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## Department of Justice

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### **Five Individuals Charged Variously with Stalking, Harassing and Spying on U.S. Residents on Behalf of the PRC Secret Police**

***Defendants Participated in Transnational Repression Schemes to Silence Critics of the People's Republic of China (PRC) Residing in the United States and Abroad – Including by Attempting to Disrupt the Campaign of a U.S. Military Veteran and Candidate for U.S. Congress in Brooklyn Who Expressed Views Critical of the PRC and by Scheming to Destroy a PRC Dissident's Artwork Criticizing the PRC Government***

Two complaints were unsealed, and one amended complaint was authorized today in federal court charging five defendants with various crimes related to efforts by the secret police of the People's Republic of China (PRC) to stalk, harass and spy on Chinese nationals residing in Queens, New York, and elsewhere in the United States.

Fan "Frank" Liu and Matthew Ziburis were arrested yesterday in the Eastern District of New York, while Shujun Wang was arrested this morning in the Eastern District of New York. Their initial appearances are scheduled this afternoon in Brooklyn before U.S. Magistrate Judge James R. Cho. The other two defendants remain at large.

According to court documents, all the defendants allegedly perpetrated transnational repression schemes to target U.S. residents whose political views and actions are disfavored by the PRC government, such as advocating for democracy in the PRC. In one of these schemes, the co-conspirators sought to interfere with federal elections by allegedly orchestrating a campaign to undermine the U.S. congressional candidacy of a U.S. military veteran who was a leader of the 1989 pro-democracy demonstrations in Beijing, PRC. In another of these schemes, three defendants planned to destroy the artwork of a PRC national residing in Los Angeles that was critical of the PRC government, and planted surveillance equipment in the artist's workplace and car to spy on him from the PRC.

"Transnational repression harms people in the United States and around the world and threatens the rule of law itself," said Assistant Attorney General Matthew G. Olsen of the Justice Department's National Security Division. "This activity is antithetical to fundamental American values, and we will not tolerate it when it violates U.S. law. The Department of Justice will defend the rights of Americans and those who come to live, work, and study in the United States. We will not allow any foreign government to impede their freedom of speech, to deny them the protection of our laws or to threaten their safety or the safety of their families."

"The complaints unsealed today reveal the outrageous and dangerous lengths to which the PRC government's secret police and these defendants have gone to attack the rule of law and freedom in New York City and elsewhere in the United States," stated U.S. Attorney Breon Peace for the Eastern District of New York. "As alleged, all three cases involve campaigns to silence, harass, discredit and spy on U.S. residents for simply exercising their freedom of speech. The United States will not tolerate blatantly illegal actions that target U.S. residents, on U.S. soil, and undermine our treasured American values and rights."

"As alleged, all of the defendants charged today at the direction of the PRC secret police, engaged in a series of actions designed to silence the free speech of Chinese dissidents in the United States," said Assistant Director-in-Charge Michael J. Driscoll of the FBI's New York Field Office. "Transnational repression schemes pose an increasing threat against U.S. residents who choose to speak out against the People's Republic of China and other regimes. The FBI is committed to protecting the free speech of all U.S. residents, and we simply will not tolerate the attempts of foreign governments to violate our laws and restrict our freedom."

"The Ministry of State Security is more than an intelligence collection agency. It executes the Chinese government's efforts to limit free speech, attack dissidents, and preserve the power of the Communist Party," said Assistant Director Alan E. Kohler Jr. of the FBI's Counterintelligence Division. "When it exports those actions overseas, it violates the fundamental sovereignty of the United States and becomes a national security threat. These indictments should serve as a stark warning to the MSS and all foreign intelligence agencies that their efforts at repression will not be tolerated within our borders."

### **United States v. Qiming Lin**

Qiming Lin, 59, of the PRC, is charged with conspiracy to commit interstate harassment, as well as conspiracy and attempt to use of a means of identification in connection with the interstate harassment conspiracy.

As alleged, Lin works on behalf of the PRC's Ministry of State Security (MSS). The MSS is a civilian intelligence and secret police agency responsible for counterintelligence and political security.

Beginning in September 2021, Lin hired a private investigator (the PI) in New York to disrupt the campaign of a Brooklyn resident currently running for U.S. Congress (the Victim), including by physically attacking the Victim. The Victim was a student leader of the pro-democracy demonstrations in Tiananmen Square in 1989, who later escaped to the United States, served in the U.S. military, and became a naturalized U.S. citizen. In September 2021, the Victim (then living in Long Island) announced his intention to run for a U.S. congressional seat on Long Island in the November 2022 general election.

