

# WHEN TERRORISTS COME HOME

*The Need for Rehabilitating and Reintegrating  
America's Convicted Jihadists*

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**COUNTER  
EXTREMISM  
PROJECT**

REDISTRIBUTION BOOKLET V.1



## FOREWORD

*To “When Terrorists Come Home: The Need For Rehabilitating and Reintegrating America’s Convicted Jihadists”*

**E**uropean countries may have produced more ISIS, al-Qaeda and other extremist group followers per capita than has the United States, but the number of terrorists currently incarcerated in America is significant, raising potentially daunting public safety questions.

Since 2001, the U.S. government has prosecuted more than 400 jihadist terrorists. While a few will spend the rest of their lives in prison, the overwhelming majority will not. In the next five years alone, 61 terror convicts —almost a quarter of those now incarcerated, with an average age of 27 —will complete their sentences and re-enter society.

It is difficult to predict future behavior with precision. However, historically high recidivism rates of violent U.S. offenders in general raises the specter of a potentially deadly counterterrorism challenge for which our country may be ill-prepared.

Yet today, there is no formal prison rehabilitation or re-entry program for convicted terrorists in the U.S., despite America’s leadership role in encouraging and funding anti-radicalization programs around the world.

In this insightful and thought-provoking report, Jesse Morton and Mitch Silber detail and analyze ongoing rehabilitation and re-entry programs in the United Kingdom, Canada, Australia, France and Denmark. They build a strong case for the establishment of a cost-effective and rigorously evaluated program in the United States that is tailored to local circumstances and modeled on those currently in place for gang members, drug and alcohol abusers and domestic violence offenders.

Morton and Silber bring unique personal experiences to their scholarship and the difficulty of guiding jihadists away from the ideologies and circumstances that fueled their desire to carry out violent acts. Morton was a former recruiter for al-Qaeda and served time in prison. Silber ran a team of NYPD intelligence officers who tracked down and helped prosecute Morton, who was released from prison early for his cooperation with the law enforcement.

Much more than simply a dispassionate academic research exercise, the report is enriched by Morton’s descriptions of his personal challenges and interviews with current and former terrorist convicts, some of whom remain bitter and dangerous, while others attempt a new path and struggle with stigmatization, rejection, stress and lack of support.

The authors modestly state that their aim is to “begin the conversation among policymakers, government officials, federal prosecutors, prison authorities and counterterrorism practitioners before more violent extremist offenders are released in the U.S.” It is much more—a call to action that should be heeded now at the highest levels of our government.

*- Ambassador Mark D. Wallace and Fran F. Townsend,  
Counter Extremism Project*

  
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THERE IS A VERY SIMPLE AND IMMUTABLE  
**‘IRON LAW OF IMPRISONMENT’:**  
EXCEPT FOR THOSE WHO DIE IN PRISON,  
EVERYONE WHO GOES TO PRISON  
ULTIMATELY RETURNS HOME.”<sup>1</sup>



# CONTENT

<b>FOREWORD</b>	<b>2</b>
<b>WHEN TERRORISTS COME HOME</b>	<b>6</b>
<i>The Need for Rehabilitating and Reintegrating America's Convicted Jihadists</i>	
<b>KEY FINDINGS</b>	<b>7</b>
<b>INTRODUCTION</b>	<b>9</b>
<b>PURPOSE AND GOALS</b>	<b>10</b>
<b>ORGANIZATION OF THE STUDY</b>	<b>11</b>
<b>SECTION I.</b>	<b>12</b>
<i>The Need for Tailored Rehabilitation and Re-Entry Services for Violent Extremist Offenders in the United States</i>	
Calls To Action	13
<b>SECTION II.</b>	<b>14</b>
<i>Prison System and Rehabilitation</i>	
Current Bureau of Prisons (BOP) CT Infrastructure and Programs	14
The Unique Dynamics of the American Prison System: <i>Radicalization Incubator or Venue for Deradicalization Programs?</i>	15
Combating Radicalization in the System	17
Implement a Mandatory Deradicalization Program?	19
Implementing a Voluntary Deradicalization Program	20
<b>SECTION III.</b>	<b>22</b>
<i>Post-Release – Re-Entry and Reintegration</i>	
Re-Entry and Supervised Release Policy	23
Re-Entry Services for Violent Extremist Offenders	24
Preparing for Future Employment	25
Mental Health	25
Dealing with Stigmatization	26
Family and Housing	27



<b>IV. RECOMMENDATIONS</b>	<b>29</b>
Program Design	29
<b>APPENDIX A</b>	<b>37</b>
<i>Utilizing a Realist Evaluation Framework</i>	
<b>APPENDIX B</b>	<b>38</b>
<i>Survey of Current Rehabilitation and Re-Entry Initiatives in Europe and North America for Violent Extremist Offenders</i>	
<b>APPENDIX C</b>	<b>40</b>
Second Chance Program	40
How the Program Works	40
<b>APPENDIX D</b>	<b>41</b>
<i>Noteworthy Cases Returning Over the Next Year</i>	
<b>NOTES</b>	<b>43</b>

# WHEN TERRORISTS COME HOME:

*The Need For Rehabilitating and Reintegrating America's Convicted Jihadists*

**T**he United States Government (USG) has prosecuted more than 400 jihadist terrorists since 9/11.<sup>2</sup> While several of those convicted will spend the rest of their lives in prison, the overwhelming majority will one day re-enter society. In fact, over the next five years, nearly a quarter of the United States' terror convicts will complete their terms of imprisonment.<sup>3</sup> Moreover, since the average age of those charged with ISIS-related crimes is only 27,<sup>4</sup> they will be released back into American society with a long life to live. This raises a critical and little examined question regarding U.S. counterterrorism strategy: what is being done in U.S. prisons to prepare this growing and unique segment of the prison population for re-entry into society?<sup>5</sup>

To further complicate the scenario, these individuals, who were at violent odds with American society, will face the complex process of reintegrating against the strong headwinds of extraordinarily high recidivism rates for those that were previously imprisoned. A 2016 United States Sentencing Commission study calculated that federal prisoners have a 44.7 percent re-arrest rate after five years.<sup>6</sup> At 76.6 percent, that number is much higher for state prisoners. While the re-offender rate for violent extremist offenders appears to be much lower,<sup>7</sup> it is worth considering that, in 2010, the Director of National Intelligence assessed that approximately 20 percent of former Guantanamo Bay detainees were suspected of re-engaging in terrorist or insurgent activities,<sup>8</sup> a figure confirmed by the Obama administration.<sup>9</sup> Thus, the recidivism rate among violent extremist offenders within the U.S. is unlikely to be zero. And, if terrorists go back to their original activity after prison, the damage they could do is likely to be much higher than by ordinary offenders.

While several programs for violent extremists have emerged across the globe in the last few years,<sup>10</sup> to date, there exists no formal national rehabilitation and re-entry program for convicted terrorists in the United States and little, if any, developed infrastructure to support individuals upon their release.<sup>11</sup> Rather, analysts have suggested that the Federal Bureau of Prisons (BOP) has “been content to apply whatever programs it has in place for the general criminal population to the population of terrorism-related convicts.”<sup>12</sup>

This scenario invites at least a few questions: should the United States be doing more to rehabilitate violent extremists and prepare them for re-entry? After all, there are domestic re-entry programs for gang members both during their imprisonment and post-release; they arguably pose less of a threat to society than former terrorists, yet there are no programs in place for terrorists.

If so, what might be implemented? With many already released and many more to follow, how does the United States prepare for the day convicted terrorism-related offenders return to the streets of America?

## KEY FINDINGS

- **The United States will soon be facing a new counterterrorism challenge, one that it is currently unprepared for.** At least 61 individuals with terrorism-related convictions will be released from prison between 2018 and 2024. Because this data was collated in the midst of the rise in criminal cases related to ISIS, many of which are pending trial or sentencing, the numbers are likely to tally even higher.
- **The recidivism rate among violent extremist offenders within the United States is unlikely to be zero.** While the re-offender rate for violent extremist offenders appears to be much lower than among other federal prisoners,<sup>13</sup> in 2010 the Director of National Intelligence assessed that 25 percent of former Guantanamo Bay detainees were confirmed or suspected of re-engaging in terrorist or insurgent activities.<sup>14</sup>
- **Unlike other areas of the world,<sup>15</sup> to date, the United States has neither established a formal rehabilitation and re-entry program for convicted terrorists nor developed infrastructures to support individuals upon their release.**
- **Rehabilitation and re-entry for violent extremist offenders is not a Countering Violent Extremism (CVE) “hugging a terrorist” program.** Rather, it is sober and necessary element of a national counterterrorism strategy that seeks to reduce the chance of terrorist recidivism.
- **United States policy goals should be to create and implement a program that fosters successful rehabilitation and reentry for violent extremist offenders.**

Rehabilitation is seen as a purposeful, planned intervention, which aims to change characteristics of the offender (attitudes, cognitive skills and processes, personality or mental health, and social, educational or vocational skills) that are believed to be the cause of the individual’s criminal behavior, with the intention to reduce the chance that the individual will re-offend.

Reentry is understood as a safe transition to the community, by which the individual proceeds to live a law-abiding life following his or her release and acquires attitudes and behaviors that generally lead to productive functioning in society.

- **The USG (most likely the Department of Justice’s Federal Bureau of Prisons and the U.S. Probation and Pretrial Services System) should pilot a voluntary, in prison/out of prison rehabilitation and reintegration program tailored for former violent extremist offenders in significant advance of their release dates to reduce the likelihood of recidivism.**

- **We endorse utilizing pre-existing infrastructure, policy and practice to develop similar in-prison initiatives tailored to serve the unique needs of violent extremist offenders.** More specifically, utilizing proven elements from both ‘gang dropout’ programs and the Residential Drug and Alcohol Program (RDAP) will be the easiest programs to adapt to create a supportive in-prison environment conducive to cementing disengagement from violence, promoting deradicalization and preparing the inmates for reentry to society.
  
- **There is an important role for community organizations to play complementing and supporting the work of governmental entities.** Apart from coordinating care with localized reentry and reintegration service providers, the community-led program should also provide in-house mentoring and support services aiming to reinforce disengagement, promote deradicalization, reduce stigmatization and protect the public.



# INTRODUCTION

**O**n July 5, 2011, 15-year-old Mohammad Hassan Khalid was arrested by the FBI at his suburban home in Montgomery County, Maryland, for his role in an international terror plot that targeted Lars Vilks, a Swedish cartoonist that caricatured the prophet Muhammad as a dog.<sup>16</sup> Khalid remains the youngest person ever charged for terrorism on U.S. soil. He was sentenced to five years in prison with three years of supervised release on April 17, 2012.<sup>17</sup>

Diagnosed with autism spectrum disorder after the arrest, Khalid reports that he “had fallen prey to Islamist ideology and voluntarily relinquished the American Dream for the charismatic appeal of online extremists and terrorist groups.”<sup>18</sup> On December 12, 2015, Khalid was released.<sup>19</sup> He’d spent nearly five years in federal prison and another year and a half in immigration detention.<sup>20</sup>

Like every other prisoner with a terrorism-related conviction, Khalid had no access to a formal rehabilitation program or intervention. Nevertheless, he maintains that he “needed the hard reality of prison to come to terms with my past, to accept the present, and still come out in the future as a stronger and better person.”<sup>21</sup> While in juvenile detention he worked with staff to alter his perspectives and learned how to empathize with others.

