he was later arrested for breach of the peace and disorderly conduct as well as being sued for tax liens and unpaid debts. In 1978, he attempted to burn down his family’s house, in Purdys, New York. He pleaded guilty and received a fourth-degree arson misdemeanor charge. A few years later, he married and had three children. According to his father-in-law, he had grandiose plans for his future home, showing a lack of connection with reality. The marriage resulted in divorce, and his wife received full custody of the children. Throughout his life he moved all over the country, including Indiana, Connecticut, California, Arizona, Massachusetts, New York and Pennsylvania. He even lived abroad in Austria and Thailand. With this constant moving, he was unable to have solid employment and struggled financially.

He was known by his neighbors for working on electronics in an old van outside his mother’s house. They would not see much of him but occasionally they would see him carry electronics between the house and the van. He even connected an extension cord from the house to this van and would often spend entire nights in it. When Reynolds hit a neighbor’s parked car with his van, he responded by screaming, resulting in the police being called to calm him down.<sup>2</sup> He projected a loner type persona to those who lived near him, and when he had an encounter with his neighbors, he often bragged of his expertise with electronics. The combination of his aggressive tendencies, his need to constantly be on the move, his inability to maintain relationships, and his technological skills

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<sup>1</sup> “Michael Curtis Reynolds,” Wikipedia. Accessed November 30, 2010.

<sup>2</sup> Alfred Lubrano and John Shiffman, “Federal Authorities Say W-B Man is a Terrorist,” *Philadelphia Inquirer*, February 12, 2006.

may have contributed to his turn to terrorism. However, throughout the judicial process, some officials believed he was not a terrorist, but mentally ill.

### **3. Motivation**

The motivation for his plot stemmed from anger against the United States over the invasion of Iraq. He was also resentful because the United States government revoked his passport while he was working in Thailand as an English and math teacher.

### **4. Goals**

The main idea behind his planned attacks on pipelines was to punish the United States for its actions against Iraq. Furthermore, Reynolds sought money from al-Qaeda for his help as well as the opportunity to continue working for it in the future.

### **5. Plans for violence**

As Reynolds began to develop his plan, he decided to make a connection with al-Qaeda in Canada, as they would have closer access to the pipeline he intended to bomb. He went on a Yahoo chat room to vent his frustration and to get responses from like-minded people: "It is true America has overstepped its bounds in invading Iraq. Those serious enough to do something about it should e-mail....Contact soon....We both want something, let's talk." He also offered to help al-Qaeda by assisting in various tasks beyond his own plan, such as planning attacks, researching bomb making and identifying targets.

After connecting to al-Qaeda in Canada, his idea was to destroy the Trans-Alaskan Pipeline that services the United States. By blowing up pipelines, he believed he would hurt energy resources and reserves, have a negative environmental impact, cause the government to redirect military funds to protect other energy resources from damage, and create a feeling of fear within the United States. He was also hoping to drive fuel prices up which would somehow lead to an increase in the number of people opposing the war in Iraq. All of these impacts would positively benefit al-Qaeda.

Although he seems to have been quite serious about completing his plan, he appears to have had no realistic idea of how to actually go about it, hence his reaching out for potential help on the internet. He did not have any formal training in bomb making or in the engineering of pipelines, but he did spend a large amount of time working to better understand technology. As previously mentioned, his neighbors witnessed him, on multiple occasions, working in his van with a variety of wires and pieces of technology.<sup>3</sup>

The plan did not have any prospect of suicide, and Reynolds apparently did not have any intention of physically hurting anyone.

### **6. Role of informants**

Unfortunately for Reynolds, the connection he thought he had made to al-Qaeda was actually to an FBI informant, and the effort to contact al-Qaeda led to

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<sup>3</sup> Lubrano and Shiffman, "Federal Authorities."

his conviction for “attempting to provide material support to al-Qaeda, a terrorist organization.”