In hiring the PI, Lin explained that if the Victim was selected during the June 2022 primary election, then he might be "elected to be a legislator. Right now we don't want him to be elected." Lin emphasized that, "Whatever price is fine. As long as you can do it." He also promised that "we will have a lot more of this [work] in the future...Including right now [a] New York State legislator." Lin explained to the PI that Lin was working with other unidentified individuals in the PRC to stop the Victim from being elected to U.S. Congress.

As alleged, Lin first asked the PI to provide information about the Victim, including the Victim's address and phone number, which the PI later provided. Lin also requested that the PI unearth derogatory information about the Victim or, if no such information could be found, "manufacture something, like what happened to [a famous concert pianist (the Pianist)]?" That request referred to an incident in Beijing in which the Pianist was reportedly detained after allegedly being found in the company of a prostitute. Lin later reiterated that, if the PI could not uncover a scandal, then "can they create some?" Lin also encouraged the PI to "go find a girl... Or see how he goes for prostitution, take some photos, something of that nature."

In December 2021, Lin proposed that the PI also consider physically attacking the Victim to prevent his candidacy. In a voice message to the PI, Lin stated:

You can start thinking now, aside from violence, what other plans are there? Huh? But in the end, violence would be fine too. Huh? Beat him [chuckles], beat him until he cannot run for election. Heh, that's the last resort. You-you think about it. Car accident, [he] will be completely wrecked [chuckles], right? Don't know, eh, whatever ways from all different angles. Or, on the day of the election, he cannot make it there himself, right?

If convicted, Lin faces a statutory maximum penalty of 10 years in prison. Lin remains at large.

Assistant U.S. Attorneys Alexander A. Solomon and David K. Kessler for the Eastern District of New York are prosecuting the case, with assistance from Trial Attorney Scott A. Claffee of the National Security

Division's Counterintelligence and Export Control Section.

### **United States v. Shujun Wang**

Shujun Wang, 73, of Queens, New York, is charged with acting as an agent of the PRC government, criminal use of means of identification and making materially false statements in connection with his participation in a transnational repression scheme orchestrated by the MSS.

As alleged, Wang is a former visiting scholar and author who helped start a pro-democracy organization in Queens that memorializes two former leaders of the Chinese Communist Party who promoted political and economic reforms within the PRC and were eventually forced from power. Since at least 2015, however, Wang has secretly operated at the direction and control of several MSS officers.

At the direction of the MSS, Wang used his position and status within Chinese diaspora community in New York City to collect information about prominent activists, dissidents, and human rights leaders to report that information to the PRC government. While ostensibly lending a sympathetic ear, Wang reported on statements activists made in confidence to him, including on their views on democracy in the PRC, as well as planned speeches, writings, and demonstrations against the Chinese Communist Party. The victims of Wang's efforts included individuals and groups located in New York City and elsewhere that the PRC considers subversive, such as Hong Kong pro-democracy activists, advocates for Taiwanese independence, and Uyghur and Tibetan activists, both in the United States and abroad. Wang sent email "diaries" to the MSS that contained details of his conversations with prominent dissidents, the activities of pro-democracy activists, as well as relevant phone numbers and other contact information for the targets of the PRC government.

For example, in a series of communications on Nov. 22, 2016, Wang's MSS handler instructed him to meet with a particular attendee at a pro-democracy event in Queens and to "accomplish the task" assigned by the "Boss." The MSS handler emphasized that the attendee had contacts with "Tibetans, Uyghurs and Mongolians." Similarly, on Nov. 16, 2016, Wang informed another MSS handler that he "just finished chatting" with a prominent human rights activist and had asked the "necessary questions" and received "candid" answers. The MSS officer responded "great" and with a thumbs-up emoji, instructing Wang to record that information in a "diary."

In April 2020, one victim about whom Wang reported – the Hong Kong democracy activist identified in the complaint as Hong Kong Dissident #1 – was arrested in Hong Kong and jailed on political charges. In addition, in April 2019, Wang flew from the PRC to Queens carrying a handwritten document with the names and non-public contact information for dozens of other well-known PRC dissidents, including other Hong Kong democracy activists who were subsequently arrested by the PRC in 2019 and 2020.