When he turned 18, Khalid was moved into Federal Bureau of Prisons (BOP) custody. From there, he continued his trek out of jihadist extremism but reports, “This was easier said than done. Though the prison administrators failed to provide me with opportunities available to others for mental health treatment and therapy, I was nonetheless able to maintain my sense of self and not allow disappointments to thwart my hopes for a better future.”<sup>22</sup>

His reentry was perhaps even more difficult. “Uncertainty is as much part of the reintegration process as is the skepticism whether one’s commitment to the extremist ideology has really been shattered,” he explains. Upon release, Khalid struggled with stigmatization, “the pain of rejection,” difficulty finding employment and a great deal of remorse, stress and anxiety.<sup>23</sup> There also was no post-release program or initiative to address Khalid’s particular needs after his release.<sup>24</sup> Fortunately, he was put in touch with Quilliam, a U.K.-based counter-extremism organization then expanding into North America. Quilliam North America’s executive officer was able to provide independent support and counsel, and today Khalid is in school and wants to become a U.S. citizen and cyber-security professional.<sup>25</sup>

Khalid’s re-entry seems successful, but the cases of many others coming behind him may not prove as positive. For example, Khalid’s co-conspirator, Colleen LaRose, known colloquially as Jihad Jane, was released to residential re-entry center on August 4, 2018.<sup>26</sup> LaRose was arrested in March 2010 and ultimately sentenced to 10 years for conspiracy to commit murder and provide material support for terrorism, among other charges.<sup>27</sup> It was about LaRose’s case that Anwar al-Awlaki, the radical Yemeni-American al-Qaeda propagandist killed in a 2011 drone strike in Yemen, notoriously stated that, “Jihad is becoming as American as apple pie and as British as afternoon tea.”<sup>28</sup>

Unlike Khalid, LaRose's views hardly differ from those she held prior to her incarceration. In correspondence with the authors as she prepared for release, LaRose revealed that she still believes, "If you don't support the Brothers that are in the fields fighting then you support the kaffir."<sup>29</sup> These individual anecdotes underscore a mostly unrecognized and ill-addressed issue facing policymakers and the public.

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## PURPOSE AND GOALS

Since al-Qaeda carried out the horrendous suicide hijackings on September 11, 2001, the number of terrorism-related arrests in America has increased significantly. From 2001 to 2008, 100 jihadists were charged, but more than 330 have been prosecuted over the last decade.<sup>30</sup> Since March of 2014, when the first arrest for an ISIS-related case was made, over 160 individuals have been charged in ISIS-related cases.<sup>31</sup> Meanwhile, a tally from non-ISIS jihadist arrests from 2011-2016 adds another 79 non-ISIS related prosecutions.<sup>32</sup>

More than 80 terrorism-related offenders, including those that were deported or sentenced only to probation, have already returned to society after a terrorism-related conviction.<sup>33</sup> U.S. Congressional Research Service data collected in 2015 documented that at least 61 individuals with terrorism-related convictions will be released between 2018 and 2024.<sup>34</sup> Because this data was collated in the midst of the rise in criminal cases related to ISIS, many of which are pending trial or sentencing, the numbers are likely to tally even higher.

The lack of rehabilitation and reintegration-oriented programming elevates concern for recidivism. Indeed, recidivism for violent extremist offenders, whether in the commission of violence or even re-engagement with extremist networks, could have deadly ramifications. That is why this important issue must be addressed now.

Media,<sup>35</sup> policymakers<sup>36</sup> and counterterrorism experts<sup>37</sup> have stressed a need to address this issue. Yet, to date, no realistic or concrete proposition of just what such a program or set of programs might look like and how they might operate has been put forward.

The aim of this study is to address that need and begin the conversation among policymakers, government officials, federal prosecutors, prison authorities and counterterrorism practitioners before more violent extremist offenders are released in the U.S.

This report provides a thorough review of the policy and academic literature related to the rehabilitation and reintegration of violent extremist offenders from both American and international sources. We have also conducted interviews with and received input from current and former government officials, counter-extremism professionals, academics and others.

Moreover, uniquely, we have included the content of interviews conducted with 10 violent extremist offenders in the United States still serving time but set for release in the near term, as well as those who have already been released and are reintegrating.<sup>38</sup> These include coauthor Jesse Morton, Bryant Neal Vinas, Shaker Masri, Heather Coffman, Muhammad Hassan Khalid, Yousef al-Khattab, Colleen LaRose and three

individuals who wish to remain anonymous. Additionally, Tania Joya, whose ex-husband went on to become a senior ISIS member but served time in a U.S. prison beforehand, gave valuable input into her ex-husband's experiences, both in prison and after he returned home.

Although we understand that terrorism can just as easily be perpetrated by left- and right-wing violent extremists, for this paper we concentrate on jihadists, given our expertise and experience on violent extremist offenders who were mobilized to action by al-Qaeda, ISIS and other violent jihadi-Salafi movements. Nevertheless, it is our full intention to advance recommendations that would apply to violent extremist offenders in general, regardless of the ideology that motivates them, with the understanding that there may need to be some specificity in matching programs to the nature of the threat.

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## ORGANIZATION OF THE STUDY

**In Section I**, The Need for Tailored Rehabilitation and Re-Entry Services for Violent Extremist Offenders in the United States, we ask and attempt to answer the question of whether there need be programs created that are tailored for both the in-prison rehabilitation and post-prison re-entry for violent extremist offenders in the United States.

**In Section II**, Prison System and Rehabilitation, we provide an overview of the system within the Federal Bureau of Prisons that governs the handling of violent extremist offenders as well as a review of existing programs<sup>39</sup> that may serve as a basis upon which additional tailored rehabilitation programs may be modeled.

**In Section III**, Post-Prison Re-Entry, we ask similar questions with regard to the need for tailored post-releasere-entry and reintegration services. We pull from a multidisciplinary dive into the realm of re-entry and reintegration and the interviews of those that have already returned to society to determine that a re-entry program for terrorism-related offenders returning to society is not only warranted, but imperative.

**In Section IV**, Recommendations, we utilize the cumulative results of our research and the coauthors' unique expertise to pose recommendations and outline the core components for a proposed re-entry and reintegration initiative. Those recommendations are formulated through a theory-driven<sup>40</sup> lens (see Appendix A) that makes them appropriate for practical conversation and configuration and near-term implementation.

The report has been written for policymakers, government officials, federal prosecutors, prison authorities and counterterrorism practitioners. It aims to further advance the conversation, away from merely highlighting a need and toward posing practical solutions and pathways to action.

## SECTION I.

### *The Need for Tailored Rehabilitation and Re-Entry Services for Violent Extremist Offenders in the United States*

**T**errorist rehabilitation has been called a “global imperative.”<sup>41</sup> Starting around 2008, a mounting body of research began to explore the myriad challenges the incarceration of terrorists presents with regard to their rehabilitation, to the prison system and to society at large.<sup>42</sup> In the decade since, the literature on de- or counter-radicalization has evolved, first drawing crucial distinctions between disengagement<sup>43</sup> (turning away from violence) and deradicalization (a more cognitive process), then shifting to a broader rehabilitation and reintegration paradigm, while slowly shifting from the purely conceptual and theoretical to the more technical, attempting to answer questions about how to design, develop and evaluate outcomes.

Yet, there remains a dearth of rigorous research. A literature review that focused on the evaluation of programs aimed at preventing radicalization or deradicalization between 1990 and June 2014 found that primary qualitative or quantitative empirical data was present in just 12 percent of over 100 studies.<sup>44</sup> We might say things are improving; a more recent review of countering violent extremism (CVE) literature and program evaluation documented that 50 percent of reviewed studies have been published in 2016 or 2017.<sup>45</sup>

Current concerns for the threat foreign fighter returnees pose have pushed the need for effective rehabilitation and reintegration programming to the forefront; this while the number of attacks and attempted attacks carried about by homegrown violent extremists in the West has increased.<sup>46</sup> Nevertheless, it remains infeasible to base a deradicalization program for any given locality on adequate evidence-based practices from the start. As we will see, that is particularly true in the United States.

After a sweeping review of the literature, we adopted definitions for key terms most relevant to this paper from a 2012 publication for the International Centre for Counter-Terrorism by Tinka Veldhuis, a terrorism researcher and specialist in deradicalization programming at the Netherlands Institute of International Relations. As she explains:

[R]ehabilitation is seen as a purposeful, planned intervention, which aims to change characteristics of the offender (attitudes, cognitive skills and processes, personality or mental health, and social, educational or vocational skills) that are believed to be the cause of the individual’s criminal behavior, with the intention to reduce the chance that the individual will re-offend. Moreover, reintegration is understood as a safe transition to the community, by which the individual proceeds to live a law-abiding life following his or her release and acquires attitudes and behaviors that generally lead to productive functioning in society.<sup>47</sup>

An element that may be part of the rehabilitation process is deradicalization, defined as:

De-radicalization is fundamentally a psychological and cognitive process by which the individual experiences a fundamental change in understanding and belief. However, de-radicalization does not necessarily go hand in hand with disengagement.<sup>48</sup>

These two terms, rehabilitation and deradicalization, are, in an ideal world, the ultimate goals of the incarceration of violent extremists. As the Rome Memorandum on Good Practices for Rehabilitation and Reintegration of Violent Extremist Offenders highlights:

[W]hile prisons have at times been environments where violent extremism has festered, the prison setting can also present opportunities for positive change – serving as a place where the tide of violent radicalism can be reversed. Prisoners live in a controlled environment, where the negative influences from their past which pushed them toward violent extremism can be minimized. They can instead be surrounded by persons who encourage them to pursue a more positive path. There are examples of individuals who entered prison as extremists, were rehabilitated and were then released as enthusiastic messengers against violent extremist philosophies.<sup>49</sup>

For the purposes of this study, we will examine the current possibility for the development of both (a) a tailored in-prison rehabilitation program for violent extremist offenders that prepares them for re-entry as (b) the merits and potential options for deradicalization-minded in-prison programs for violent extremist offenders. Separately, but complementary and essential to the in-prison programs would be re-entry programs devoted to those who have already been released from prison in order to protect the public and raise the prospects of their successful reintegration back into society.

## CALLS TO ACTION

The question of whether the U.S. government needs an American in-prison rehabilitation program and a subsequent re-entry program has been a topic of increasing discussion and criticism.

John Carlin, the Obama administration Justice Department’s top national security official, lamented at a public appearance in 2015 that while there is help to re-acclimate gang members or domestic violence offenders, there is no similar effort aimed at terrorism-related convicts. “We don’t have the same resources in place now of established groups in the community, nonprofit groups who have an expertise in this area – and it’s where we need one,” Carlin said.<sup>50</sup>

In March 2017, the Washington Institute for Near East Policy issued a comprehensive review on preventing and countering violent extremism to advise the Trump administration. In it, they highlighted the lack of disengagement or rehabilitation programs within the BOP and “urgent need to develop P/CVE programs within the U.S. prison system, especially given the high number of individuals convicted of terrorism-related offenses who are due to be released from prison within the next few years.”<sup>51</sup>

In a February 2018 report on Americans that traveled or attempted to travel to Syria and Iraq over recent years by the George Washington University Program on Extremism, the authors, Alexander Meleagrou-Hitchens, Seamus Hughes and Clifford Bennett advocate for a program for jihadist inmates in the U.S. federal prison system noting:

Currently, there are no deradicalization and disengagement programs targeted towards incarcerated terrorists in the U.S. federal prison system. In this regard, the U.S. lags behind many Western nations and must make such programs a priority. The alternative—allowing individuals convicted of terrorism-

related offenses to serve out sentences without any deradicalization programming—is a band-aid solution that relies solely on the deterrent effect of prison sentences.<sup>52</sup>

The report further explained that the development of such programs “should be regarded as a priority,” and that “without these programs, incarcerated travelers have few incentives to renege on their beliefs, and may attempt to build networks in prison or radicalize other prisoners.”<sup>53</sup>

Dr. John Horgan, an academic specialist in psychological issues in terrorism and political violence at the Georgia State University, explains:

There’s no question in my mind, the United States urgently requires rehabilitation and reintegration programming efforts. We are significantly behind the progress being made in other countries on this front, and it reflects just how stagnant our approaches to counterterrorism have become. There’s a view held by some that rehabilitation is a ‘soft’ approach to terrorism. I don’t see it like that. It is a smart way to work on reducing the risk of recidivism, and on working with former terrorist offenders to prevent future violence committed by others. We are behind, and we need to catch up.<sup>54</sup>

Others have taken a more cautious approach, advocating for “research into the evidence base for the development of programs within the correctional system for rehabilitation and reintegration of violent extremist offenders would constitute a worthwhile investment,”<sup>55</sup> but not explicitly endorsing the absolute need for such protocol.