As Reynolds began to reach out on the internet, he started to talk to Shannen Rossmiller. After the arrest, Rossmiller gained considerable attention in the media. A former cheerleader, she had served as a municipal judge in Montana—appointed at 29, she was the youngest female judge in American history. Throughout her childhood, she loved to read true crime books while surrounded by the majestic mountains of Montana. In response to the September 11 attacks, Rossmiller, now the mother of three and in her late thirties, turned herself into a “terrorism hunter” and began patrolling the internet for potential threats. In an interview with the *Philadelphia Inquirer*, she said, “I feel compelled to do what I can and I know that I have an ability to do something. I’m out for the hunt.”<sup>4</sup> She educated herself on the Koran and studied Arabic as well as the culture within the radical Islamic community by reading over fifty books. Her tactics were to go online, specifically in chat room type settings and pose a man who was involved with al-Qaeda. She would then befriend potential suspects, luring them to relay all the details of their plans to her. Her tactics proved to be successful and she has been working closely with the United States Government on over 200 different undercover operations, which, according to her website, have led to three convictions in the United States and a dozen detainments abroad.<sup>5</sup> Rossmiller is considered by the FBI to be a very credible informant.<sup>6</sup>

Reynolds used a Yahoo chat room titled OBLcrew which stands for Osama Bin Laden Crew, when he began to seek for assistance in October 2005, using the name Fritz Mueller as an alias. Reynolds had a long term goal of enlisting individual units of al-Qaeda members to assist in his attacks on the pipeline system. After finding Reynolds’ post, Rossmiller knew she had to react. Originally he planned to put fuel in trucks, but after coming in contact with Rossmiller, he began to think it would be a better idea to gain the support of al-Qaeda members in the region and have them assigned to specific areas to perpetrate acts of violence against pipelines and energy facilities.

Reynolds and Rossmiller exchanged over 50 messages regarding his plans leading, on December 5, 2005, to Reynolds’ arrest by FBI agents. At the time of his arrest, Reynolds believed he was meeting Rossmiller who had promised him \$40,000 to aid in his mission.

Rossmiller's connection to Reynolds seems an example of entrapment, or at any rate enticement, as Rossmiller posed as someone who could potentially assist him. She put a large emphasis on building a high level of trust between them so he would be comfortable revealing all of his plans to her and she offered him money. However, if there were no informants, he would have been caught eventually as he was not showing much common sense when he reached out for help in completing an act of terrorism in chat rooms which can be easily monitored. Eventually someone would have caught on to his plan and reported him to the authorities.

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<sup>4</sup> “Her Story,” shannenrossmiller.com.

<sup>5</sup> “Her Story.”

<sup>6</sup> Lubrano and Shiffman, “Federal Authorities.”

Reynolds was in the beginning stages of his plan when he was arrested for possession of a hand grenade, and the police used this charge to obtain a search warrant to confiscate his computer. After searching his records, the police had enough evidence to move forward with the terrorism charge.

When FBI agents began to question Reynolds after his arrest, he claimed to be a patriot with the intention of exposing al-Qaeda cells within the United States, by luring them in with his request for help. However, when comparing his claims to the emails sent from his account, his patriotism excuse was seen as far from credible. Within his emails he showed a clear plan to attack the oil pipeline and then escape; however, his escape plans were not well developed and he was aware that he would eventually need a fraudulent passport to leave the country. He was even aware that attacking the pipelines and fleeing would put him at risk for being sentenced to death as a traitor to the United States. After his intentions were reported to the Philadelphia branch of the FBI, they began to dig deeper into his communications and eventually found drawings, emails and letters, all showing his intent to have trucks filled with propane placed along the Alaskan pipeline and detonated to create a large amount of damage. There was even a greater plan to attack the Transcontinental Pipeline, which transports natural gas and services such areas as New York City. The Standard Oil Co. and Williams Refinery were also listed by the government as potential targets for Reynolds.

The first count against Reynolds was knowingly providing resources as well as material support to a terrorist organization, specifically al-Qaeda. The second count related to his specific plans to damage or destroy the fuel pipelines, which were considered a piece of property used in foreign commerce. Count three refers to his solicitation and persuasion of another to assist him in the damaging of the piece of property related to foreign commerce, specifically the pipelines. His spread of knowledge on bomb making through the chat room and other internet outlets led to the fourth count against him. The last two counts stemmed from his unlawful possession of a grenade, and he was acquitted of one of these by the jury. These charges were signed by Judge Thomas A. Marino on October 3, 2006, about a year after Reynolds made his first attempt to make a connection with al-Qaeda on the internet.<sup>7</sup>

According to court documents from the appeal, Reynolds waived his constitutional rights at the time of his arrest and confessed that he was in communication with someone connected to al-Qaeda. But, as noted earlier, he claimed he was not a terrorist and that the purpose of his communication was to gain knowledge regarding al-Qaeda and then to work with a private paramilitary group that he had been connected to during the 1980s. However, records show he had never communicated this plan to anyone in this paramilitary organization.