The complaint also alleges that, during an interview in Queens on Aug. 2, 2017, Wang lied to federal law enforcement, falsely denying that he had contacts with PRC officials or the MSS when in fact he had been secretly reporting on U.S. residents to the MSS. Wang later admitted much of his criminal conduct to an undercover member of law enforcement and during a subsequent interview with agents.

Wang was arrested this morning in the Eastern District of New York and is scheduled to make his initial appearance this afternoon before U.S. Magistrate Judge James R. Cho. If convicted, Wang faces a statutory maximum penalty of 20 years in prison.

Assistant U.S. Attorney Artie McConnell for the Eastern District of New York is prosecuting the case, with assistance from Trial Attorney Scott A. Claffee of the National Security Division's Counterintelligence and Export Control Section.

### **United States v. Fan "Frank" Liu, Matthew Ziburis, and Qiang "Jason" Sun**

Fan "Frank" Liu, 62, of Long Island, New York, and Matthew Ziburis, 49, of Oyster Bay New York, are charged with conspiring to act as agents of the PRC government. Liu, Ziburis and co-defendant Quiang "Jason" Sun, 40, of the PRC, are charged with conspiring to commit interstate harassment and criminal use of a means of identification. Liu and Sun are charged with conspiring to bribe a federal official in connection with their scheme to obtain the tax returns of a pro-democracy activist residing in the United States.

According to the complaint, Liu is president of a purported media company based in New York City, while Ziburis is a former correctional officer for the State of Florida and a bodyguard. Sun is a PRC-based employee of an international technology company.

According to the complaint, Liu and Ziburis have been operating under Sun's direction and control to discredit pro-democracy PRC dissidents residing in the United States – including in New York City, California and Indiana – by spying on them and disseminating negative information about them. For example, at Sun's direction, Liu paid a private investigator in Queens to bribe an IRS employee to obtain the federal tax returns of one of the dissidents. The private investigator was cooperating with law enforcement, and no Internal Revenue Service employee received a bribe payment. The defendants planned to publicly disclose the dissident's potential tax liabilities to discredit him. The co-conspirators also made plans to destroy the artwork of a dissident artist whose work is critical of the PRC government, and the artist's sculpture depicting PRC President Xi Jinping as a coronavirus molecule was demolished in the Spring 2021. Sun has paid both Liu and Ziburis for these efforts to stalk, harass and surveil dissidents residing in the United States.

As part of their efforts, the defendants electronically allegedly spied on the pro-democracy activists. For example, posing as an art dealer interested in purchasing the artwork of the dissident artist, Ziburis secretly installed surveillance cameras and GPS devices at a dissident's workplace and in his car. While in the PRC, Sun watched the live video feed and location data from these devices. The defendants made similar plans to install surveillance equipment at the residences and on the vehicles of two other dissidents. Liu and Ziburis planned to gain access to one such residence by posing as a member of an international sports committee.

The defendants also planned to interview the dissidents in mock media sessions, using the cover of Liu's purported media organizations. Sun provided outlines for these fake interviews and designed questions to elicit answers that were intended to humiliate or discredit the dissidents. The defendants intended that audio or video clips of these statements could be used in PRC propaganda materials targeting the dissidents.

Liu and Ziburis were arrested yesterday in the Eastern District of New York and are scheduled to make their initial appearances this afternoon in Brooklyn before U.S. Magistrate Judge James R. Cho. Sun remains at large.

If convicted, Liu and Ziburis face a maximum statutory penalty of five years in prison for conspiring to commit interstate harassment, and up to 15 years in prison for criminal use of a means of identification. Liu and Sun face up to five years each for conspiring to bribe a federal official. A federal district court judge will determine any sentence after considering the U.S. Sentencing Guidelines and other statutory factors.

Assistant U.S. Attorneys Alexander A. Solomon and Emily J. Dean for the Eastern District of New York are prosecuting the case, with assistance from Assistant U.S. Attorney Brian D. Morris of the Office's Asset Forfeiture Section and Trial Attorney Scott A. Claffee of the National Security Division's Counterintelligence and Export Control Section.

The FBI is investigating these cases.

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*An indictment is merely an allegation, and all defendants are presumed innocent until proven guilty beyond a reasonable doubt in a court of law.*

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**Attachment(s):**

[Download Liu et al Complaint](#)

[Download Lin Complaint](#)

[Download Wang Complaint](#)

**Topic(s):**

Countering Nation-State Threats  
Counterintelligence and Export Control  
National Security

**Component(s):**

Federal Bureau of Investigation (FBI).  
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