Our review led to the conclusion that it is most important to design CVE programs and initiatives so that they are tailored to localized circumstances and can be evaluated rigorously. The importance of this becomes ever clearer when the complexities of the U.S. prison system and the threat posed by jihadist extremism are considered with some detail.

## SECTION II.

*Prison System and Rehabilitation*

# CURRENT BUREAU OF PRISONS (BOP) CT INFRASTRUCTURE AND PROGRAMS

**T**he Federal Bureau of Prisons (BOP) is a United States federal law enforcement agency. A subdivision of the U.S. Department of Justice (DOJ), the BOP is responsible for the administration of the federal prison system. The system handles inmates who have violated, or are accused of violating, federal law.<sup>56</sup>

For its part, the BOP has put together a robust and competent counterterrorism infrastructure that includes an administrator and assistant administrator to oversee collaboration and communication between BOP Liaisons such as the National Joint Terrorism Task Force at the FBI<sup>57</sup> and the BOP’s Counter Terrorism

Unit (CTU). Their mission is to “identify and validate terrorist offenders in custody, provide translation and transcription services, monitor and analyze the terrorist offenders communications, produce intelligence products which enable staff to make informed decisions, develop and provide relevant counter terrorism training, and to coordinate and liaise with intelligence communities.”<sup>58</sup> In addition, the CTU has access to the complete communication and behavioral record of violent extremist offenders, understands the inner-workings of the federal prison system. Additionally, the CTU has a better vantage of the Muslim community within it and is more conscious of additional hindrances, such as ethical dilemmas and financial restraints external specialists may be less aware of.

Given that so few former terrorists have been close to release for so long, in the wake of September 11, 2001, and the subsequent arrests that have followed over the years, it is not surprising that the BOP’s CTU prioritized counterterrorism and intelligence and did not make special preparations for the nearly 100 violent extremist offenders who will be released in the next five years.

According to the BOP, its current re-entry and reintegration programs are sufficient, and those convicted of terrorism-related offenses have access to the necessary job training, education and substance abuse treatment that all inmates can utilize (participation in these programs is voluntary).<sup>59</sup> Moreover, the BOP asserts that it already works to ensure radical ideas aren’t being spread in prisons. However, none of these programs are custom-made for the relatively small population of violent extremist offenders and that is a crucial gap to fill. Nevertheless, the principle consideration that guides the BOP and must precede the development of any intervention is “do no harm.”<sup>60</sup>

Within this context, our research, consultations and correspondence sought a nuanced grasp of the complex issues and constraints that surround the potential development and implementation of rehabilitation and reintegration programming in the unique U.S. arena. Addressing these issues requires particularized knowledge. While it is relatively easy to suggest that there should be a deradicalization-minded initiative, determining just what such an initiative would look like is much more complicated.

## **THE UNIQUE DYNAMICS OF THE AMERICAN PRISON SYSTEM:**

### *Radicalization Incubator or Venue for Deradicalization Programs?*

Our research identified several salient variables crucial to considering the need for, and feasibility of, rehabilitation and reintegration programming for America’s terrorism-related offenders. Many of the issues are similar to those that confront other Western governments, such as questions about how to house terrorist inmates, whether deradicalization programming should be coerced or voluntary, civil liberty concerns associated with addressing ideas as opposed to behavior and others such as public controversy, resistance to CVE and funding allocation.

One thing is certain: every rehabilitation and reintegration program needs to be particularized for local conditions.<sup>61</sup> As the Global Counterterrorism Forum’s (GCTF) Rome Memorandum on Good Practices for Rehabilitation and Reintegration describes it, programs “must be tailored to the local conditions, cultures, and legal traditions.”<sup>62</sup>

Many countries have implemented rehabilitation and reintegration programming in recent years.<sup>63</sup> However, while they share similarities, they differ significantly. This is largely due to unique patterns and demographics driving mobilization in each region; as it has been put and documented empirically, “all jihad is local.”<sup>64</sup> This necessitates a clear understanding of the particular context in which deradicalization occurs, and the United States presents a most perplexing example.

As the leading stakeholder in the ongoing War on Terror, the USG has allocated resources to the development of rehabilitation and reintegration programs around the world but has yet to allocate resources to the design and development of a domestic initiative for its own terrorists.<sup>65</sup> To some, it may seem like hypocrisy, but a closer and thorough inspection indicates why establishing such an endeavor is extremely complicated, may prove unfeasible, unnecessary or even counterproductive.

First, the United States is home to the world’s largest prison population per capita.<sup>66</sup> At the end of 2016, state and federal prisons had jurisdiction over 1,458,200 persons.<sup>67</sup> While prison populations have risen dramatically over the last 30 years,<sup>68</sup> funding for prison programming has decreased significantly,<sup>69</sup> this despite a clear correlation between rehabilitation programs and lower recidivism rates.<sup>70</sup> According to the Department of Justice, among violent offenders, the re-arrest rate is around 70 percent within 5 years,<sup>71</sup> though the limited body of research on recidivism rates for violent extremist offenders suggests that re-engagement rates are much lower in comparison.<sup>72</sup>

Tailored rehabilitation programming, such as that provided for sex offenders or substance abusers may prove effective,<sup>73</sup> but allocating more resources to terrorism-related inmates essentially ignores the fact that terrorism-related offenders represent an extremely low percentage of the overall inmate population, while a large number of inmates, such as gang members, could be considered violent extremists with a higher likelihood of recidivating with crimes of violence after release.<sup>74</sup>

Second, the jihadist threat in the United States is unique and differs significantly from its Western counterparts. While the mounting number of terrorism-related cases and the number of those soon returning to U.S. society is alarming, it pales in comparison to Europe. Europol data suggests that from 2014 thru 2017, there were more than 3,500 arrests for jihadist terrorism. In 2017, a total of 205 foiled, failed and completed terrorist attacks were reported by nine EU Member States.<sup>75</sup> Jihadist plots and attacks in the West generate a disproportionate amount of public and media attention.<sup>76</sup>

Another factor that may exaggerate the threat posed by America’s returning convicted jihadists is related to the primary means by which the USG is able to prosecute anticipatory terrorist action. In the United States, the most likely charge that a potential terrorist will face is that of “material support to Foreign Terrorist Organizations (FTO).” This broadly defined criminal charge prohibits the provision of any “material support or resources”<sup>77</sup> to a designated terrorist organization. The definition of material support includes “any property, tangible or intangible, or service.”<sup>78</sup> Originally challenged and upheld by the Supreme Court,<sup>79</sup> application of this vague definition has ranged from attempting to provide camping gear to al-Qaeda,<sup>80</sup> paying back debts,<sup>81</sup> traveling to join ISIS (and providing one’s self as the material support),<sup>82</sup> and mobilizing, plotting and coordinating attacks.<sup>83</sup>

For domestic, homegrown violent extremists, law enforcement often utilizes confidential human sources (informants or undercover officers) to test whether a subject of a terrorist investigation has the willingness to provide such material support by providing an opportunity to do so. Informants often pose as jihadists



and cultivate and elicit links to false operatives, thus creating a cell<sup>84</sup> and the social-psychological conditions that can contribute to a turn to violent extremist action.<sup>85</sup> Fifty-seven percent of ISIS-related cases have involved the use of an informant.<sup>86</sup> Some argue that in the absence of the informant or undercover officer, the subject would not cross the line of “providing material support to an FTO” and thus are not that dangerous.

However, this issue remains hypothetical and is beyond the scope of this paper. The real world impact is that “material support charges” carry a maximum sentence of 20 years, and the broad definition of material support provides great variability in sentencing.<sup>87</sup> The sentencing guidelines utilized to calculate terms of imprisonment do not distinguish between the nature of support and, in abundance of caution by judges, may tend toward the higher-end recommended terms of imprisonment significantly.<sup>88</sup> The average sentence for a terrorism-related conviction in the U.S. has remained around 14 years since 9/11.<sup>89</sup> In Europe, the average sentence ranges between five and six years, with more leniency in regard to early release and parole.<sup>90</sup>

Essentially, it is unlikely that a uniform approach would work for such a varied population, which includes those whose crime was helping a friend travel to a “field of jihad” as well as those who actually plotted attacks. The fact that there may be a great deal of heterogeneity among violent extremist offenders and their level of radicalization argues for detailed assessments that enable more targeted strategies. The Rome Memorandum on Good Practices for Rehabilitation and Reintegration of Violent Extremist Offenders<sup>91</sup> suggests:

Knowing as much as possible about the inmate’s personal background, criminal history, personality traits, ideology and behavior in prison is important for making sound classification decisions and in designing effective individual rehabilitation programs. Studies have shown that there are a wide variety of motivations and factors that have pushed individuals towards violent extremism. Understanding why individual inmates have gone down the path of violent extremism is critical to the design of their rehabilitation program and should be an integral part of the intake and assessment process. Accurate, on-going assessment of individual needs and risks is an important element in rehabilitation... The bottom line is that different categories of prisoners may require different intervention strategies according to the risk indicators identified in the course of their assessment.

## COMBATING RADICALIZATION IN THE SYSTEM

More time in prison may heighten the risk of radicalization and recidivism for America’s jihadists. This could prove particularly true absent any formal in-prison intervention initiative. Prisons can serve as incubators of radicalization and safe spaces for those convicted of terrorism-related offenses to have elevated roles and potentially radicalize others. As Jerome Bjelopera, specialist in organized crime and terrorism, put it in a 2015 congressional hearing on radicalization in U.S. prisons:

We do not know the actual extent of jihadist influence in U.S. prisons... Non-jihadist extremist movements such as white supremacy has taken root behind bars, suggesting that it may be possible for violent jihadists to propagate their messages in the same settings. Whether incarceration in U.S. prisons fosters deeper commitment to radical violence among convicted terrorists remains unclear.<sup>92</sup>

The authors' correspondence with those still incarcerated for ISIS-related crimes anecdotally validated Bjelopera's sentiment. For example, Michael Todd Wolf, who plotted to travel with his wife and two children to join ISIS in Syria<sup>93</sup> and is set for release on May 21, 2019,<sup>94</sup> explains, "My [terrorism] charge gave me an immediate position of authority within the community. When it comes to brothers that have cases like mine, there is more assurance that they are sincere about their deen (religion), and that is something that is sought out in here."<sup>95</sup> Similarly, Edwin Rios, convicted of illegal possession of firearm but who attempted to join ISIS as well,<sup>96</sup> described that, "Jihadists find sympathy here because there are many people who feel oppressed, and the jihadists are viewed as people who stood up for their people and themselves."<sup>97</sup>

While those interviewed stressed that convicted jihadists were generally unaccepted and ostracized by inmate imams promoting an apolitical Saudi interpretation of Islam that rejects terrorism,<sup>98</sup> they also reported some level of respect from certain factions of the prison population. As Muhammad Hassan Khalid puts it, "some of [the Muslim inmates] even became aware of my charges and thought me to be a fighter for the cause I had believed in."<sup>99</sup>

Given the lengthy prison terms for violent extremist offenders in the United States and the possible elevated danger of in-prison jihadist radicalization and recruitment, special precautions have been taken by the BOP. BOP confines terrorism-related offenders together in isolated housing units.<sup>100</sup> Intuitively, such an initiative makes sense; segregate terrorists from the rest of the inmate population to reduce risks of radicalization and recruitment, facilitate more effective means of monitoring and to pave the way for rehabilitative approaches that address the specific needs of terrorism-related offenders. Yet, this runs the risk of hardening resolve, creating an even more dangerous incubator and feeding extremist narratives of persecution.