After searching Reynolds computer, agents found very thorough plans for a bomb-like device, and a search warrant helped them discover a grenade within a storage unit registered to Reynolds. Reynolds pleaded not guilty to two counts on the unregistered ownership of grenades, as indicted by a grand jury on December 20, 2005. Subsequently, his court-appointed attorney opted to

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<sup>7</sup> “United States of America vs. Michael Curtis Reynolds, Superseding Indictment” Investigative Project [http://www.investigativeproject.org/documents/case\\_docs/334.pdf](http://www.investigativeproject.org/documents/case_docs/334.pdf).

withdraw. Reynolds' replacement court-appointed counsel also withdrew from the case on June 7, 2006.

Then on October 3, 2006, a grand jury gave the court an indictment of six counts. Reynolds had representation from the court, but opted to file twenty-three pro se motions, such as writs, complaints and letters. His counsel then moved to suppress evidence as well as dismissing the indictment due to a violation of the Speedy Trial Act on May 18, 2007. However, the court denied both motions on July 2, 2007. Reynolds came to trial in the court of U.S. District Judge Kosik and a jury on the dates of July 9-12, 2007 and was found guilty by the jury on five of the six counts, the one acquitted count being in relation to his unregistered possession of a grenade. His appeal was filed on July 23, 2007, prematurely before his November 6, 2007 sentencing of 30 years in prison, three years of probation following his release, and a \$500 fine.

Regarding Reynolds' claim of a lack in the sufficiency of evidence, the jury had the responsibility of determining beyond reasonable doubt that the evidence was adequate to justify the guilty verdict and the subsequent sentence. Reynolds claimed that he could not have been guilty as a computer monitor, which is required to send e-mails, was not in his possession before November 23, 2005. He then went on to fallaciously state that the government did not disagree with the claim that he did not own a computer and therefore that this statement must be taken as fact. However, the government was able to prove that e-mails regarding the suspected terrorist plot did in fact come from an e-mail address registered to Reynolds and that these were sent in the region in Pennsylvania where Reynolds was residing. Because the government could prove the e-mails were from Reynolds, the fact that Reynolds did not have a working computer in his possession was not enough to win an appeal based on lack of sufficient evidence.

After his sentencing, Reynolds appealed the decision on the grounds that 1) there was not sufficient evidence to warrant his conviction because the "master" affidavit of probable cause for the search warrants contained a reckless or intentional material misstatement of fact," 2) that perjured testimony from the trial was used to help develop the conviction, 3) that the prosecution was done vindictively by the United States government, and 4) that there was a violation of his right to a speedy trial. Each part of Reynolds' appeal was turned down by the District Court, often because Reynolds was unable to provide evidence to back them up.<sup>8</sup>

During the trial process, the court requested a competency test because some questioned Reynolds' mental state and because Reynolds' actions throughout the trial showed a severe disconnect with reality.<sup>9</sup> As noted, his first two attorneys requested to be removed from the trial. Reynolds was far from an ideal client especially because his various pro se motions were entered against the advice of his court-appointed legal counsel.

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<sup>8</sup> For details on the appeals, see the appendix to this case report.

<sup>9</sup> "United States of America v. Michael Curtis Reynolds, Appellant" NEFA Foundation [nefafoundation.org/file/US\\_v\\_MReynolds\\_3rdcircuitappealsop.pdf](http://nefafoundation.org/file/US_v_MReynolds_3rdcircuitappealsop.pdf)

Reynolds' dysfunctional personality was also displayed in a note sent to the judge overseeing his case. It began by stating that he was aware elections were coming up soon, and that he should not be made into an example. Then, speaking in a very condescending manner, he suggested that the judge "Hold the hearings this week, remove the press, acquit me and call it a day." Reynolds also states "why do you choose to waste hundreds of thousands of dollars on this scam?" Moreover, "I won't be convicted, no matter what new laws you break. Give it up; send me home now."<sup>10</sup>