In order to better monitor these violent extremist offenders, the BOP has created Communication Management Units (CMU). CMUs seek, "to provide an inmate housing unit environment that enables staff to more effectively monitor communication between inmates in CMUs and persons in the community."<sup>101</sup> Referrals to, and the monitoring of communications within, CMUs are coordinated by the CTU.<sup>102</sup> The first CMU was launched in Terre Haute, Indiana, quietly in December of 2006,<sup>103</sup> and has since expanded to include another facility in Marion, Illinois.<sup>104</sup> CMUs offer the closest representation of what a mandatory program dedicated to the rehabilitation of violent extremist offenders would resemble.

Initially, the CMUs housed predominantly Muslim inmates.<sup>105</sup> Their existence came to light when Dr. Rafil Dhafir, an Iraqi-American sentenced to 22 years in prison for violating sanctions by sending money to Iraq through his charity, wrote a letter to supporters outside that he and 16 others had been moved to a "top secret location" in December 2006, which he described as "a nationwide operation to put Muslims/Arabs in one place so that we can be closely monitored regarding our communications, be it our phone calls or visits or correspondence."<sup>106</sup> In February of 2007, the Washington Post reported on their existence.<sup>107</sup> Opponents of the CMUs have since labeled them as Gitmo North, alleging that they unduly target Muslims and restrict prisoners' rights.<sup>108</sup>

Despite the enhanced monitoring of communication, CMUs cannot completely prevent radicalization. In fact, they may facilitate it. In 2013, Zachary Chesser, serving 25 years for threatening the writers of the South Park television show and attempting to join al-Shabab in Somalia,<sup>109</sup> penned an article from a CMU for a pro-jihadi prisoner website and explained, "[O]ne of the reasons a Muslim inmate was transferred to Gitmo North, was because he was radicalizing a prison in Michigan. As evidence, they cited the fact

that prior to his arrival, only five prisoners were listed as Muslims. However, by the time he left, there were forty individuals identifying themselves as Muslims.”<sup>110</sup> The individual Chesser was referencing was Ahmad Musa Jibril, a radical cleric then serving six-and-a-half years for an array of fraud-related charges.<sup>111</sup>

In his own post on the same website after his release, Jibril commented on the instructions he was able to give even inside the heavily monitored unit, saying that “After a short time there, I was asked by the brothers there to stand up as their Amir (leader).”<sup>112</sup> As soon as he left prison, Jibril started preaching online.<sup>113</sup> His online activity grew to a degree that approximately 60 percent of 150 western foreign fighters in the Syrian Civil War followed Jibril on Twitter.<sup>114</sup> Before being restricted from online activity due to a probation violation,<sup>115</sup> he left a trail of sermons that would influence several terrorists, including Khurram Butt, ringleader of the June 2017 London Bridge attacks that killed eight and injured 48 more.<sup>116</sup>

Given the fact that radicalization occurs at some level within the U.S. prison system, some have advocated for a mandatory deradicalization program as part of a larger rehabilitation program. Not surprisingly, this may not be the elixir that some suggest.

## IMPLEMENT A MANDATORY DERADICALIZATION PROGRAM?<sup>117</sup>

There are a number of reasons we are cautious about the idea of implementing a mandatory deradicalization program. First, the presence of ideological influencers, such as Jibril, in a compulsory program could prove toxic, hindering those contemplating sincere behavioral and ideological alteration. Second, housing inmates with terrorism-related offenses together to participate in such a program may heighten the risks associated with sustained commitment or post-release recidivism.

Potentially most concerning would be that some inmates may not want to participate because they still harbor antipathy for the United States and the prison system. Forcing individuals to participate in a program that requires cognitive openness to new ideas is unlikely to yield successful results and further antagonize these extremist offenders. Additionally, mandated participation might be met by resistance if it required moving inmates to new locations for no other reason than that it may keep inmates far away from their families. America’s federal prison system scrolls across the entire nation and its terrorist inmates are scattered ubiquitously throughout it. One of the objectives of the BOP’s classification process for housing inmates is to place them close to their family. This is important. Visitation frequency and familial contact prior to release correlate to lower rates of recidivism.<sup>118</sup> The Rome Memorandum concurs saying:

Rehabilitation and reintegration programs have a greater chance of success when inmates are willing participants. Since some individuals may be reluctant or unwilling to cooperate, relevant national institutions can make careful evaluations of who should be included in these programs and assess the necessary pre-requisites according to relevant, fair and transparent criteria.<sup>119</sup>

All things considered, we conclude that a mandatory in-prison rehabilitation and reintegration program is unlikely to mitigate the risk of recidivism. In fact, such an initiative could prove counter-effective. Nevertheless, in conducting the review, we identified some potential alternatives. The next section discusses the prospects of a non-coercive alternative.

# IMPLEMENTING A VOLUNTARY DERADICALIZATION PROGRAM

While there is no formal program in the BOP, it has come to our attention, from conversations with former violent extremist offender inmates, that the USG has been exploring the possibility of implementing a deradicalization-related program. A number of violent extremist offenders who we interviewed reported being contacted by the CTU and asked about this very question.

For example, Heather Coffman, a convert to Islam who pled guilty to making a false statement involving international terrorism,<sup>120</sup> was sentenced to 54 months of incarceration to be followed by three years of supervised release<sup>121</sup> and was released on December 1, 2017, explained that, “a couple of people did come to me from the outside while I was there telling me the government is pressuring them to come up with a de-radicalization program [but] I feel it would brainwash people into thinking it’s not ok to wear hijab, or that polygamy is bad, etc.”<sup>122</sup>

Jesse Morton, this report’s coauthor and a recidivist who returned to incarceration after a substance abuse relapse and supervised release violation, discussed deradicalization programming with members of the CTU. They were interested in his thoughts on the topic and had sought him out.

If a mandatory deradicalization program is not the answer, what might a voluntary program look like? First, it is important to recognize that volunteering participants are likely to present with an inclination to change already. Therefore, the objective should be to facilitate a progression from disengagement to cemented deradicalization and to prepare the participant for the difficulties of eventual release. One federal prosecutor, who has handled terrorism related prosecutions, elaborated that:

There is a strong argument that people who reform themselves do so regardless of the existence of the rehab programs — and the “success” of rehab programs depends on “self-selection” bias; the people who want to reform choose to enter rehab programs, and the people who don’t want to reform, don’t... providing support to released inmates who have an inclination to reform would be a wise use of resources; it seems likely to me that such support will in at least some cases make the crucial difference between reform and relapse.<sup>123</sup>

There are preexistent models that may prove effective in achieving these objectives. From his personal experience, Morton suggests that a model for those who desire a disengagement or deradicalization program already exists in what inmates call a “gang dropout unit.” He elaborates:

Let’s say a member of a white supremacist gang, like the Nazi Lowriders,<sup>124</sup> wants to leave the gang life but fears retaliation. The inmate can go to his counselor. They follow up with a debriefing to prove his sincerity and then, if he stays infraction free for a certain period, he is called out of nowhere and told to “pack out,” meaning he is transferring. He’ll arrive at a prison where one of the housing units on the prison yard is dedicated to providing tailored services to facilitate gang disengagement. At one particular institution I was in, the program protocol included psychiatrists, mental health counselors, the use of a chaplain for spiritual counseling and the interventions of former gang members. The same sort of process could be applied to those with violent extremist affiliations.<sup>125</sup>

However, another former inmate who wishes to remain anonymous, is skeptical of Morton's recommendation. After 13 years in the prison system, he explains:

Any inmate who goes to one of these prisons cannot safely go to a "regular" yard unless they immediately tried to assault someone once they got there, because they're assumed to be a rat (a snitch) or at least someone willing to walk the [prison] yard with sex offenders and dropouts (see quote above). I think a better model might be the residential drug and alcohol program or RDAP.<sup>126</sup>

The program Morton is referring to is a transitional housing unit located at the Federal Correctional Institute in Otisville, New York. Once the debriefing process is cleared and a former gang member arrives at the compound they are assigned to a Transitional Housing Unit (THU), where they are integrated into a "non-gang" lifestyle. The BOP explains that as opposed to being greeted by gang members once they arrive at the THU the transitional inmates "are greeted instead by specially trained and compensated mentors that assist the inmates with avoiding former gang survival instincts while adjusting to the general population."<sup>127</sup> The cornerstone of the THU program is a mandatory nine-month cognitive-behavioral based program called Positive Outlook Determining Self (PODS).

The Residential Drug and Alcohol Program (RDAP) the other former inmate mentioned is an inpatient substance abuse treatment program within the BOP system. Not unlike sensitive housing units for sex offenders or gang dropouts, RDAP units exist on open compounds, but the inmates housed there have been deemed eligible in a pre-sentence screening for participation. When deemed appropriate, the sentences of inmates completing the RDAP program are reduced by a year. It is a nine-month intensive model of substance abuse treatment that concentrates on combining cognitive-behavioral therapy with a therapeutic community model for addiction treatment. The BOP describes that RDAP "inmates live in a unit separate from general population, participate in half-day programming and half-day work, school or vocational activities."<sup>128</sup>

The program's impact on post-release arrest or substance use over the first six months has correlated to significant recidivism reduction.<sup>129</sup>

The most important component of these programs is that they are voluntary. While RDAP offers the incentive of a one-year reduction in time served, and the sensitive housing units offer protection, both provide an environment safe from more dangerous influences. It would be possible to create a similar sort of unit or units for terrorism-related offenders that address their specific needs, but offer similar incentives to increase appeal and interest. Offering incentives to inmates also falls within the best practices of the Rome Memorandum, which states:

There are a range of incentives that states could offer to inmates when they participate cooperatively in rehabilitation programs, including: enhanced visitation with family members; increased recreational activities; and other additional privileges or benefits while incarcerated.<sup>130</sup>

Shaker Masri, who returned from eight years of incarceration for attempting to join al-Shabab,<sup>131</sup> explains:

You have to create an incentive such as the way the RDAP gives a year off – or where a person can go to a lower level of housing classification. However, your goal should not merely be to get the one that has not totally altered his beliefs. The incentive is to bring the other, who just wants time off sentencing,

but once you're able to have him as a captive audience you'll get him to change his views, putting him in a safe environment with the right programming will work, but you cannot put a terrorist who is doing life alongside a child who made a mistake in a mandatory program. This is how the CMUs work.<sup>132</sup>

To be certain, there would be comparable difficulties with regard to the design, development and implementation of a voluntary initiative, but these preexistent methods offer a model that may be tailored for inmates with terrorism-related convictions or those radicalized while incarcerated.

Consequently, we suggest further exploration of the model identified as Transitional Housing Units, and particularly as applied to "gang dropouts." These initiatives might be expanded and tailored for those that desire a supportive environment that can address the issues that surround and underlay radicalization (see Recommendations section for elaboration).

## SECTION III.

### *Post-Release – Re-Entry and Reintegration*

Bryant Neal Vinas, a convicted terrorist from Long Island, showed up recently for dinner at Katz's Delicatessen on the Lower East Side in oversize glasses with black rims, a thin attempt to alter his appearance.

Captured in 2008 after training for months at Qaeda camps, Mr. Vinas quickly turned on his fellow jihadists and began helping American investigators dismantle the group. Even the federal judge who sentenced him described his cooperation as 'remarkable.'

But the government decided against giving him protection, and Mr. Vinas, 35, has found himself unexpectedly back in New York, where he was raised and converted to Islam more than a decade ago.

The F.B.I. put him in an extended-stay hotel in New York. Farbod Azad, the F.B.I. agent on his case, once brought him Fruity Pebbles and milk. Mr. Vinas thought that was a nice gesture, but then Mr. Azad said the F.B.I. was done paying for the room.

Another government agency paid for another month, Mr. Zissou said, and then Mr. Vinas was sent to what is known as a three-quarters house in New York. He wears an ankle monitor and has a curfew.

Mr. Vinas is now on food stamps and Medicaid. He does odd jobs for his lawyer and has had little luck finding a job. He applied to Uber Eats but never heard back. He considered washing windows, but the union said it was not accepting applications.

***Adam Goldman, "He Turned on Al Qaeda and Aided the U.S. Now He's on Food Stamps and Needs a Job," The New York Times, March 6, 2018***

For seven years, Shaker Masri lived behind bars. He passed the days reading dozens of books about Islamic history, trying to untangle what spurred his desire to join a terrorist group overseas, which led to his arrest. Then, in August 2017, it was time to leave. Prison officials dropped Mr. Masri off at a gas station in eastern Minnesota, where he took the bus to a halfway house in Chicago. He said there was no exit interview, no risk assessment. No one in prison had tried to understand what drew him to jihadist ideology or whether he had disengaged from it.

Mr. Masri said he regrets his crime, calling it the “dumbest thing” he’s ever done. But he wished prison offered rehabilitation programs that address why people become attracted to terrorism.

“You lock me up for all these years. You don’t give me anything in prison. Then you release me,” said Mr. Masri, a 34-year-old U.S. citizen, who pleaded guilty in Chicago federal court to attempting to travel to Somalia to fight with jihadists.

*Nicole Hong, “Are Terrorists Ready for Life After Prison?” Wall Street Journal, April 25, 2018*

In October 2015, as ISIS-related arrests skyrocketed, John Carlin, then the Department of Justice’s top national security official, lamented that no similar programs to those that help reintegrate incarcerated gang members or perpetrators of domestic violence back into their communities existed for America’s incarcerated terrorists. “We don’t have the same resources in place now of established groups in the community, nonprofit groups who have an expertise in this area - and it’s where we need one,” he added.<sup>133</sup> John Carlin was referencing what is typically known as prisoner re-entry, a broad term used to refer to issues related to the transition of offenders from prison to community supervision.<sup>134</sup> Our research indicates that a tailored program covering the phase of preparation for release onto transition to post-release re-entry and reintegration services may prove essential.

## RE-ENTRY AND SUPERVISED RELEASE POLICY

According to the BOP, “release preparation begins the first day of incarceration.”<sup>135</sup> With effective re-entry and reintegration in mind, the BOP’s Reentry Services Division (RSD) provides in-house services that include education and vocational trainings, chaplain services, Residential Reentry Centers (RRCs) – otherwise known as halfway houses, and medical teams (including mental health specialists). Violent extremist offenders have voluntary access to these services, but there is no specific tailoring of this program for them.

Moreover, the BOP’s re-entry services have been criticized for lacking mechanisms for reaching program goals and monitoring outcomes, a lack of coordination between the different federal agencies in charge of providing inmates with services upon release and the low level of RPP completion.<sup>136</sup> With re-entry services limited and the absence of a formal in-prison rehabilitation and deradicalization initiatives, the realm of re-entry represents the most pragmatic, and potentially sufficient, space to initiate a rehabilitation and reintegration effort in the United States for those with terrorism-related offenses.

The USG’s supervised release legislation would make it possible to mandate individuals deemed appropriate and in need of tailored re-entry services to program participation. For all crimes committed

after November 1, 1987, the period of incarceration is followed up by a period of supervised release. Unlike the previous parole system, which functioned in lieu of remaining prison sentence, supervised release is a period of restricted freedom following incarceration.<sup>137</sup>

This period of supervised release establishes an “array of mandatory and discretionary conditions of supervision.”<sup>138</sup> It is the responsibility of probation officers to implement the conditions imposed by the courts, both mandatory<sup>139</sup> and, where applicable, discretionary.<sup>140</sup> The utilization of these discretionary measures has proven key to the reintegration of sex-offenders,<sup>141</sup> gang members<sup>142</sup> and substance abusers.<sup>143</sup>

In examining the effectiveness of treatment for adult sex offenders, the U.S. Office of Sex Offender Monitoring, Apprehending, Registering and Tracking (SMART) found that recidivism rates were between 9 percent and 10 percent lower among individuals who underwent treatment.<sup>144</sup> In the case of drug offenders, the evidence shows that aftercare programs that follow up on in-prison therapeutic communities (TC) provide better outcomes in reducing recidivism among participants.<sup>145</sup> Currently, probation officers assume the responsibility of coordinating post-release in-community aftercare. To achieve this, they work with releasees independently to identify appropriate re-entry services and to monitor program participation and progress. Yet, probation officers do not have similar treatment options when it comes to the specific needs of violent extremist offenders.

It seems primary concern rests with security, not the provision of services. Congressional Republicans are advancing legislation, known as the Terrorist Release Announcements to Counter Extremist Recidivism (TRACER) Act,<sup>146</sup> that would require terrorism-related offenders to register into a national database similar to that of a sex offender registry.<sup>147</sup> Yet, while the proposed bill requires prison authorities to alert the counterterrorism community of impending release and to conduct periodic threat assessments,<sup>148</sup> it does not mention the need to develop tailored re-entry services similar to those that have reduced recidivism for sex offenders.

## RE-ENTRY SERVICES FOR VIOLENT EXTREMIST OFFENDERS

Much can be learned from past experience in the United States with re-entry programs in general. Around the mid-2000s, a looming prisoner re-entry crisis became a center of key concern for academics and policymakers. That concern generated a torrent of research and programming that came to be called the re-entry movement.<sup>149</sup> Evidence-based outcomes derived from this period led the USG to adopt the Second Chance Act in October 2008. The Second Chance Act expanded provisions of comprehensive, evidence-based re-entry services for offenders and their families upon their re-entry into society at a state and federal level. The focus aims to reduce recidivism by changing policies and building impactful infrastructure to address, among others, employment training and assistance, substance use treatment, education, housing, family programming, mentoring and victims support.<sup>150</sup>

These areas track well with the key themes those with terrorism-related offenses expressed in our communication as the primary obstacles of successful reintegration. There are six: employment, education, mental health, family, housing and stigmatization. The following sections highlight the predominant themes those that have already been released identified as barriers to effective re-entry and reintegration barriers.



# PREPARING FOR FUTURE EMPLOYMENT

Forensic psychiatrist and counterterrorism consultant Dr. Marc Sageman explained, “Having a job is one of the best ways to reintegrate someone in society.”<sup>151</sup> Unemployability can serve as a major trigger running the risk of pushing an adherent back into contact with old networks or cementing notions of disenfranchisement and discrimination that might lead to re-engagement with extremist networks. Every interviewee stated that assistance overcoming barriers to employment should be a focal point of any re-entry initiative for terrorism-related offenders.

This was validated from correspondence with Heather Coffman. Within two months of her release on February 15, 2018, Coffman was working at a jewelry store. She was fired shortly thereafter and claimed that someone had identified her at work and reported her background to management. She remained unemployed for four months but was rehired at another jewelry store, interestingly by a “gay man,” about whom she says, “I think he understands my struggle lol!” She includes, “I also work with a black guy who said ‘I love when it’s just me and the [gay] manager because the racist bigots get uncomfortable.”<sup>152</sup> Her case highlights that experiences in the sphere of employment can have ramifications that far surpass simply establishing stability and working toward financial independence.

Despite clearly sustaining jihadist ideals, Colleen LaRose reports rewarding educational and work opportunities even while in prison:

I go to GED (general equivalency diploma)<sup>153</sup> class and, I work in the dish room. I am the head of my shift. My boss is great! He is silly quite often, and the bosses in food service pretty much let me get away with whatever I do at work. I really love my job and enjoy working.<sup>154</sup>

LaRose will face severe obstacles finding similar employment. A Google search of her name brings up more than 416,000 hits. The culinary classes in the BOP do not translate to accredited certification upon release, and research shows that individuals with a criminal record are less likely to progress in the job application process, even if they have identical levels of competence as another applicant without a criminal record.<sup>155</sup> Add to this the complications of explaining a terrorism-related conviction and the risks are apparent.

# MENTAL HEALTH

Access to psychologists both in prison and upon re-entry can play a critical role in the rehabilitation process and can be fully integrated into the process for violent extremist offenders. The acquisition of appropriate social service support was also a key concern cited by interviewees. Prison returnees typically depend on government programs like Medicaid for health insurance and social services, at least until they find secure employment. Yet, in the United States, each state allocates federal funding for Medicaid in different ways. For example, Muhammad Hassan Khalid reintegrated in Maryland, where he was eligible for mental health services immediately. Therefore, he reports that he “sought out to see a psychiatrist and a psychologist. Psychiatrist said I was ok and I currently see a therapist routinely.”<sup>156</sup>

Half of the 10 releasees we communicated with reported mental health or substance abuse diagnoses. Jesse Morton outlines the potential pitfalls, explaining:

I applied for counseling and mental health therapy but was denied Medicaid in the State of Virginia. The local community board funded a social worker, but she had no training in radicalization and our communication was disheartening. She did attempt to get me a psychiatrist, but none would take me pro bono because of the nature of my case. That along with other difficulties finding a job and reconnecting with family, ultimately facilitated my relapse on drugs and alcohol and spiral into a manic episode.<sup>157</sup>

Another releasee, who likewise resides in Virginia,<sup>158</sup> stated that he suffered from depression early into his reintegration but was also unable to access appropriate services, “I was considering getting back on antidepressants, which I was taking in ADX, and I was considering getting back on it, but then I didn’t have health insurance, so I sort of just struggled throughout and sort of managed.”<sup>159</sup> Yet, it is easy to recognize how the key themes our interviews highlighted intersect. Having worked construction, he was eventually offered a job after an academic and practitioner listening heard him speak at a university about his life experience.<sup>160</sup> This opportunity generated the foundation upon which he continues to establish success and stability to this day.<sup>161</sup>

## DEALING WITH STIGMATIZATION

The experience of incarceration itself is difficult, but the return to society and the stigmatization, particularly for those labeled as terrorists, can prove debilitating. As Carlos Bledsoe, who conducted a drive-by shooting outside an Army recruitment office in Little Rock, Arkansas, in June 2009 and is now serving two life sentences, explains it, “He who finds inner peace transforms mentally, spiritually, and physically and is he who surpasses others in prison.”<sup>162</sup> Bledsoe explains the difficulty of dealing with the prisoner dynamic saying, “Inmates are stigmatized and deal with it daily. After a while it is easier to adopt the label and act upon it.”<sup>163</sup> To his credit, Bledsoe deradicalized despite eight continuous years of solitary confinement, but his sentiment echoes a general theme interviewees acknowledged: prison presents an opportunity to reflect and reconsider perspectives, to accept, adjust and prepare to deal with stigmatization.

The results of an individual’s reintegration and sustained disengagement after release are dependent, as much on the environment, as they are on the individual. Regardless of how moderated an individual’s beliefs may be when they leave the confines of prison, they will suffer from stigmatization that will test their patience. The importance of confronting that potentially hostile environment cannot be underestimated. When asked what the most difficult part of this re-entry process was, Shaker Masri responded, “I mean, the stigma, the label. I’m a Google search away. I don’t want to keep on extending my story. You know it gets tiring after a while. You just want to go on with your life. That is the most difficult part. Just to get on with your life.”<sup>164</sup>

Several former inmates expressed a degree of bitterness and consequential pessimism that persisted upon release. For example, when asked about the prison experiences of terrorism-related offenders, Yousef al-Khattab, who left prison in August 2016 after serving over two years for threatening anti-Semitic communications,<sup>165</sup> explains his own reintegration: “I don’t belong to society. So, you’re asking the wrong guy. You can quote me as saying that jail has made me an angry cisgender gangsta rapper that identifies as a negro.”<sup>166</sup>

It is not to suggest that such emotions entail risk, but such cases make it clear that inmates serving time for terrorism-related offenses could benefit from learning how to cope with stigmatization prior to release and continuing into early re-entry.”