The letter demonstrates the confrontational tone used throughout. Reynolds seems to have been under the impression he was in charge and there was no chance he will be convicted. This attitude is interesting because, while he began to plan his attack and a subsequent flight from the United States, he expressed fear in being tried as a traitor and then sentenced to death.<sup>11</sup> This change in attitude demonstrates a clear lack of connection with reality. A rational person would be concerned that they were being tried for terrorism charges that could potentially put them in jail for quite a long time. To the degree that Reynolds was oblivious to his current situation and truly thought he was in charge, certain professionals were led to believe he was suffering from mental illness which should have been taken into account during his trial.

## **7. Connections**

Throughout, there were no connections whatever to al-Qaeda or any real terrorist group though Reynolds was, of course, led to believe otherwise.

## **8. Relation to the Muslim community**

Reynolds did not have any personal connections to the Muslim community and was not a Muslim. The only connection that could possibly be made between Reynolds and the religion of Islam would be the one he attempted to make with al-Qaeda.

## **9. Depiction by the authorities**

Not included in this paper.

## **10. Coverage by the media**

This terrorism plot inspired a surprisingly small amount of press coverage in comparison to the potential harmful effects his plot could have had on national well-being. There were a few articles in major newspapers such as the *Washington Post*, and a good number of them in newspapers from the Philadelphia and Scranton areas. However, the information presented tended to be a quick summary regarding Reynolds' background and plans. They also seem to represent him as somewhat mentally incapable by showing that his plan was not well thought out and that he did not do much to keep it well hidden from authorities.

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<sup>10</sup> "Letter from Reynolds to Judge" [www.investigativeproject.org/case/188](http://www.investigativeproject.org/case/188) The Investigative Project on Terrorism US v. Michael Curtis Reynolds

<sup>11</sup> Lubrano and Shiffman, "Federal Authorities."

The most interesting part of the news reporting on the case was the amount of attention given to Shannen Rossmiller. She was presented as a modern day patriotism vigilante and hailed by some as a hero. Various news sources reported the basics of Reynolds' plot, but then shifted to focus on Rossmiller's turn from mother to terrorism hunter. After the events of September 11, many Americans felt powerless, so the idea that a mother living in Montana could help catch terrorists around the world makes it seem that everyday people can turn into superheroes. The news took a story that was meant to focus on Reynolds but managed to turn it into a feel-good story of a mother of three doing good in the world.

### **11. Policing costs**

Policing costs were not high because the majority of the work was done by one agent, monitoring Reynolds' activities online. Shannen Rossmiller tracked Reynolds actions online for a few months, providing the FBI with evidence to develop a strong case. The largest part of the costs came from police arresting Reynolds near Pocatello, Idaho on December 5, 2005, where he believed he would be meeting Rossmiller and receiving \$40,000, and bringing him back to Pennsylvania where he was tried and convicted on the terrorism charges.

### **12. Relevance of the internet**

In this case the internet was key. Reynolds used it for the purposes of research and to find someone to assist with the plan. The internet then allowed the FBI to closely monitor his plot through the informant.

### **13. Are we safer?**

Reynolds had shown violent tendencies in the past and a disconnect with reality throughout his trial making a determination of what he is capable of very questionable. If Reynolds had had access to the proper finances and if he had managed to develop a skill at bomb making, there is a slight chance that he might have been successful with his plot. Overall, it can be concluded that citizens are safer with Reynolds in jail as it is difficult to know what he is truly capable of.

### **14. Conclusions**

Comparisons can be made between Reynolds and Timothy McVeigh, the man who bombed the Alfred P. Murrah Federal Building in Oklahoma City in 1995.<sup>12</sup> While the cases are very different regarding the damage done by McVeigh and the damage Reynolds was planning, there are similarities in their personal stories. Both McVeigh and Reynolds grew up with a stable upbringing. However, relationships within the family structure became tumultuous as McVeigh's parents divorced and Reynolds attempted to burn down his family's home. Family often serves as the voice of reason, and these two had a disconnect with the role of family in their lives. Another common denominator was their inability to maintain steady employment which led both of them to the road where they developed an identity revolving around self reliance. During their time spent

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<sup>12</sup> "Timothy McVeigh Biography," Biography.com.



venturing around the country, they both had a profound moment in which they began to see the government as an enemy that must be punished for its actions. For Reynolds it was the invasion of Iraq and for McVeigh it the Branch Davidian siege. They then began to focus their attention on seeking a violent revenge. These similarities displayed between the two cases, suggest that if Reynolds would have had McVeigh's knowledge of military tactics and bomb making, he may have been successful in causing a severe amount of damage to the pipelines.