It is also evident that stigmatization and feelings of victimization are interrelated. Ali Shukri Amin, sentenced in 2015 at the age of 17 to 11 years in prison and a lifetime of supervised release for conspiring to provide material support to ISIS,<sup>167</sup> expresses the pessimism associated with recognizing the stigmatization of a terrorism-related conviction will remain far into the future:

I do not believe that I will be allowed to live my life upon reentry. I think that every minor infraction, almost entirely accidental, will be met with extreme penalties. Every job I ever try to get will be met with my probation officer pre-emptively warning the hiring official that I am a terrorist.<sup>168</sup>

For Amin, he remains the victim. This despite the fact that an 18-year-old Prince George’s County, Virginia, resident he helped get to Syria in January 2015 died overseas.<sup>169</sup> Any tailored re-entry initiative must address the stigmatization in the community that might exacerbate grievances and lead a releasee to re-engage, recidivate or turn to violence.

## FAMILY AND HOUSING

The Rome Memorandum notes that, “Families play an integral role in the success of rehabilitation programs and are particularly instrumental after release in keeping the inmate from returning to a life of terrorism.”<sup>170</sup> Connecting family members to inmates prior to release or engaging them in rehabilitative efforts “will help the family understand and be sympathetic to what the inmate is going through and be more readily able to provide a supportive environment for the inmate once he or she is released.”<sup>171</sup>

Four of our 10 respondents reported that quality interaction with family members made their transition back to society easier. For example, an individual who wishes to remain anonymous but was convicted of a burglary and association with an extremist organization, described that family support was “probably the most important” aspect of his reintegration, “with them I would have had no outlet to better myself.”<sup>172</sup> He explains, “They provided me with housing, a car and spending money. They still do till this day as I have not been able to secure a good enough income to live on my own. They were extremely supportive and they did not judge me for my past.”<sup>173</sup>

Familial contact and support have been correlated to lower rates of recidivism,<sup>174</sup> and for our small sample, familial support was highly connected to stability and adequate housing after release. When questioned about what a pre-release re-entry initiative to prepare terrorism-related offenders for the specific complications of their reintegration would look like, Muhammad Hassan Khalid responded:

Yes, it would have helped individuals see the real-life challenges of having a terrorism conviction. It would also assist in allowing these people to integrate well to society, especially if they do not have family support or someone they can turn to. I think this program should be community-led with input from Muslims and law enforcement, which has the additional benefit of bridging the gap between the community and law enforcement.<sup>175</sup>

Bryant Neal Vinas, who was convicted of joining al-Qaeda in Waziristan, Pakistan, and returning to carry out an attack on the Long Island Railroad in New York, was released in early 2018. He retains little to no contact with family and as a consequence started his reintegration in a homeless shelter. For eight years, Vinas cooperated with the government from protective custody in the federal prison system and testified in several high-profile terrorism trials. However, after a judge sentenced him to three months additional time so that he could prepare for participation in the witness protection program, Bryant was denied program appropriateness on the grounds that he posed a risk to those in the government that would be responsible for protecting his anonymity. Instead, he found himself residing in a hotel paid for by several government agencies and, eventually, in a homeless shelter in Long Island City, Queens.<sup>176</sup> He describes his difficulties:

I had no ID/documents other than my prison release form and prison ID. The process is long, tedious and frustrating. You are given the runaround from the different government offices. I need to get on welfare and get healthcare. That is an adventure on its own. I eventually moved into a three-quarters house.<sup>177</sup>

Despite all, Vinas's reintegration is going well. He is currently working part-time as a dishwasher to pay the rent while he studies for an asbestos removal certificate.<sup>178</sup> Perhaps, most interestingly, Vinas retains regular contact and support from Mitch Silber, coauthor of this report and former director of the Intelligence Division of the NYPD.<sup>179</sup> They meet bi-weekly and have even joined to write a case study of Vinas's experiences for the CTC Sentinel<sup>180</sup> and to discuss their relationship at New America.<sup>181</sup>

Still, Vinas's account makes the difficulties of reintegration clear. He says, "There is no way of describing how I coped with the stress of reintegration. Either I continued to make progress or I go back to prison. I prefer being out of prison."<sup>182</sup> His remarks should be taken seriously. Vinas assisted the government and altered his perspective, but his ordeal calls one to question what may become of those that continue to adhere to violent extremist ideologies and face similar struggles upon release.

The question, therefore, revolves around the identification of intervention mechanisms that are best-suited to address criminogenic needs and reduce the odds of recidivism by providing the necessary tools to achieve a more productive and satisfying life.<sup>183</sup> The key risk factors identified in the interviews with terrorism-related offenders here track well with the salient issues associated with prisoner re-entry in general. It is apparent that they are directly related to a releasee's ability to sustain or establish disengagement or deradicalization. Additionally, the provision of these tailored services would assist in guaranteeing public safety, adding another layer and level of professional contact that would enhance the probability that re-engagement or risk factors associated with potential recidivism were identified early.

Thus, re-entry and reintegration services for terrorism-related offenders can assist in protecting the community in more ways than one. Take as an example the case of John Georgelas, who would go on to be known as Yahya Abu Hassan after he became a high-ranking member of ISIS in 2013.<sup>184</sup> His trajectory offers an anecdotal, if exceptional, example. In 2006, Georgelas was sentenced to 34 months in prison for attempting to hack the American Israel Public Affairs Committee (AIPAC) website.<sup>185</sup> The government presented evidence of Georgelas providing technical support to a jihadunspun.com, a pro-jihad website used to promote Osama bin Laden and al-Qaeda.<sup>186</sup>

Georgelas's ex-wife, Tania Joya, who left his side in Syria and now resides in Texas after rejecting jihadism,<sup>187</sup> reports that Georgelas felt humiliated and that he thought he had been punished unfairly.<sup>188</sup> Tania states

that prison “taught John to be more American in his manners...he didn’t deradicalize, though.”<sup>189</sup> She elaborates that once he was released on October 1, 2008, he dove further into jihadism, but that he consciously hid the escalating radicalization from his probation officer. As soon as his three-year supervised release period was over, in October 2011, Georgelas moved with his family to Egypt, from where they would eventually flee into Syria. Georgelas went on to join ISIS and become what Graeme Wood of The Atlantic called “the most important and prominent American” in the transnational terrorist movement.<sup>190</sup>

## IV. RECOMMENDATIONS

**H**aving reviewed the body of knowledge and applicable policy, dissected the American context, consulted experts and those with terrorism-related convictions that have returned to society, we make the following recommendations:

**I. The Bureau of Prisons (BOP) should pilot a voluntary, in-prison/out-of-prison, rehabilitation and reintegration program, tailored for former violent extremist offenders (jihadist terrorists) significantly in advance of their release date to reduce the likelihood of recidivism.**

Since models and programs like this exist for other types of prisoners, we endorse utilizing pre-existing infrastructure, policy and practice to develop similar in-prison initiatives tailored to the serve the unique needs of violent extremist offenders. More specifically, utilizing proven elements from both gang dropout programs and the Residential Drug and Alcohol Program (RDAP) will be the easiest programs to adapt to create a supportive in-prison environment conducive to cementing disengagement from violence, promoting deradicalization and preparing the inmates for re-entry to society. Additionally, adopting these pre-existent models is practical; apart from the BOP bringing in additional mental health staff with expertise in cognitive behavior therapy and radicalization as well as appropriate facility Muslim chaplains for religious counseling, costs would be minimal. It will be imperative that the in-prison aspects of the program be linked to an in-community, post-release, re-entry and reintegration program. Ultimately, if effective, the design and development such a post-release program could generate sufficient evidence and backing for expansion and enhancement of in-prison programming and for application and replication across divergent types of extremism.

## PROGRAM DESIGN

The entry point for an inmate to participate in the pilot program would be upon sentencing if the judge believes the prisoner is an appropriate candidate and it would be voluntary. It would be supported by input from the BOP’s Counterterrorism Unit (CTU) which monitors the communication of each terrorism-related offender and works closely with the BOP’s internal intelligence agency, the Special Investigative Service (SIS).<sup>191</sup> They are positioned to select a small set of initial participants (between 5 and 10) that would comprise the initial pilot. These should be individuals that have already expressed an interest in process of disengagement/deradicalization independently and are closer to their release date.

Upon acceptance into the program, when an inmate arrives at their assigned prison, he or she would be assigned to a Transitional Housing Unit (THU) upon arrival to ensure they are not greeted by other prisoners. This model exists among “gang dropout” programs, such as has been implemented since 2014 at the Federal Correctional Institute at Otisville, New York.<sup>192</sup> As part of this program, there is in place an effective model for intake and assessment. A similar enrollment process would be appropriate for terrorism-related offenders, many of whom have also cooperated with the government after their arrest or who may seek or need a cognitive space conducive to deradicalization that steers clear from the ultra-literalist Salafi interpretation of Islam that is prevalent in the U.S. prison system.

Once accepted into this program and housed in a transitional housing unit (THU) cognitive and therapeutic space must be created for the prisoner to disengage from terrorist involvement. Thus, the programming would be guided by adopting the same therapeutic community approach as the Residential Drug Abuse Program (RDAP). Although RDAP is used to address dependence, in this case, it would be adapted to create and evaluate specific interventions and re-entry and reintegration preparation that suits the particularized needs of the small violent extremist offender population, focusing on providing regular and robust mental health therapy and counseling.

In the same way that satisfactory completion of RDAP leads to a one-year sentence reduction, the pilot program should be designed with a similar mechanism for incentivization in mind. If the pilot proves effective, federal judges, prosecutors and defense attorneys could advocate for similar mandated program participation and for leniency, or reduction at sentencing where an offender expressed an interest in and was determined appropriate for program participation.<sup>193</sup> Ultimately, if successful, the pilot could be expanded to serve more inmates and extended to other violent extremist offenders or inmates with known hate group affiliations. Such a voluntary in-prison program would reduce recidivism risks and facilitate better re-entry transition.

**II. The USG should partner with a community-led program to develop a post-release re-entry program for terrorism-related offenders. Community-driven countering violent extremism (CVE) initiatives should be preferred to top-down government-led approaches.<sup>194</sup>**

An effective prisoner re-entry program for terrorism-related offenders cannot exist absent government involvement. Nevertheless, the USG should partner with civil society and community programs to create layers of relationship that diversify risk and best promote successful outcomes.

The Global Engagement Center (GEC), a U.S. Department of State-led enterprise charged with leading efforts to counter propaganda,<sup>195</sup> explains that, “Governments have the primary responsibility for developing and managing rehabilitation and reintegration programs, but local communities can play an important, collaborative role in helping design and deliver programming where applicable.”<sup>196</sup> Moreover, U.N. Security Council Resolution 2396 also calls on Member States to work with local communities, mental health and education practitioners, and relevant civil society organizations to address the challenges posed by prisoners returning to society with terrorism-related backgrounds.<sup>197</sup> Despite these recommendations, there are clearly obstacles in the United States. As a senior official within the Department of Justice who works in the probation space advised:

No doubt that NGOs in this space are needed. Probation offices would eagerly enter into funded agreements with NGOs. However, these resources don’t currently exist on a national scale. USG needs to incentivize civil society and mental health community to enter this space in earnest. USG needs to mitigate fears from

civil society and mental health providers that they would be held liable if an offender fails and results in violence. DHS [Department of Homeland Security] has not been successful thus far and can do more here. HHS [Health and Human Services] could do more but has not been mandated to enter this space, although many are advocating for HHS involvement.<sup>198</sup>

The purpose of government partnering with a civil society organization would be multi-fold. Given that this would be an experimental program, a non-governmental partner would be able to provide advice on how to make small adjustments on the ground as it rolls out. The non-governmental partner would have intimate contact with what is happening on the ground through its team of intervention personnel and program participants.

The community-led partner would begin to work with inmates while incarcerated and begin to establish trust, at least six months before release. This would continue through the period of time at the halfway house (where applicable) and then when the program participant is released into society.

The community-led partner would provide services tailored for release, including one-on-one mentor/mentee relationship, advice on how to explain past criminality when seeking work, provide resume counseling as well as assistance in accessing vocational training and educational opportunities, potentially with in-community partners. Partnered closely with the assigned probation officer, the community-led partner would also be a valuable voice in assessing risk regarding the former violent extremist offender.

A successful example of a community partner that we identified over the course of our investigation is the Racine Vocational Ministry, which halved recidivism rates for all program participants and specifically reduced revocation rates for sex offenders by 70 percent.<sup>199</sup> According to Sammy Rangel, a former gang member<sup>200</sup> and now executive at Life After Hate,<sup>201</sup> the DOJ-funded program in Racine benefited from a three-tiered committee structure. It included an executive branch, consisting of government attorneys, the mayor's office, chiefs of police, correctional representatives and others, a "program decision-maker" branch for those overseeing program components and a tier for the on-the-ground community actors providing services.

Rangel explains, "the idea flipped the committee structure upside down. People on the ground were informing mid-management on needs and risks regarding the program participants. If these managers weren't in a position to adapt, conform or change the policies in place accordingly, then it was trickled down to the executive committee who had the authority to make necessary alterations."<sup>202</sup>

With regard to whether this could be applied to terrorism-related offenders he says, "Absolutely. Of course, there needs to be cultural competency development... [but] I think there is high transfer value in understanding antisocial, sociopathic and pathological behavior in the same way we do with criminology in general."<sup>203</sup>

While the Racine Vocational Ministry represented a more localized effort, a similar structure for reintegrating terrorism-related offenders is appropriate for a USG partnership. The community partner should have expertise in CVE and preexistent relationships with civil society actors. This would diversify risk, take the burden of release planning and risk assessment off the USG and facilitate empirical evaluation, not only of outcomes but of internal processes.

**III. While the community-based program should begin its operations on a local level, working directly with specific federal district or probation offices, it should be expanded nationwide in order to standardize the program.**

At this time, the post-release plans for terrorism-related offenders are prepared locally on a case-by-case basis, seemingly by disparate government actors from federal prosecutor offices and probation services. Handling the reintegration of violent extremist offenders on an ad hoc basis will result in a limited capacity to evaluate, unify or replicate results so that evidence-based practices can be derived from these early efforts. Additionally, absent in-house expertise in the realm of CVE, these government actors may find it difficult to identify appropriate intervention mechanisms and be forced to rely solely on law enforcement monitoring.

While localized pilot programs may be appropriate in districts that cover radicalization hubs (such as New York City, Minneapolis or Northern Virginia), the development of a nationwide re-entry and reintegration program with common standards would offer several benefits.

A consistent national re-entry program would reduce the burden off of the government actors and courts currently responsible for supervising reintegrating terrorism-related offenders. The community-based program should effectively take the lead in case management, while working in conjunction with more localized actors such as mosques or general human service providers. This would create something akin to a health information exchange for disengagement/deradicalization<sup>204</sup> and would serve as a clearinghouse of sorts, collecting and distributing information and contacts, identifying best-practices and working to provide services based on evidence-based practices. Beyond providing standardization at the national level, it will also enable the provision of specialized assistance even in localities with few former extremists.

Importantly, a national program would facilitate uniform, up-to-date and evidence-based training. The Radicalisation Awareness Network (RAN) emphasizes that training and support units “can help with the dissemination of training material, development of better training practices, and levels of psychological support... it can also strengthen cooperation at the local level, national and international levels.”<sup>205</sup> A national community-led program would be best positioned to train stakeholders, policymakers, probation officers and local social service providers.

Perhaps the most important question surrounding the proposition a nationwide program is how it would operate. How might a unitary program provide effective case management in such a large country and context? We believe that online counseling and case management may resolve this dilemma. Research increasingly identifies an equivalence between online and face-to-face counseling.<sup>206</sup> Online counseling has proven effective in cognitive behavioral<sup>207</sup> and psychotherapeutic interventions, especially in the treatment of anxiety, stress and depression.<sup>208</sup> Videoconferencing has also been shown to offer a sense of intimacy and human connection similar to the working alliance of an in-person counselor-client relationship.<sup>209</sup> Engaging mandated program participants online would reduce spatial complications and ease participation. It also seems likely to prove sufficient and cost effective.<sup>210</sup>

#### **IV. The courts should utilize the capacity to impose supervised release conditions that mandate participation in the post-release community-led program.**

Those with terrorism-related offenses should be mandated to program participation as part of the terms of their supervised release. Under federal law, the court may “modify, reduce, or enlarge the conditions of supervised release, at any time prior to the expiration or termination of the term of supervised release.”<sup>211</sup> At the very least, mandated participation would increase the likelihood that early indicators of risk will be identified. Additionally, there is evidence to suggest a connection between mandated program participation



and a reduction in recidivism. For example, those with substance abuse issues are often mandated to post-release counseling. Studies have documented that for incarcerated individuals with substance-abuse dependence, starting drug-abuse treatment in prison and continuing treatment upon release results in better outcomes: less drug use and less criminal behavior.<sup>212</sup>

Not surprisingly, the Rome Memorandum endorses this strategy as well, noting:

For a rehabilitation program to be successful, States can consider continuing the treatment after the inmate has left the prison. Developing a robust and effective aftercare and reintegration program, which can include on-going educational, vocational skills training, and rehabilitation programs to facilitate the inmate's transition back into society, demonstrates a continuing good will and provides an important support structure for the inmate at a potentially challenging time.<sup>213</sup>

Several European countries, such as France, the Netherlands and the United Kingdom, make post-release re-entry and reintegration program participation voluntary. But levels and risk of post-release re-engagement have been alarming.<sup>214</sup> Researchers increasingly recognize an evolving crime-terror nexus, where past and present criminals become involved in jihadism after incarceration.<sup>215</sup> Mandating terrorism-related offenders to post-release program participation may help address these looming threats proactively (see Appendix C). The Racine, Wisconsin-based Racine Vocational Ministry, which was previously discussed, provides a potential model for re-entry programming (see Appendix D).

**V. A community-based program should utilize a multidisciplinary team that provides expertise and advisement. There is an important role that former extremists can play as interventionists and mentors.**

The nucleus of the community-led program should include a multidisciplinary team of in-house specialists comprised of professionals with expertise in CVE and those uniquely qualified to conduct clinical supervision, risk-needs-responsivity assessments, and compliant data collection.<sup>216</sup> Their work and advisement can be conveyed to stakeholders and help coordinate care between the community-led program and local actors, such as social service workers and influential community leaders.

Apart from coordinating care with localized re-entry and reintegration service providers, the community-led program should also provide in-house mentoring and support services aiming to reinforce disengagement, promote deradicalization, reduce stigmatization and protect the public. We have outlined an endorsement of online counseling as the mechanism to achieve such a nationwide support service. However, to best achieve the objectives, the multidisciplinary team should utilize reformed extremists – also commonly referred to as former extremists or formers – as primary mentors and interventionists, prepare them for such a position, advise them and help to document the results of their efforts.

Former extremists have a unique capacity to act as empathic mentors. They understand the processes associated with the progression into and out of extremist movements. Formers are likely to identify and accurately assess indicators of risk, even where program participants may be engaging merely to satisfy the requirements of their supervised release conditions. Formers also offer a motivational archetype of sorts for those that have deradicalized on their own while imprisoned.

This idea is also backed by the Rome Memorandum, which notes:

Reformed extremists, particularly those who have been through the rehabilitation process themselves, may be influential with inmates participating in these programs. The testimonials of former terrorists can be dramatic evidence of the benefits of change. These former violent extremists can be carefully vetted and selected.<sup>217</sup>

Still, it is important that formers are not seen as a one-size-fits-all solution. As Douglas Weeks, a counter-radicalization expert and academic we consulted, described it:

The use of formers does allow the conversation to begin, but that conversation can be very brief if it's done in the wrong way. In some cases, it can make the individual even more committed to his/her radical beliefs. It all comes down to approach, establishing credibility and the legitimacy of the individuals involved.<sup>218</sup>

The process of disengagement from extremism has been shown to be similar to recovery from addiction.<sup>219</sup> One particular aspect of the realm of substance-abuse treatment seems pertinent to the advocacy of formers as interventionists. The substance-abuse workforce is unique in that a majority (57 percent) of counselors are themselves in recovery from addiction.<sup>220</sup> Research suggests a correlation between counselors in recovery and professional commitment, due in part to the notion “that walking with others through a process that is potentially very similar to their own experience will constantly remind them of their personal recovery.”<sup>221</sup> It is likely this phenomenon would prove true as well for formers.<sup>222</sup>

Finally, the Obama administration’s 2011 Strategic Implementation Plan for Empowering Local Communities to Prevent Violent Extremism called for “learning from former violent extremists, specifically those who can speak credibly to counter violent narratives, provide insights to government, and potentially catalyze activities to directly challenge violent extremist narratives.”<sup>223</sup> Nevertheless, an April 2016 Government Accountability Office review found that this issue had not been addressed.<sup>224</sup> The use of formers, as interventionists guided by a multidisciplinary team, could therefore not only provide effective support services, but would likely impact other arenas of CVE-engagement such as counter-messaging, early intervention and prevention.

**VI. The community-led program should utilize a network of vetted former extremists that those in the program can engage with to share common experiences. For those with out family support networks to rely on this network can provide the same sense of meaning, purpose and identity extremist movements offer.**

For many violent extremists, exiting their respective movements returns them to a potentially problematic lacking sense of belonging and purpose, similar to the state that commonly facilitates radicalization in the first place. A detailed study of 89 former white supremacists, for example, has documented that the process of leaving deeply meaningful movements produces uninvited and undesired cognitive, emotional and physiological responses triggered by environmental factors.<sup>225</sup> The sense of feeling there is no place to go after imprisonment, combined with other factors highlighted so far, can induce re-engagement with extremist movements after release.<sup>226</sup>

Community engagement and reconciliation has been cited as a necessary component of maintaining any alterations that have occurred in the prison setting and facilitating effective deradicalization as former prisoners return to society.<sup>227</sup> Engagement in jihadist movements is as much about group dynamics as it is a mere religious or ideological affinity.<sup>228</sup> Violent extremists are lured, not just by the Manichean worldview extremists offer, but by their ability to satisfy a quest for personal significance.<sup>229</sup> As anthropologist Scott Atran describes it, violent extremist organizations are “about building group life, God is group.”<sup>230</sup>

Multidisciplinary research has documented that rather than getting adherents to renounce sacred values in totality, it is better to refine and adjust them.<sup>231</sup> With this in mind, we recommend that program participants are encouraged to embed in a collective comprised of formers, (the interventionists), several of whom are likely to have experienced re-entry and reintegration after a period of incarceration. Such a community represents an alternative network built on principles antithetical to extremism. Additionally, embedding repentant and reformed former extremists in such an alternative ecosystem can expand the derivative objectives of the community-led program.

As academic researchers John Horgan and Mary Beth Altier describe, “There remains great potential for repentant and voluntarily disengaged terrorists to help counter violent extremism by reducing the allure of involvement to would-be recruits and deconstructing the myths that feed recruitment narratives.”<sup>232</sup> In Indonesia, for example, a similar network of formers – some in prison and others reintegrating – engages university students in seminars around the country and shares their stories as a means of prevention. Facilitating the growth of a network that can rival the relatively small jihadist networks exerting influence in the American ambit in size and scope would help get to the root of the problem.