Reynolds was punished for thinking of committing an act of terrorism against the United States. Brian Michael Jenkins argues that cases like this may bring "the American justice system perilously close to prosecuting people solely on the basis of what is in their hearts and on their minds."<sup>13</sup> This is very controversial because it can be argued that someone should be imprisoned for thinking and planning an act of terrorism because the country will be safer if they are in jail. However, it can also be argued that Reynolds didn't attempt the act of terrorism and was imprisoned based on his thoughts, as Jenkins says. There is a line between the government taking actions to keep the American public safe and protecting the rights of an individual, and it seems that line has become quite hazy in the post-9/11 world. It may even be said that the government is pushing constitutional boundaries in the wake a revitalized sense of patriotism. As long as average Americans do not feel that their rights are being infringed upon, the government will continue to prosecute all they feel are potential threats.

After closely evaluating the case against Michael Curtis Reynolds, the question must be raised of whether he was truly a terrorist out for vengeance against the United States or a man with severe mental instability. The facts presented in support of the idea that Reynolds is mentally unstable would be his violent tendencies, specifically almost burning down his house, the inability to have a steady living and work environment, his loner-type persona, and his behavior throughout the trial procedure. Reynolds did, however, pass a court-ordered competency test, and he showed through his e-mails that he was well aware of the implications of his actions. In summary, Reynolds cannot be clearly put into one of these categories and appears to be someone who struggles with normal socialization and also lacks a well-defined sense of right and wrong.

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<sup>13</sup> Brian Michael Jenkins, *Would-Be Warriors: Incidents of Jihadist Terrorist Radicalization in the United States Since September 11, 2001*. Santa Monica, CA: RAND, 2010.

## **Appendix: Reynolds' appeals**

1. If there were misstatements in the “master” affidavit, as Reynolds claimed, the evidence obtained from the search warrant would then be unacceptable. However, Reynolds failed to assert a specific example of a misstatement of fact.

2. For his appeal about perjured testimony to have been successful, Reynolds needed to show that a witness provided by the government committed perjury, that the government was aware (or should have been aware) of the perjury, that this perjury went without correction, and that the perjury affected the final verdict. Reynolds argued the grenades found in the storage unit were actually placed in there by his brother-in-law, Kevin Reardon, and that Reardon lied under oath when he said the grenades belonged to Reynolds. The court could not find evidence to back up this claim

3. Although Reynolds accused the government of vindictiveness, he could not actually present any examples or support for his claims. He also failed to show how the persecution had retaliatory motives.

4. To justify the claim that he was denied his constitutional right to a speedy trial, Reynolds needed to demonstrate that he had not been tried within a period of 70 days excluding delay time. Delay times include “pretrial motions, from filing to their disposition, and any period of delay from a continuance provided there is an ends of justice reason given by the court.” Reynolds was first indicted on January 3, 2006 and his trial was held on July 9, 2007—a gap of considerably more than 70 days, of course. However, there was much delay time. These stemmed from a motion filed on January 12, 2006 by Reynolds’ counsel to reevaluate the decisions made by a magistrate judge regarding his detention; irreconcilable differences that caused Reynolds’ counsels to remove themselves from the case with consequent delays in appointing new attorneys to the job; an *ex parte* motion filed by the defense for the purpose of granting the authority for expert services to be sought out; a withdrawn motion regarding Reynolds’ bail; and Reynolds’ repeated *pro se* motions that had to be reviewed by the court. In addition, on October 3, 2006, four more charges were handed down by the court as part of a superseding indictment, and the introduction of these new charges instituted a new speedy trial period, independent from the first. The time for the court-mandated competency exam to determine whether Reynolds was competent to stand trial—October 11, 2006, to January 5, 2007—was also properly excluded. In all, concluded the District Court, non-excluded time was actually quite minimal, and therefore the Speedy Trial Act was not violated.