## **VII. The community-based agency and the academic board should conduct ongoing research and empirical evaluations and then convey findings to stakeholders.**

The previous five principles represent the core components for a framework derived from a Realist (context-mechanisms-outcome-derived) investigation. They should serve as starting points around which a more comprehensive theory and model can be elaborated. As scholar P.J. Rogers asserts, the primary advantages of theory-driven strategies are that they “can be analytically and empirically powerful and lead to better evaluation questions, better evaluation answers, and better programs,” and “lead to better information about a program that is important for replication or improvement, which is unlikely to be produced by other types of program evaluation.”<sup>233</sup>

Having outlined the essential configurations and mechanisms of a proposed initiative, a next phase of program development would flesh out more concrete definitions and expand the model, expounding on the specifics of intervention and other details. That process should include consideration for rigorous evaluation from the beginning. To better achieve this, we recommend that an independent academic board have access to all stakeholders, especially program agents and participants, and associated case records (though the names of participants may be protected).

According to Jessica Stern, a research professor at the Pardee School of Global Studies at Boston University who concentrates on links between trauma and terror, any program “should be evaluated rigorously by an outside group of statisticians, not the BOP or any of the service providers, outside teams with the right statistical skills, with no incentives to show the de-rad effort works, or doesn’t. Most of the CVE evaluation being done in Europe is done by the service provider.”<sup>234</sup>

The independent academic board can conduct research, serve as an external auditor and evaluate outcomes while advising on program adjustment drawn from their conclusions.

To conclude this report, it is important that this paper is seen primarily as an effort to set forth more practical discussion, an attempt to kickstart further conversation about the need for developing a solution to those incarcerated or returning to society with a terrorism-related conviction. Our aim is to advance the conversation from the hypothetical to the specific, and toward better answering questions nations around the world are increasingly asking: what do we do when terrorists come home?

## APPENDIX A

# UTILIZING A REALIST EVALUATION FRAMEWORK

A primary issue facing those designing rehabilitation and reintegration policy and programming remains a dearth of empirically validated research.<sup>235</sup> In thinking about program design and development with rigorous evaluation in mind from the onset, we decided to appropriate a realist evaluation framework.

Realist evaluations ask not “What works?” but “What works for whom in what circumstances and in what respects, and how?,” or even more fully, “What works, how, why, for whom, to what extent and in what circumstances, in what respect and over what duration?”<sup>236</sup> A realist approach offers a theory-driven process that seeks to identify a combination of mechanisms and contexts that might lead to desired outcomes. This is known as a context-mechanism-outcome configuration, where outcomes identify the intended impact that an intervention or policy has on the population, mechanisms explain how the intervention induces change and how specific instruments align themselves with producing those alterations and contextual conditions rest on “the notion that interventions are dynamic systems, which depend on context, in which they are implemented and evolve over time as the context and stakeholder reasoning changes.”<sup>237</sup>

Realist evaluation has been increasingly endorsed as an applicable framework for CVE studies. Apart from Tinka Veldhuis, a specialist on detention and re-integration of terrorist offenders, advocating for a realist approach to the design of rehabilitation and reintegration programs,<sup>238</sup> it has also been utilized to review the validity of CVE research<sup>239</sup> and to evaluate programs that support the families of foreign fighters.<sup>240</sup> Realist program planning goes beyond simply outlining a program structure. As Veldhuis explains, “interventions are always rooted in some kind of theory that describes how the particular implementation of a program will bring about a desired outcome.”<sup>241</sup> Therefore, the program theory represents a hypothesis that can be tested and further refined after initial implementation.

The design of deradicalization initiatives so far has mostly been built on implicit, and oftentimes erroneous assumptions. Under a realist rubric, these assumptions are made explicit, which allows the underlying program theory to be tested empirically, refined and constantly advanced.<sup>242</sup> The success of any model is related to whether the program’s original design for interventions is “based on an explicated idea, substantiated by previous experience and empirical knowledge, about which measures are most suitable to achieve the set goals.”<sup>243</sup> This approach opens up the black box of evaluation, away from a mere focus on outcomes, where “evaluative conclusions are made with no explanation or understanding required with regard to how recorded outcomes might have been produced.”<sup>244</sup>

From a realist perspective, references and sources for initial program design include experts and stakeholders, interviews with proposed interventionists and members of the targeted population and a review of relevant theories and current knowledge.<sup>245</sup> As a result, initial design and development are, “products of the human imagination: they are hypothesis about social betterment” that can be “shaped by a vision of change and they succeed or fail according to the veracity of that vision.”<sup>246</sup>

## APPENDIX B

# SURVEY OF CURRENT REHABILITATION AND RE-ENTRY INITIATIVES IN EUROPE AND NORTH AMERICA FOR VIOLENT EXTREMIST OFFENDERS

As a final step in our evaluation, we reviewed the existent policy and practices associated with rehabilitation and reintegration programs for violent extremist offenders elsewhere. There are at least 15 publicly acknowledged rehabilitation and re-entry programs worldwide.<sup>247</sup> Our review concentrated on those in Western countries in order to identify patterns and practices that might apply as well to the U.S. arena.

Canada has no official rehabilitation and re-entry program, though it has allocated 35 million Canadian dollars to prevention and deradicalization efforts over 2017-2022.<sup>248</sup> The Correctional Service of Canada (CSC) manages reintegration. Violent extremist offenders undergo a period of conditional supervised release, similar to that which may be imposed in the United States. During incarceration, the CSC conducts an individualized needs assessment,<sup>249</sup> which may result in the releasee's mandated participation in disengagement activities, psychological treatment and, or religious counseling.

In 2017, the United Kingdom made 412 terrorism-related arrests.<sup>250</sup> Although the U.K.'s new sentencing guidelines ensure longer sentences for terrorism-related offenses,<sup>251</sup> over 41 percent of terms issued between 2007 and 2016 will run out by the end of 2018.<sup>252</sup> The U.K.'s CVE strategy (CONTEST) includes reintegration of violent extremist offenders as part of prevention. The Desistance and Disengagement Program has been running as a pilot since 2017.<sup>253</sup> The program imposes a series of mandatory conditions that can include mentoring, psychological support, theological and ideological advice.

In 2015, the Australian government launched its new four-year Living Safe Together initiative. The program allocated 13.4 million Australian dollars to conduct tailored interventions and refer individuals to the necessary support services.<sup>254</sup> Australia's intervention strategy has been criticized for focusing on assimilation, or the progressive adoption of dominant cultural traits by minority groups, and not including the Muslim community.<sup>255</sup>

France's new Prevent to Protect national plan to prevent radicalization includes the creation of four individual in-take pilot programs, overseen by the Department of Justice, focused on education, psychological treatment and "social efficiency."<sup>256</sup> In-prison and community monitoring has become essential to the French program, while reintegration is only an option for returning minor foreign fighters.

The Dutch initiative to disengage, deradicalize and reintegrate violent extremist offenders largely failed due to lack of internal coordination within the Department of Probation and disagreement between municipal

governments (sometimes hesitant to provide assistance to high-profile cases) and public prosecutors.<sup>257</sup> The Department of Probation works hand in hand with the Public Prosecution Service, imams, municipalities and their partners, such as the police and the National Coordinator for Security and Counterterrorism. However, the Department of Probation has admitted to difficulties in monitoring.<sup>258</sup> The current 2016-2020 counterterrorism strategy further emphasizes the need to reintegrate former violent extremist inmates, but relies heavily on monitoring.<sup>259</sup>

Denmark has opted to reintegrate radicalized individuals and returning foreign fighters.<sup>260</sup> Through a multi-agency intervention in collaboration between Aarhus Municipality, East Jutland Police, social service agencies, the intelligence services and Aarhus University, Denmark utilizes an interdisciplinary SSP approach (school, social authorities, police).<sup>261</sup> After a risk assessment, individuals are offered religious counseling and can access a mentoring program as well as housing and employment assistance.<sup>262</sup> Rehabilitation stresses the involvement of parents and family networks.<sup>263</sup>



## APPENDIX C

The previously discussed Racine, Wisconsin-based Racine Vocational Ministry provides a potential model for re-entry programming. Details of its program are below:

### SECOND CHANCE PROGRAM

This program was designed to broaden opportunities for greater numbers of re-entrants to experience job preparation and training along with social services.

The Second Chance program is the result of a year-long planning process that has brought together more than 50 stakeholders and organizations for the purpose of reducing recidivism.

The purpose of this program is to create a community that will engage social practices to improve the successful outcomes of high and medium risk re-entrants into the city of Racine.

#### **Second Chance Program Provides:**

- Re-Entry support and advocacy
- Necessary skills for community re-entry
- Additional support and guidance for family and other important relationships

### HOW THE PROGRAM WORKS:

#### **Pre-Release:**

- Qualified individuals are identified by the Department of Corrections and Second Chance Program Director between six and nine months prior to release and returning to Racine County.
- Once accepted into the program, participants will complete a re-entry risk assessment in person or via video or telephone conferencing.
- Individuals accepted into the program will participate in periodic one-on-one relationship building meetings with a Second Chance Program case manager until the time of release.

#### **Post-Release:**

- Participants will continue to connect with the Second Chance Program to lower risk factors and address barriers to re-entry.
- The Case Manager will set goals, which will develop social skills needed to ensure job and community readiness.
- Program ensures appropriate referrals are made to community partners.



## APPENDIX D

### NOTEWORTHY CASES RETURNING OVER THE NEXT YEAR

<b>Name:</b> Colleen LaRose (a.k.a. Jihad Jane)	<b>Sentence:</b> 10 years	<b>Release:</b> August 4, 2018
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**Colleen LaRose** self-radicalized online and served as an online recruiter and fundraiser for an Ireland-base al-Qaeda cell. In August 2009, she traveled to Ireland to join the cell and plot the murder of Swedish cartoonist Lars Vilks. She was released on August 4, 2018, and has expressed sustained support for jihadists.

<b>Name:</b> John Walker Lindh	<b>Sentence:</b> 20 years	<b>Release:</b> May 1, 2019
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In November 2001, **John Walker Lindh** was found among a group of Taliban in Mazar-i-Sharif, Afghanistan. He was charged with providing material support to a terrorist organization, and is considered the first detainee of the War on Terror. Despite rejecting bin Laden and lamenting joining the Taliban during his trial, he has continued to call for “global jihad” and to translate “violent extremist texts” during his incarceration.

<b>Name:</b> Syed Fahad Hashmi	<b>Sentence:</b> 15 years	<b>Release:</b> August 17, 2019
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**Syed Hashmi**, a U.S. citizen of Pakistani origin, was detained at the age of 27 by British authorities as he was boarding a plane to travel to Pakistan. He was extradited to the United States on charges of providing material support to a terrorist organization (al-Qaeda). While pursuing a degree in England, Hashmi was affiliated with al-Muhajiroun. His case garnered significant of public support and his release will likely generate controversy.

**Name:**  
**Kevin Lamar James**

**Sentence:**  
**16 years**

**Release:**  
**January 8, 2020**

**Kevin Lamar James** founded Jam'yyat Al-Islam Al-Saheeh (JIS), or "The Association of True Islam," while serving time in New Folsom State Prison in California. He recruited Levar Haney Washington, who left prison in 2004. Upon release, Washington recruited others and plotted against Israeli targets in the Los Angeles area. Although James is in a maximum-security prison, he directed Washington and was convicted for seditious conspiracy to levy war against the United States. His name resurfaced again when an NPR report made CMUs public.

**Name:**  
**Ali al-Tamimi**

**Sentence:**  
**Life**

**Release:**  
**Pending appeal**

Spiritual leader **Ali al-Tamimi** was sentenced to life in prison in 2004 after being charged with 10 counts, including soliciting others to levy war against the United States. Recent developments in an immigration case (*Sessions vs. Dimaya*) have deemed crimes of violence charges to be "unconstitutionally vague." Al-Tamimi's attorney has now appealed the life sentence. His release is probable. His codefendant, Seifullah Chapman, was recently granted immediate release on the same grounds.

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